Speech By

Hon. Scott Stewart

MEMBER FOR TOWNSVILLE

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LAND AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)

Second Reading

Hon. SJ STEWART (Townsville—ALP) (Minister for Resources and Critical Minerals) (4.58 pm): I move—

That the bill now read a second time.

I would like to thank the Clean Economy Jobs, Resources and Transport Committee for its consideration of the Land and Other Legislation Amendment Bill (No. 2) 2023. I also thank those who took the time to lodge a submission and participate in the committee process. This bill amends the Geothermal Energy Act 2010, the Greenhouse Gas Storage Act 2009, the Land Act 1994, the Land Regulation 2020, the Land Title Act 1994, the Petroleum Act 1923, the Petroleum and Gas (Production and Safety) Act 2004, the Place Names Act 1994 and the Recreational Areas Management Act 2006. I note that the committee recommended this bill be passed.

Firstly, I would like to speak to the land related amendments. The bill updates the Queensland state land administration framework under the Land Act 1994 so that it is contemporary and responsive to meet the emerging needs of Queenslanders. An objective of the bill is to make it easier for trustees of reserves to make decisions about how those reserves are used. The bill does this by consolidating the list of community purposes under the Land Act into six broad categories. This is being done by removing the existing prescription from the definition of community purpose in schedule 1 of the Land Act. These six categories will enable an expanded range of related uses that trustees of reserves will be able to support without having to seek ministerial approval. There are also numerous 'community purpose' Land Act leases that are held by community groups and charities. This amendment to the definition of a community purpose will also introduce greater flexibility and opportunities for the holders of these leases.

I know that this change will certainly be welcomed by the member for Burnett, who has long advocated for these changes which will be of assistance to the Agnes Water Surf Life Saving Club and the Goora Gan Steiner School to continue its existing sublease arrangements. I do not intend to go into detail on complex land use issues on the floor of the parliament; however, I can assure the member for Burnett that the amendments that are already contained within this bill will enable the subleasing arrangements for the Goora Gan Steiner School to be assessed against the criteria of a new and broader schedule 1.

It is probably pertinent for me to also mention that the member for Mermaid Beach met with me about a surf club in his electorate that was looking at a sublease arrangement with a developer. Under the current legislation that would not be possible, but by moving this piece of legislation it frees up those surf clubs to be able to look at other revenue sources and other revenue streams. I know that this is particularly important for the member for Mermaid Beach because that surf club will be able to undertake

quite extensive renovations that it certainly would not be able to afford in order to accommodate and work with the developer to ensure there is a great symbiotic relationship, and that is what this is all about. It is about modernising our Land Act.

I also want to be clear that the bill will not change how reserves dedicated for stock route purposes are used. We know that the stock route network is important agricultural infrastructure. The stock route network is a key piece of infrastructure for our multibillion dollar agricultural sector, with drovers moving and feeding up to 330,000 head of stock across the network each and every year. The 72,000-kilometre network is used to feed and move up to 330,000 stock each year across 48 local government areas. That is why a level of continued ministerial oversight is considered appropriate for these reserves.

The bill also gives trustees expanded powers, enabling them to approve diversification of reserves. Trustees that are state or statutory bodies, including local governments, will have the ability to approve uses of reserves that are inconsistent with the reserve's purpose without having to seek ministerial approval. To exercise these powers, trustees will need to develop a management plan demonstrating how the proposed use will not diminish the reserve's purpose and adversely affect the public interest. In applying these powers, trustees could decide, for example, to allow a small cafe run by a third party to operate in a park or on a recreational reserve. Particularly during adjournment speeches, a lot of members in this House stand up and talk about the sporting clubs in their electorates and the great work they do in their communities. They run on a shoestring budget and volunteers ensure these sporting organisations continue to operate and to run.

An honourable member interjected.

Mr STEWART: No, I am not giving you any money. I take the interjection: there is no money in this for you. This means that it allows third parties such as coffee vans to come along to our sporting fields and clubs. These coffee vans will be able to operate under this legislation which means that it enables parents to come along and watch their kids play sport. It is really encouraging that connection back to community and the modernisation under this bill is about looking after those small businesses and allowing them to operate in those areas and providing customers with what they want, again creating that great symbiotic relationship between small industries like our coffee carts and coffee vans and our community recreation spaces.

Mr Hinchliffe: Hear, hear!

Mr STEWART: Thank you. These trustees are not compelled to use these expanded powers.

To support our local governments, the Department of Resources will establish a Local Government Advisory Panel in partnership with the Local Government Association of Queensland. This will provide a forum for local governments to work with the department on key implementation tasks. Occasionally, unforeseen circumstances arise when land is required to deliver an unanticipated community need. To be responsive, the bill introduces a power enabling the minister to dedicate a reserve for a community purpose. For example, a community might require land for a temporary school following a natural disaster that has caused infrastructure damage. In this case, the minister can exercise this power by having regard to the community need and public interest.

Many decisions under the Land Act require consideration of public interest. While the definition of 'public interest' is broad, it does not specifically include consideration of economic interests. To address this, the bill will add 'economic interest' to the definition. This amendment will allow decision-makers to form a more balanced view that takes account of economic growth and sustained prosperity.

The bill supports diversification on state land by allowing lessees of term leases for pastoral purposes to apply to use the land for additional complementary purposes. This aligns with what other leaseholders can do, allowing for secondary sources of income during tough economic or climatic times. A great example of this is on some of our cattle leases where, during tough economic times, this will allow for other opportunities such as tourism opportunities.

Mr Hinchliffe: Absolutely they will.

Mr STEWART: I take the interjection from the member for Sandgate. What goes through my mind is *City Slickers*—that great movie—

Ms Richards: It's an oldie but a goodie.

Mr STEWART: It is an oldie but a goodie—a bit like me. This is about—

Honourable members interjected.

Mr STEWART: I withdraw. This is about providing opportunities for tourism ventures where, in this case, you will be able to do a cattle drive and sleep under the stars, but it actually helps out those primary producers during really tough times. This is about freeing up those land uses. When I spoke to my daughter about this she thought it was a great opportunity to get out there, even though she talked about *Yellowstone* rather than *City Slickers*.

Mr Hinchliffe: Go Beth!

Mr STEWART: She does call me 'Dutton'.

I am also pleased to announce that the bill simplifies administrative processes and removes regulatory duplication from tenure allocations. New processes will make it simpler to grant unallocated state land in freehold to Queensland government departments to deliver important projects. The amendments mean that we no longer need to develop special purpose legislation by removing the need for a public purpose assessment.

The bill also removes the mandatory requirement under the Land Act for decision-makers to evaluate the most appropriate use of land before deciding to allocate tenure. This has been an unnecessary step that duplicates land use decisions that are taken using the state's transparent planning framework. Lastly, the bill amends the Land Title Act 1994 so that public purpose land in freehold subdivisions can no longer revert to unallocated state land by default upon registration. In future, it will be mandatory for public purpose land to be dedicated for specific purposes like a road.

I now turn to the amendments related to the Place Names Act 1994, the primary legislation for naming geographical features and areas in Queensland. Placenames are essential for administration and governance purposes, identifying administrative boundaries and allowing accurate emergency service delivery. Placenames are a part of the geographic area's brand or marketing, attracting investment and visitors or increasing awareness of cultural heritage or natural environment. We have seen the importance of placenames and the impact that they can have. We saw that just last June when we reinstated 'K'gari' as the official name of what had been known as Fraser Island. That was an emotional day for many people and a special one in Queensland's history. It was done through the Place Names Act 1994.

Sadly, yesterday during a debate, in his speech the member for Buderim argued that we were wasting our time renaming places. I remind the member for Buderim that for 65,000 years the island was called K'gari. For decades, the Butchulla people worked hard to get that name back and we worked with them. In fact, we got a smidgen under 6,000 submissions to rename Fraser Island as K'gari, as it had been called for 65,000 years. That may not be important to the member for Buderim but for our First Nations people it was a momentous day. It meant that this beautiful area will carry its true name in all aspects: the national park, the heritage area and the official placename. That is why it is important that this act is fit for purpose.

Giving a place an official name requires consideration of a broad range of issues. The Place Names Act lists 10 place-naming issues that may be considered when giving a new name or changing or discontinuing the name of a place. This bill refines and extends the place-naming issues to align with present-day needs. Additional matters to consider include government initiatives for policies relating to placenames, the socio-economic impacts of placename changes and compliance with legislative requirements.

The bill enables the chief executive to develop, publish and make a recommendation about placename proposals to the minister. The minister continues to have sole responsibility for deciding such proposals. The separation of functions will increase transparency and accountability, particularly where a placename change may be controversial. This is a sensible reform, noting that the placename process is not application based and there is no right to appeal a decision.

The bill enhances public engagement by enabling the use of contemporary technology to make submissions such as using audio or video. This will certainly be helpful for those people with a disability or for whom English is a second language.

The bill provides efficiency by reducing the minimum consultation frame from two months to one month. This is consistent with consultation in other Australian jurisdictions. There is flexibility to extend consultation periods if so required. The bill provides four avenues to waive community consultation: firstly, the proposal is limited to a minor or technical matter; secondly, to remove or change distressing, derogatory, racist or sexist placenames; thirdly, for a proposal that is unlikely to generate substantial community interest; and, finally, for a proposal that has been subject to adequate consultation under a separate process or where further public consultation is likely to cause substantial distress.

This amendment does not prevent the chief executive from publishing a place renaming proposal that had been exempted. For example, public consultation might be beneficial for a complex or controversial case such as removing a distressing name that has historic or cultural significance. The bill maintains a safeguard so that the minister can require exempted renaming proposals to be released for consultation. Currently, under the Place Names Act there is no ability to transition from an existing name to a replacement name. This is an important issue for complex name changes, for example, in a built-up area with a large population base.

The continued contemporary use of an existing name as an approved name alongside a new name is supported by the bill. This gives the community and business sufficient time to transition to the new name for a period of up to five years, with the possibility of one extension. This bill expressly provides that giving, changing or discontinuing a placename does not affect a person's rights and obligations, either retrospectively or prospectively. Examples of documents are title deeds, leases, penalty infringement notices, court documents, search warrants and criminal charges.

The bill allows the chief executive to delegate their functions and powers—for example, the power to prepare a placename proposal—to the chief executive of either a department or a local government or to an appropriate qualified Public Service officer. This new flexibility will enable greater participation, including by local governments, in place-naming processes. Through this new power, the proposal prepared by local government would satisfy the requirements of the act right up to the minister's final decision on formally deciding the name.

Similarly, the bill provides for the delegation of ministerial powers but this ability to delegate is limited only to another minister. This new ability will facilitate the delegation of ministerial naming powers where another minister has an overlapping interest. As an example, the power to name geographic features within national parks could be delegated to the minister responsible for administering the Nature Conservation Act. The key reforms to the Place Names Act that I have outlined are a positive step towards improving Queensland's placename framework. The bill streamlines the place-naming process to make naming more transparent, flexible, inclusive and responsive to the community.

I now turn to the amendments to the Recreation Areas Management Act 2006. The amendments will provide the power to change the name of a recreation area in the future by regulation. The amendments are made in response to the name of Fraser Island being officially changed to K'gari last year. Under the RAM Act, the name Fraser Island Recreation Area needs to align with the new official placename. Currently, there is no provision in the RAM Act to enable a name change. This amendment will provide for a name change to be made to a recreation area by regulation. The Department of Environment, Science and Innovation has advised representatives of the Butchulla First Nations people of the amendment and they support changing the name of Fraser Island Recreation Area to align with the official name of the island, K'gari.

I now turn to the amendments to the resources acts. The bill amends Queensland's resources legislation to promote a fair approach to ensuring resource companies comply with their obligation to pay local government rates and charges. We all understand the significant role that the resources sector plays in Queensland, to our economy and particularly to rural and regional communities. The resources sector provides the essential materials we need for infrastructure, manufacturing and energy production as well as high-quality jobs and prosperity in our regions. Queenslanders expect resource industries to fulfil their responsibilities to the communities in which they operate and to pay their local government rates and charges. Local government rates and charges are an important way that resource companies foster social licence and ensure regional Queenslanders receive direct benefit from the extraction of their resources. That means better local infrastructure such as roads, libraries and parks; better local services; and a stronger economic foundation, which improve the quality of life in our regional communities.

Local governments have requested support to recover unpaid rates and charges from resource companies operating in their communities. The Queensland government has responded to this issue by progressing amendments to mandate the payment of rates and charges as a condition of a resource authority. These amendments will ensure resource companies fulfil their obligations to pay outstanding local government rates and charges. If resource companies do not comply, penalties can include reducing the term or area of the resource authority, imposing a monetary penalty or, in fact, cancelling the resource tenure. These amendments simply make it a condition of the resource authority for resource companies to comply with this existing legal obligation. The amendments will provide greater support for local governments by enabling security paid by the resource company to be applied to their outstanding rates and charges.

Ultimately, the Queensland government is committed to ensuring the regulatory framework supports the sustainable development of our resource industry. I again thank the committee for its consideration and for its support of the bill. I commend the bill to the House.