

- ~~reinstating protections in water plans to mitigate potential risks when managing the capture and storage of contaminated agricultural water as growth of this take increases;~~
  - ~~providing a new direction power to take action to deal with certain urgent water quality incidents.~~
- ~~The water quality powers would only be used in exceptional circumstances and would take into account potential impacts on critical water supplies and the water security of water entitlement holders.~~
- ~~Finally, the bill also includes minor technical amendments to provide increased transparency and operational efficiencies in the Water Act. I commend the bill to the House.~~

### ~~First Reading~~

~~Hon. AJ LYNHAM (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.09 pm): I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

### ~~Referral to the State Development, Natural Resources and Agricultural Industry Development Committee~~

~~Mr DEPUTY SPEAKER (Mr Stewart): Order! In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.~~

### ~~Portfolio Committee, Reporting Date~~

~~Hon. AJ LYNHAM (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.10 pm), by leave, without notice: I move—~~

~~That under the provisions of standing order 136, the State Development, Natural Resources and Agricultural Industry Development Committee report to the House on the Mineral, Water and Other Legislation Amendment Bill by 9 April 2018.~~

~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~

## LAND, EXPLOSIVES AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.10 pm): I present a bill for an act to amend the Aboriginal Land Act 1991, the Cape York Peninsula Heritage Act 2007, the Explosives Act 1999, the Explosives Regulation 2017, the Foreign Ownership of Land Register Act 1988, the Land Act 1994, the Land Regulation 2009, the Land Title Act 1994, the Mineral and Energy Resources (Common Provisions) Act 2014, the Mineral Resources Act 1989, the Petroleum and Gas (Production and Safety) Act 2004, the State Penalties Enforcement Regulation 2014, the Torres Strait Islander Land Act 1991 and the legislation mentioned in schedule 1 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Natural Resources and Agricultural Industry Development Committee to consider the bill.

*Tabled paper:* Land, Explosives and Other Legislation Amendment Bill 2018.

*Tabled paper:* Land, Explosives and Other Legislation Amendment Bill 2018, explanatory notes.

I wish to advise the House that this bill was introduced in the 55th Parliament and this explanatory speech is essentially the same. This bill reintroduces, with minor changes, the Land, Explosives and Other Legislation Amendment Bill 2017, which lapsed with the dissolution of the 55th Parliament last October and before the previous infrastructure, planning and natural resources committee could complete its inquiry into the bill. The Land, Explosives and Other Legislation Amendment Bill 2018 covers a wide range of amendments that will streamline and ensure the effectiveness of certain key regulatory frameworks within what is now the Natural Resources, Mines and Energy portfolio. The government remains committed to increasing the ability of Aboriginal people and Torres Strait Islanders to access and utilise their land, as well as enhancing opportunities to achieve home ownership.

The bill proposes amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 to expand the circumstances in which registered native title bodies corporate may hold land, subject to a number of safeguards. This will provide flexibility for Aboriginal and Torres Strait Islander owner groups to nominate an existing registered native title body corporate to be grantee of land which is not subject to a native title determination provided the land is adjacent to, or in the vicinity of, a relevant native title determination area and the traditional owner groups are the same or similar. This flexibility removes the need to establish and fund a new entity with the same or similar membership, and administrative and governance arrangements, if an otherwise suitable entity already exists.

Further amendments to the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 will provide greater options for the government and trustees to determine or agree on the sale prices for social housing. The purchase of social housing stock is the most feasible path to home ownership in Indigenous communities. These amendments allow the state and trustees to respond more readily to the unique circumstances in those discrete communities; recognise existing interests in property; and make adjustments in communities where there is limited or no active housing market.

The bill will also make amendments to the Cape York Peninsula Heritage Act 2007 to support the protection and cooperative management of cultural and natural values of the Cape York Peninsula. These amendments will ensure that the existing prohibition on resource extraction activities on the Shelburne Bay and Bromley properties is retained following their transfer as Aboriginal freehold land. The prohibitions were originally put in place to protect the outstanding cultural, environmental and landscape values of these properties. The amendments will ensure that the protection of these values continues under Aboriginal freehold land tenure in line with the tenure settlement arrangements for the two properties, as requested by traditional owners of the land and supported by the Cape York Land Council Aboriginal Corporation.

The bill amends the Land Act 1994 to provide a modern compliance framework. Currently, the Land Act provides only limited tools to allow the Department of Natural Resources, Mines and Energy to appropriately manage state land, particularly unallocated state land and reserves that have no trustees. Of particular note is the lack of contemporary powers required to address issues such as the illegal dumping of rubbish, noise and erosion caused by motorbike riders and four-wheel drives, and illegal camping. There is also an inability to deal rapidly with dangerous infrastructure of risk to public safety or to address the burden to the state and taxpayers of unsafe and inappropriate buildings and structures.

A range of compliance tools similar to existing provisions in equivalent state legislation is proposed, providing the government with the flexibility to respond more appropriately, effectively and in a timely manner to different compliance situations. Amendments to the authorised officer provisions in the Land Act are proposed to provide protection to government officers as well as modern safeguards to the community.

The bill also proposes minor amendments to the Land Act to streamline processes for tourism lease renewals on regulated islands. The amendments will allow marine term leases to become rolling term leases where they are tied by covenant to a perpetual lease and provide supporting infrastructure. This responds to stakeholder feedback, providing greater security for leaseholders of tourism leases which support and strengthen the tourism industry.

Queensland is well on the way to a completely online electronic conveyancing system after computerising its property titles register in 1994. Since that time, people have shown that they are increasingly comfortable with not requiring a piece of paper to evidence ownership, with only some 12 per cent of properties in the state still having a paper title in existence. Following Queensland's approach, all other states have eliminated, or are in the process of eliminating, duplicate paper certificates of title.

Amendments to the Land Title Act 1994 encourage and facilitate the take-up of online e-conveyancing by removing the legal effect of these duplicate paper certificates of title. Additionally, the bill has been amended to change the date of commencement of the amendments to the Land Title Act that remove the legal effect of duplicate paper certificates of title to 1 July 2019, to give stakeholders an adequate lead time following on from the reintroduction of the bill. The bill proposes to amend the Foreign Ownership of Land Register Act 1988 to make definitions for 'foreign person' and 'foreign corporation' consistent with those used in the Duties Act 2001, reducing duplication and red tape. Other minor amendments will generally update the act, including contemporary penalty provisions. The amendments to the Foreign Ownership of Land Register Act will now commence by proclamation to ensure that the amendments are not inadvertently retrospective.

The bill also amends the Explosives Act 1999 to improve community safety by strengthening security provisions. Queensland is the largest user of explosives in Australia, predominately in the mining industry, using approximately one-third of the three million tonnes consumed annually. In Queensland, 'explosives' includes ammunition, blasting explosives, distress signals, flares, fireworks, propellants and pyrotechnics. Licence holders can purchase, possess, use, transport and store various amounts of explosives depending on their licence. Explosives safety and security are critical to the resources industry and for the protection of the Queensland community. As it stands, the Explosives Act is silent on security related matters and it is essential that explosives legislation is kept current with contemporary safety and security standards and meets community expectations.

The bill includes amendments to prohibit a person who is the subject of a domestic violence order from holding an explosives licence, contributing to this government's strategy to end domestic and family violence in Queensland by its support of the *Not Now, Not Ever* policy.

Further amendments will align Queensland with the national harmonisation process to achieve national consistency in explosives regulation.

The bill also amends the Petroleum and Gas (Production and Safety) Act 2004. This act regulates workplace safety of the gas industry so that the act remains relevant and contemporary for workers in the gas sector and gives confidence to the community around issues of gas safety. The bill aligns gas safety laws with both mining and general workplace safety laws, modernises safety reporting requirements, clarifies definitions and introduces a new framework for managing operating plant that has been abandoned. A regulatory framework that is effective and up to date is important to meet industry and community expectations for competent safety regulators. The explosives and gas safety amendments in this bill achieve another milestone by the government to ensure that Queensland resources safety legislation is contemporary and effective.

Amendments to the Mineral Resources Act 1989, the Mineral and Energy Resources (Common Provisions) Act 2014 and the Petroleum and Gas (Production and Safety) Act 2004 are proposed to address minor issues in the overlapping tenure framework for coal and coal seam gas. These amendments are technical and noncontroversial. The bill makes a range of minor amendments to the operational and technical provisions in each of the amended acts. These changes will ensure that the state's statute book remains up to date, effective and reflects contemporary drafting practices. I commend the bill to the House.

### First Reading

**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.21 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to the State Development, Natural Resources and Agricultural Industry Development Committee

**Mr DEPUTY SPEAKER** (Mr Stewart): In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.

### ~~Portfolio Committee, Reporting Date~~

~~**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (4.21 pm): By leave, without notice: I move—~~

~~That under the provisions of standing order 136 the State Development, Natural Resources and Agricultural Industry Development Committee report to the House on the Land, Explosives and Other Legislation Amendment Bill by 9 April 2018.~~

~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~

### ~~PLUMBING AND DRAINAGE BILL~~