

This is an uncorrected proof of evidence taken before the committee and it is made available under the condition it is recognised as such.



INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES COMMITTEE

Members present:

Mr J Pearce MP (Chair)
Mr CD Crawford MP
Mrs BL Lauga MP
Mrs AM Leahy MP
Mr AJ Perrett MP

Staff present:

Dr J Dewar (Committee Secretary)
Ms M Telford (Acting Committee Secretary)

PUBLIC BRIEFING—INQUIRY INTO THE GASFIELDS COMMISSION AND OTHER LEGISLATION AMENDMENT BILL 2017

TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, 24 MAY 2017

Brisbane

WEDNESDAY, 24 MAY 2017

Committee met at 8.45 am

ANDREW, Mr Matthew, Executive Director, Industry Development, Department of State Development

BROADBENT, Mr Andrew, Director, Industry Development, Department of State Development

DIFFEY, Ms Lea, Executive Director, Science Development, Department Of Science, Information Technology and Innovation

SILVESTER, Mr Peter, Director, Priority Ports, Department of State Development

CHAIR: Good morning, ladies and gentlemen. I declare open the public briefing for the GasFields Commission and Other Legislation Amendment Bill 2017. Thank you for your attendance here today. I am Jim Pearce, the member for Mirani and chair of the committee. The other committee members here with me today are: Ms Ann Leahy, deputy chair and member for Warrego; Mr Craig Crawford, the member for Barron River; Mr Shane Knuth will be with us later on this morning; Mrs Brittany Lauga, the member for Keppel; and Mr Tony Perrett, the member for Gympie. Those here today should note that these proceedings are being broadcast to the web and transcribed by Hansard. The media may be present so you may also be filmed or photographed. The committee proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. Witnesses should be guided by schedules 3 and 8 of the standing orders. Before we commence could everybody switch their mobile devices off or put them to silent mode. I welcome witnesses and ask if you would like to make an opening statement.

Mr Andrew: Thank you for the opportunity to provide this briefing regarding the GasFields Commission and Other Legislation Amendment Bill 2017. Officers from the Department of Science, Information Technology and Innovation and the Major Projects and Property group from the Department of State Development also join me today to answer questions regarding amendments to the bill related to the biodiscovery and ports acts respectively. In opening I would like to cover the objectives of the key, its key elements, how it will be applied and the consultation that has occurred so far.

The object of the bill is to amend the Gasfields Commission Act 2013 to improve the operational structure of the GasFields Commission Queensland and clearly distinguish between the roles of the commission's board and its staff. The amendments included in the bill implement certain recommendations made by the independent reviewer, Professor Bob Scott. To achieve this objective the bill amends the Gasfields Commission Act to provide a clearer distinction between the strategic and operational functions of the commission.

The commissioners will operate as a board and set the strategic direction for the commission. This change brings the commission into line with how other independent statutory bodies operate. The bill changes the requirement of commissioners being representatives of a particular sector to having knowledge or experience in a particular sector. This change will assist with the more strategic role expected of the commissioners going forward. The position of general manager of the commission will be redesignated to become chief executive officer. This reflects the increased operational importance of the role.

There are a range of consequential amendments reflected throughout the bill; for example, delegations, declarations of interest, quorums for board meetings, special leave arrangements and temporary appointments during extended periods of leave. The role of the chairperson will no longer be required to be full-time, which is a specific recommendation of Professor Scott. In future, the minister will have the option to recommend the appointment of either a part-time or full-time chairperson. A new function in relation to the commission providing information and coordination on health and wellbeing matters related to on-shore gas activities is included in the bill. This new function will be performed in conjunction with health specialists and service providers and will primarily be a coordination and communication role for the commission.

The bill also clarifies that the commission should not be involved in individual disputes. This was recommended by the reviewer, who stated that the commission needs to be clear it does not handle individual disputes or provide specific dispute advice to individuals. Reforms in relation to dispute resolution and the establishment of a separate Land Access Ombudsman are being managed through the Department of Natural Resources and Mines. These amendments were introduced to the parliament yesterday.

Extensive community consultation was undertaken during the gas fields review of the commission between March and July 2016. The reviewer, Professor Scott, considered 58 written submissions and undertook 82 individual interviews, including landholder visits. During the development of the bill the Department of State Development briefed key industry stakeholders, and these are listed in the explanatory notes to the bill. The commission was also extensively consulted throughout the preparation of the bill. Key stakeholders consulted raised no issues or concerns in relation to the amendments to the Gasfields Act.

Amendments to the Biodiscovery Act 2004 will expand the contractual framework for biodiscovery under the act and stimulate further innovation and investment in Queensland. The Biodiscovery Act is currently structured so that every entity that uses native biological material along a commercial supply chain is required to have a benefit-sharing agreement with the state. The amendments to the Biodiscovery Act will provide an alternative option whereby a head biodiscovery entity which has a benefit-sharing agreement with the state will be permitted to enter into its own arrangements with subsequent users of the native biological material subject to minimum terms being met. This change ensures that all entities along a commercial supply chain can operate in an official commercial arrangement with reduced regulatory burden under the Biodiscovery Act. This will help encourage job creation and innovation in scientific discovery whilst protecting the state's interests in native biological material. A range of consequential amendments are required to the Biodiscovery Act to deliver this new user model.

Key biodiscovery entities were consulted on amendments to the Biodiscovery Act, including leading universities and commercial biodiscovery companies. These entities are detailed in the explanatory notes. Those entities which were consulted support the proposed approach as the first stage in a broader reform of the Biodiscovery Act to give effect to the recommendations arising from the statutory review of the act which was completed last year.

The bill will also amend the Sustainable Ports Development Act 2015 to ensure a port overlay consistently applies to development in a master planned area. This amendment will clarify that a port overlay cannot regulate development that is regulated under a development scheme for a priority development area or for a state development area. The amendment to section 19(4) of the act ensures that a master plan can be implemented through the port overlay by local governments and port authorities when assessing development that is located within a priority development area or a state development area but excluded from a development scheme.

In preparing the amendment the department engaged with Economic Development Queensland, the Office of the Coordinator-General, the Department of Transport and Main Roads and Queensland Treasury and Trade, all of whom support the amendment. This will contribute to achieving commitments under the Reef 2050 Long-Term Sustainability Plan. Mr Chair, this concludes my opening statement. We are happy to take any questions the committee may have.

CHAIR: Thank you for that, Mr Andrew. There was a lot of detail in there. I might begin by asking if you can provide an overview of the findings of the independent review of the GasFields Commission. You may want to take that on notice.

Mr Andrew: We have a copy of the report here which we are obviously happy to share with the committee. Broadly speaking, the overall findings of the review of the commission were that the commission had operated effectively up to that point, but with the changing nature of the industry—now being established as opposed to establishing—in the Surat Basin, it was time to amend the way the commission operated to some extent. To that extent, the key recommendations Professor Scott made were very much around moving the board from being very active in terms of the commission being very actively involved out in the community to a board which was more traditional in that it was providing strategic oversight for the commission with the officers of the commission expected to take on a lot more of that community consultation role. In that sense, it was really bringing it in line with other statutory organisations across the Queensland government. That was probably the major shift that was recommended by Professor Scott.

CHAIR: I think we need a bit of an understanding of the work that you actually do. How many cases have you looked at? What work have you done with industry with the portfolio minister? I have a bit of an understanding, but I really want to know what you do.

Mr Andrew: I am obviously not part of the GasFields Commission—we are the department—but the role of the GasFields Commission has been to provide communication and the coordination of issues and matters relating to the on-shore gas industry. Basically, its role has really been as an information broker to help landholders, communities and the industry itself to work better together. The intent of the commission—and this was something that Professor Scott was very strong on—was never to resolve individual disputes between a landholder and gas company but rather to provide information that helped all parties grow and understand what the industry was, what the impact was on those local communities and how that impact could be mitigated or managed. That is very much the central focus of the GasFields Commission, and the changes recommended by Professor Scott were very much around trying to make the role of the commission more effective as the industry transitioned from start-up to establishment.

CHAIR: Can you give me some idea how successful that process has been? Has it been worthwhile having that in place? Have landholders been able to get some satisfaction out of the process?

Mr Andrew: Again there are some examples in the review that we can pass over to you, but I would say on the whole it has been a successful process. Certainly Professor Scott found that the commission had had a positive impact in terms of relationships between the on-shore gas industry and landholders and that a lot of the issues that were prevalent in the industry early on in the piece have settled down and that as a result of the commission's work relationships between landholders and the industry have improved.

CHAIR: I think that is why I was asked the question, because I am aware of some instances where they were not very happy.

Mr Andrew: No, and I think it is one of those situations where not everyone is going to be happy with the arrangements, but there is no doubt that—

CHAIR: You learn as you go—

Mr Andrew:—as a result of the work of the commission there have been improvements.

Ms LEAHY: Under this legislation does the commission have a head office or base?

Mr Andrew: The commission currently has an office in Brisbane and until 30 June it has an office in Toowoomba.

Ms LEAHY: Can you tell me what will happen to the office in Toowoomba after 30 June?

Mr Andrew: My understanding is that the decision has been made to close the office in Toowoomba from 30 June.

Ms LEAHY: Who made that decision?

Mr Andrew: That is a decision of the GasFields Commission, which is obviously an independent statutory authority.

CHAIR: Can you tell us why?

Mr Andrew: That is an operational decision for the commission. You would have to direct the question to them.

Ms LEAHY: Can you tell me how many staff were based in that office in Toowoomba?

Mr Andrew: I believe there were three staff based in that office.

Ms LEAHY: Can you tell me what will happen to those staff at 30 June?

Mr Andrew: It is my understanding that two of those staff have found alternate roles within the Queensland public sector, and work is being done to place the third staff member in a role as well.

Ms LEAHY: Can you tell me what the projected staffing component of the commission will be after 30 June?

Mr Andrew: I am afraid you will have to direct that question to the commission. That is an operational issue for them.

Ms LEAHY: Can you tell me where any staff after 30 June will be based?

Mr Andrew: Again you will have to direct that question to the commission. That is an operational issue for them.

Mrs LAUGA: Thank you for that overview of the commission and the bill. What were the reasons for and how will the reclassification of the role of general manager to chief executive officer contribute positively to the commission?

Mr Andrew: The decision, or at least the recommendation, to redesignate the role of general manager to chief executive officer came from Professor Scott. It reflects the changing nature of the role of the board to one that is a strategic, more traditional board away from one that was more active in terms of the day-to-day operations of the commission. In order to continue the good work of the commission, Professor Scott recommended that the role change from general manager to chief executive officer to reflect its greater role or greater impact. That is obviously reflected in the change to the act.

Mr PERRETT: I think you mentioned earlier that the role of chairperson may become part-time. I think the minister may have the discretion. What benefits would there be to the commission in having that role part-time?

Mr Andrew: As you note, it could be part-time or full-time depending on the requirements at the time. Obviously with the recommendation that the commission become a more typical, if you like, statutory authority in the sense that the commission staff do a lot more of the work and the board becomes more of a traditional strategic management board, there was a view that there may only be a need for a part-time commissioner. We have given that flexibility within the amendments to the bill.

Mr PERRETT: I take it from that that the previous chairperson was possibly a little more hands on and that person may step back into a more strategic role. Is my understanding correct?

Mr Andrew: That is correct.

Mr CRAWFORD: Why do we need to change the Sustainable Ports Development Act? What are the problems with the current arrangements? How is this going to fix it?

Mr Silvester: As we have progressed master planning under the Sustainable Ports Development Act since 2015, what we have discovered is that when we look at some of the operational matters that we may wish to regulate—we are not there yet—through a master plan and then, through the regulatory tool, a draft port overlay or a port overlay, what the act currently does is create a regulatory island, if you like, for local governments and ports. At the moment, if we have a draft master planned area like we do for Gladstone, that master planned area contains within it local government areas, port lands regulated under the Transport Infrastructure Act and state development areas.

At the moment under the act a port overlay cannot regulate development in a state development area. When we go back to have a look at what we actually intended and what was discussed in this committee's report back in September 2015, development that was regulated by the Coordinator-General or the Minister for Economic Development Queensland was to be basically exempted from a port overlay. How it was to work was that producing a port overlay to regulate requirements under the Sustainable Ports Development Act triggered a requirement then for the Coordinator-General or the Minister for Economic Development Queensland to have a look at their development schemes and decide whether they were going to be consistent with a port overlay requirement.

What that means in real terms is that a development scheme for a Coordinator-General does not actually regulate everything in a state development area; it just regulates some matters. For Gladstone, for instance, the Gladstone State Development Area scheme regulates material change of use and it also regulates only some operational matters associated with vegetation clearing and management. It does not go down to the next level of regulation which is actually controlled either by the port or by the local government in terms of operational type work—if you are doing earthworks or other matters, that type of regulation sits with the local government. At the moment, if we have a port overlay content, for instance, that might want to regulate something to do with earthworks, because it is not currently captured in terms of protecting outstanding universal value matters, we cannot turn that on in a state development area. It is a matter regulated by, say, local government. It is not captured by a regulation under the development scheme, controlled by the Coordinator-General. We cannot turn that provision on.

This is just a very technical fix to a regulatory issue. It does not change or amend the requirements of the Coordinator-General or the Minister for Economic Development Queensland. It does not fetter their decision-making in anyway. It still meets the same intent. This is just a technical amendment to fix that turning on and off of regulatory powers in a state development area or a priority development area under the Economic Development Act.

Mrs LAUGA: Have there been any examples where a port overlay has not been able to be considered that really should have been and thus has been the trigger for this change?

Mr Silvester: We currently do not have anything on display. We are still working through preparing the evidence and a draft master plan for Gladstone and what we are calling a preliminary draft port overlay. Picking up on some of the commentary coming out of the last parliamentary debate around the fact that we should be preparing the regulatory instrument at the same time as we are preparing a draft master plan, we are doing that. This is where we have discovered that issue—that we might not be able to regulate something that we might wish to because there might be a gap. We are still testing some of those concepts. We have not landed on the final outcome yet.

Ms LEAHY: I am trying to get a really good understanding of this. Can you explain to me how the port overlay interacts with the local government planning scheme?

Mr Silvester: Certainly. At the moment, under the act, if we have port overlay content that picks up an issue under the master plan that we wish to regulate and that matter is dealt with inconsistently in a local government planning scheme, then the way the port overlay works is that provision now prevails to the extent of the inconsistency. Again, using an earthworks example, if there was a provision in the local government planning scheme controlling sediment in a certain way and it was inadequate, the port overlay could require code content to say, 'We need you to manage sediment in this particular way,' which is now inconsistent with your requirements. Then the port overlay becomes the predominant legislation controlling development in that particular area.

Ms LEAHY: How does the department interact with the local government to achieve that?

Mr Silvester: There are a few different steps. The first step is when we are developing draft master plans and preliminary draft port overlays. Ports and local governments are really our partners in developing those draft master plans, so we have a very clear understanding of how might we implement this and how might that work in a development assessment space and what might that mean for subsequent development scheme amendments. The second step is when we get into implementation. The implementation component is when we will be working with council officers through the first stages of development assessment to make sure that the port overlay is being applied consistently in development assessment. That is still a step yet to go in terms of implementation.

CHAIR: What was the motivation for amending the legislation as it is at the moment?

Mr Silvester: The main motivation is that it is scrolling forward to when the minister has to make a decision under the act to make a master plan. There are a few steps that have to line up before you get to the port overlay component. The first step is the minister finalises a master plan after it has been through a round of public consultation. The next step is then setting the master plan area by regulation, so the master plan area that appears in the master plan is then set by regulation. The next step is to release a draft port overlay that implements the master plan or requirements of the master plan. Then you finalise the master plan. For Gladstone, towards the end of this year we will be aiming to have a master plan finalised. At that point in time the minister would have to be satisfied that he can actually implement the master plan. We did not want to put the minister in a position where he has to make a master plan without certainty that he can actually implement it. That is what was motivating that.

CHAIR: That is very good, not that I understood all of it, if I am being honest about it. It is very complicated. There are no more questions on sustainable ports.

Mr PERRETT: What is the remuneration package for the GasFields Commission chair and the individual commissioners?

Mr Andrew: Full-time or part-time?

Mr PERRETT: Whatever is being proposed?

Mr Andrew: The remuneration package for a full-time chair of the commission is—I will just double-check to make sure I have it right; this is the total package—\$221,741. That is for a full-time chair. For a part-time chair, the total remuneration is \$6,000, plus reasonable out-of-pocket expenses. The part-time remuneration has been set under the remuneration procedures for part-time chairs and members of Queensland government bodies. For part-time commissioners—and that is what the commissioners now are—the remuneration is \$4,500, plus reasonable out-of-pocket expenses.

CHAIR: Do you have a part-time chair now?

Mr Andrew: We currently have a full-time chair through this transition period whilst we amend the act and put all of that in place. We obviously were not able to appoint a part-time chair because as yet the amendments to the bill have not been through the parliament. Once the bill goes through the parliament, it will be at the discretion of the minister as to whether or not he wants to appoint a part-time chair at that time.

CHAIR: As I see the position of chair, it is a pretty important position on a board. If they only want a part-time chair, that sends a message to me that there is something wrong. Isn't the workload enough to ensure that we have a chairperson in place full-time? I am picking up a bad message about it for some reason.

Mr Andrew: There is no intention to send a bad message. It reflects the broader changes as recommended by Professor Scott that industry itself is transitioning to a more operational phase as opposed to a start-up phase. The role of the GasFields Commission needs to change a little. There was a clear view from Professor Scott that the commission needed to line up more closely with other statutory authorities where the bulk of the work is done by the CEO and staff and the board moves to a more traditional board role, with strategic overview of the commission going forward. That obviously reduces the workload from what was previously a full-time role as chair and, as has been noted, fairly active in the gas basins to one that is part-time, chairing six board meetings a year. Again, that remuneration amount was determined under the remuneration procedures for part-time chairs and members of Queensland government bodies. It is in line with other statutory authorities.

CHAIR: Do you think the gas industry as we have known it for the last two or three years—being in a high-development phase—is going to decline? That is where the contact is made with landowners and where people need to have consultation processes in place. I have had to deal with landowners who were not getting a fair go. I want to make sure that the landowners are going to get a fair deal.

Mr Andrew: I think the committee needs to understand that the GasFields Commission will continue to do its work in terms of communication and coordination across the various basins. That is its core role. We are obviously upping the CEO and ensuring the commission has the resources to do that. The other important recommendation of Professor Scott's was obviously around this dispute resolution mechanism for landholders. The government has taken a decision to establish an office of the land access ombudsman that was introduced to the parliament yesterday. Obviously that role will be very important in helping to resolve disputes on a case-by-case basis with landholders.

CHAIR: Were any concerns raised when you were going through the consultation process? Among all of the parties involved, were any real issues raised?

Mr Andrew: No, there were not in respect of the amendments to the act.

Ms LEAHY: Is the current commissioner a full-time commissioner?

Mr Andrew: That is correct, yes.

Ms LEAHY: Once this legislation is passed by the parliament, we do not know whether the current board chair will continue as a full-time commissioner?

Mr Andrew: When the current board chair accepted the role as a full-time commissioner, she was very aware that changes would be made to the act and it would then be up to the minister to determine whether or not the commissioner would be full time or part time going forward from there. That will obviously be a decision that gets made following the amendment to the act.

Ms LEAHY: How is the term of appointment for that board chair and the other commissioners done? Is that a term appointment?

Mr Andrew: Yes, there is a term appointment for the chair. I believe it comes up in September.

Mr Broadbent: 31 May 2018.

Mr Andrew: The other three commissioners, who are all part-time, have been appointed through to—

Mr Broadbent: I think it is June 2019. It is a three-year term.

Mr Andrew: It is a three-year term, so it is June 2019.

Mr Broadbent: I will confirm that.

Mr Andrew: Obviously we were not able to appoint a part-time chair until the act was amended, because the previous act only allowed for a full-time chair to be appointed.

CHAIR: We will move on to biodiscovery. It is interesting: please tell me a little about biodiscovery, for the record.

Ms Diffey: Biodiscovery is the collection and use of native biological material, in the case of the Biodiscovery Act from state lands and/or waters. It is used by researchers to develop something new that is then used for commercial gain. Some researchers in universities might make a drug discovery that comes from some of our biodiversity and those kinds of things. The concept of the act is that it enables people to collect those small amounts, so that you can do the testing and whatever the researchers need to do to find out the properties of that material and use it for different purposes. Drug development is just one example. Then you go through the whole process of manufacturing it, commercialising it, selling it and that kind of thing. That is the general concept of biodiscovery. Does that make sense?

CHAIR: Yes, it helps.

Ms Diffey: It is not necessarily known by everybody.

CHAIR: How many people work in this area?

Ms Diffey: I do not have a number at the moment. We are working with the universities as our primary points of contact. There are four companies that we are aware of that we have been working with, as well, to get their approvals in place. We are mainly working with the universities to get benefit sharing agreements in place, hence the concept of this particular amendment to the act. Once we have those in place, we will have memorandums that attach to that agreement for each of the different research projects that they have underway.

CHAIR: Can you tell us something really exciting that your workers have uncovered or discovered?

Ms Diffey: Potentially. You may have heard of the spinifex project with the people from Camooweal. That is really exciting and has great potential. We are looking forward to seeing what can happen there. They have been working with the researchers at the University of Queensland to look at the cellulose and oil products from that particular grass, to see whether we can use it in new manufacturing materials, whether it be rubber, bricks, bitumen and those kinds of things. Perhaps it will take less product to produce as much stuff or have different properties to make it more appealing for different purposes.

CHAIR: That is exactly what I wanted to hear: something really exciting to look forward to. In your consultations on the bill, were any concerns raised?

Ms Diffey: Not with this particular amendment. In fact, most people are very supportive of this particular amendment. There are other concerns with the act, but we will deal with those in due process.

CHAIR: Can you provide an overview of the current legislation in regard to a biodiscovery benefit sharing agreement and how this will change under the proposed amendments? What is the difference?

Ms Diffey: At the moment, anybody doing biodiscovery is required to have three approvals. One is a collection authority, which is administered by the Department of Environment and Heritage Protection or National Parks, Sport and Racing, depending on where the material comes from. There are two other requirements that are managed by the Department of Science, IT and Innovation. One is a biodiscovery plan, which is basically a description that says this is what we plan to do, these are the kinds of things that we will develop and these are the kinds of benefits that we see may arise. It is a fairly descriptive document. Then there is a third approval that is called a benefit sharing agreement, which is essentially a contract with the state that requires some kind of benefit to be returned to the state. It may be financial, but it may also be a social or environmental benefit. It has various reporting obligations, so annual reporting on what has been achieved through the biodiscovery and those sorts of things, and the provision of those benefits.

As I mentioned earlier, biodiscovery might be the researcher at the moment, but in time you would hope it leads to somebody manufacturing a drug, for example. At the moment, every single participant in a market chain would be required to have a benefit sharing agreement with the state: the researcher or the university that the researcher belongs; then if they commercialise that to a small business, that person would have to have an agreement with the state; if they give that to a manufacturer, for example, in some kind of commercial agreement, that manufacturer would have to have an agreement with the state. Under this, the plan is to keep that in place and also provide an additional option that allows for what we call the head biodiscovery entity. That may be the university, but it could also, in time, become any one of those members along the chain, to take on the

responsibility of managing those agreements through the chain, essentially on behalf of the state. The head biodiscovery entity would then have a subsequent user agreement with each of the participants along that chain. They would have the responsibility for providing the benefits and reporting back through the state on behalf of their market chain. We are told that this will make it easier for those sorts of commercial deals. Obviously, they will have contracts in place for their own things that are none of our business. If they want to have this as part of that process, this change will enable that to occur, but they do not have to.

CHAIR: They do not have to?

Ms Diffey: No. Every single person could still have an agreement with the state, if they chose that as their way of operating.

CHAIR: That was an excellent response.

Ms LEAHY: I have one quick question. You mentioned biodiscovery collection on state lands. Could you be a little more specific about what tenures you are referring to?

Ms Diffey: Hopefully I will catch them all, because there are lots of them out there. It is leasehold land, national parks, conservation reserves and those kind of estates. Probably anything that is not freehold essentially, whether it be Indigenous freehold or normal freehold. The rest of it is still under the control of the Crown.

Ms LEAHY: I think about 60 per cent of Queensland is actually leasehold land. Is there a protocol arrangement for notifying the leaseholder of any biodiscovery?

Ms Diffey: I will have to take that on notice, actually. I am not aware of any procedure at this point in time.

Ms LEAHY: I would really appreciate that.

Ms Diffey: It is a good question.

Ms LEAHY: A lot of the land mass of Queensland is leasehold land. If you are referring to anything that is not freehold, we do not want to lose those valuable things and we want to know where those people are.

Ms Diffey: Definitely. I will get back to you.

CHAIR: What about freehold? If you feel there could be something on the land that would be very interesting to look at, can you make an agreement with the owner?

Ms Diffey: A person could make an agreement. The state would not be involved in that agreement. In fact, where international conventions are heading, so the Nagoya Protocol for example, if those parties want to do some kind of international trade further down their market chain there is an expectation under that that prior and informed consent and proof of provenance, so where it came from, need to be demonstrated. However, that is not a part of the state's role if it is private land.

CHAIR: Fair enough.

Mrs LAUGA: The explanatory notes outline that the amendments will stimulate further innovation and investment in biodiscovery in Queensland. Could you outline how you think the amendments will achieve that?

Ms Diffey: Slowly but surely. Essentially, we see that the amendments will make those business dealings easier and, therefore, investment into such projects much easier. With the deals that the universities may choose to do with their researchers or other investors, it takes the state, essentially, out of their commercial arrangements other than what we require of them. Hopefully that will facilitate greater interest in participation in such projects. That is essentially where we are coming from there.

Mrs LAUGA: How many biodiscovery approvals or permits do we have current in Queensland at the moment?

Ms Diffey: It is fairly immature at the moment. We have a couple that were in place prior to the Biodiscovery Act existing. It is not a new issue, but the Biodiscovery Act commenced in 2004 so there are some legacy agreements there. At the moment, we have one finalised and a couple in progress. That is why we are taking the approach of doing the overarching agreements with the universities, so that we can try to capture all the research that is happening.

CHAIR: I think we have covered what we want to know and we always know where to find you. I thank you for your attendance here today. We have questions on notice. Could you please have the answers to us by Wednesday 31.

Ms Diffey: Sure.

Mr Broadbent: Mr Chair, I will confirm the end date for the appointment of the part-time commissioners, as well.

CHAIR: Thank you very much. I declare this hearing closed.

Committee adjourned at 9.26 am.

PROOF