




Speech By  
**Patrick Weir**

**MEMBER FOR CONDAMINE**

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Record of Proceedings, 21 March 2024

### **LAND AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)**

 **Mr WEIR** (Condamine—LNP) (5.43 pm): I rise to speak to the Land and Other Legislation Amendment Bill as a member of the Clean Economy Jobs, Resources and Transport Committee as it is now. The objectives of the bill are to improve regulatory efficiency and ensure the administration of state land and the place-naming framework remain contemporary and responsive to community needs. The bill proposes to amend the Land Act, the Land Title Act, the Recreational Areas Management Act, the Geothermal Energy Act, the Greenhouse Gas Storage Act, the Petroleum and Gas (Production and Safety) Act, and the Petroleum Act. I will not have time to speak to all of those, so I will speak to the two that have had the most debate during the process and, if time allows, some of the others.

The bill makes a number of key amendments to the Place Names Act. The bill transfers responsibility for developing, publishing and making a recommendation about a placename proposal from the minister to the chief executive. The intent of the bill is to reduce the regulatory burden of undertaking inconsequential or duplicative consultation processes: for minor or technical matters; to remove or change a placename which is distressing to a community or part of the community including, for example, a community or a group of Aboriginal or Torres Strait Islander people, or if the name is derogatory, racist or sexist; if the proposal is not likely to be of substantial interest to the community or any particular part of the community; or if the proposal has already been subject to adequate consultation under a separate process or further public consultation process is likely to cause substantial distress to the community or part of the community. The bill contains a safeguard provision which enables the minister, before deciding a proposal which was not released for publication, to require that the proposal be released for consultation prior to making a decision. I will mention that again shortly.

The bill states that it does not affect any person's rights and obligations under other legislation or legal documents where a previous name is referenced; for example, title deeds, leases, penalty infringement notices, court documents, search warrants, criminal charges, private and commercial contracts, references to places on the electoral districts map under an electoral redistribution et cetera. The provision will apply both prospectively and retrospectively.

The LGAQ submitted that the proposed amendments appear to provide greater clarity and responsiveness to the legal framework. However, the LGAQ raised the following issues: that the likely cost to the community, particularly local councils, resulting from a change to an approved name of a place should be considered; and local councils should be consulted on all place-naming proposals prior to the minister's consideration.

There can be significant cost impacts on councils and ratepayers associated with implementing name changes for both local government and local businesses. As a result of these issues the LGAQ made the following recommendation: that the Queensland government, through the Department of Resources, continue to convene the Place Names Working Group with representation from the LGAQ and Queensland councils to progress and introduce a robust and clear policy and guidance framework to support the proposed amendments to the Place Names Act.

In June 2023 the official name of Fraser Island was changed to K'gari under the Place Names Act. As a result, the name of the Fraser Island Recreation Area under the RAM Act needs to be changed to align with the official placename. The LGAQ noted that the change will provide greater responsiveness for the renaming of recreation areas, but it again raised concerns that there may be cost implications for council resulting from the renaming of recreation areas by regulation, such as replacing signage as well as local marketing material and updates. Some of these issues took up some time with the committee. It came out in those hearings that the cost of changing the name of Fraser Island to K'gari was quite significant. Given that it is a tourist destination, it was not only local costs; there were wider international costs, so those need to be taken into account. That is not saying these things should not happen. I know that in the area I come from, just down the range there is a mountain and there is some discussion about whether that name will be changed. There are probably fair grounds for that, but that needs to go through a full public consultation process. You need to have the community onside, and that is what the shadow minister was alluding to. This is something that needs to be considered seriously before any changes are made.

On the resources amendment, the payment of local government rates and charges by the holder of a resource authority is currently only a mandatory condition under the Mineral Resources Act. To support local governments and incentivise industry compliance in relation to the payment of local government rates and charges, the bill amends the resources act to: make the payment of applicable local government rates and charges a mandatory condition of a resource authority; allow the minister to use the resource authorities' security payments to remedy unpaid local government rates and charges; and allow the minister to consider the non-payment of local government rates and charges during the renewal process for the resource authority.

Feedback indicated broad support for the resources act amendments particularly from the local government sector, which reiterated the urgency and importance of these amendments to ensure resource authority holders foster social licence in the regional communities in which they operate. The LGAQ welcomed the proposed amendments to enable more consistent compliance action and regulation across the resource acts. The LGAQ also supported the retrospective application of the amendments because instances of significant non-payment of rates and charges by resource authority holders would not be able to be addressed if the provisions requiring payment of rates and charges were only applied prospectively. To support the payment of rates not yet paid, the LGAQ recommended the Queensland government directly engage with relevant mining companies on behalf of affected councils to resolve local authority rate arrears promptly and ensure fair financial responsibility, at no cost to councils.

The QRC advised there have been excessive increases in local government rates and charges, with payments of local government rates as a percentage of a producers' operating costs in some instances having reached double digits. As a result, the QRC stated that marginal projects may be at risk, particularly those of smaller operators. The QRC also provided data on increases in local government rates ranging from 15 per cent to 1,270 per cent for various companies, noting no change to the project area footprint and no change to the operational capacity, and no change in rating category. The QRC provided specific examples of rate increases, including one council increasing its average petroleum rate by 743 per cent and two councils increasing their average minimum charge for workforce accommodation by 353 per cent and 164 per cent.

To address these issues, the QRC recommended that the Queensland government review the local government rating framework and engage with key stakeholders to develop a fair, sustainable and equitable rating system that allows industry to grow while supporting local governments to deliver regional sustainability outcomes. The QRC also called for further consultation across industry, state government and local government to implement a reform package prior to considering the proposed legislative amendments.

In the hearing, we heard from the chief executive of the Quilpie Shire Council which have one particular project that has a significant arrears. They stated—

Our projections at the moment show that the outstanding rates as at 30 June 2024 will be in excess of \$6.3 million—

That is clearly unacceptable. For a small shire like Quilpie, with a very poor rate base, that is clearly unacceptable and something needs to happen. I note that these laws will give the minister the opportunity to actually consider whether that resources mining lease be continued if they are in arrears. That depends on the minister doing their job. The need for this change is a given—there is no doubt about it—but the minister will need to act on those powers if that happens. I do not have time to talk to all the other amendments. There are many, many amendments. I will leave it to the next speakers.