

STATE DEVELOPMENT, NATURAL RESOURCES AND AGRICULTURAL INDUSTRY DEVELOPMENT COMMITTEE

REPORT NO. 5 ON THE

LAND, EXPLOSIVES AND OTHER LEGISLATION AMENDMENT BILL 2018

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 15 February 2018 the Land, Explosives and Other Legislation Amendment Bill 2018 (the Bill) was introduced to Parliament. The Bill was subsequently referred to the State Development, Natural Resources and Agricultural Industry Development Committee (the committee) with a report back date of 19 April 2018. On 19 April 2018 the committee tabled its report no. 5 in relation to the Bill.

The Queensland Government's responses to the recommendations made by the committee are provided below.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

The committee recommends that the Bill be passed.

Government Response

The government thanks the committee for this recommendation.

Recommendation 2

The committee recommends that the Minister provides advice in his second reading speech on:

- the request by the Olkola Aboriginal Corporation, the Batavia Traditional Owners Aboriginal Corporation and the Chuulangun Aboriginal Corporation to have additional land parcels included in proposed new section 27A of the Bill as protected land
- a possible formal mechanism or process that allows Aboriginal corporations to nominate Aboriginal land, at the request of the traditional owners, for protection from mining interests.

Government Response

The government notes the committee's recommendation. Minister Lynham will provide advice in the second reading speech on both the request to have additional parcels included as protected land, and options for the nomination of Aboriginal land for protection from mining interests.

Recommendation 3

The committee recommends that the Minister, in his second reading speech, respond to the matters identified in the report in relation to:

- *Petroleum and Gas (Production and Safety) Act 2004* – Clauses 265, 270, 286 – Onus of proof
- *Explosives Act 1999* – Clauses 57, 58, 63, 64 – Protection against self-incrimination
- *Land Act 1994* – Clause 203 – Protection against self-incrimination.

Government Response

The government notes the committee's recommendation.

The matters identified in the committee's report in relation to the abovementioned Acts were addressed in the explanatory notes under the fundamental legislative principles, and in the Department of Natural Resources, Mines and Energy's response to the issues raised in the submissions received by the committee during its inquiry into the Bill.

The Minister will further elaborate on these matters in his second reading speech, as requested by the committee.
