

16 January 2017

Research Director
Agriculture and Environment Committee
Parliament House
BRISBANE QLD 4000

Land and Other Legislation Amendment Bill 2016

Thank you for the opportunity to provide a submission on the *Land and Other Legislation Amendment Bill 2016* (the Bill).

The Property Council of Australia is the leading advocate for Australia's biggest industry – property. We are a national not-for-profit organisation established to promote the work of the property industry in delivering prosperity, jobs and strong communities to all Australians.

Here in Queensland, the Property Council represents over 360 member companies across residential, commercial, retail, retirement living, industrial, tourism and education sectors.

The Property Council supports the Government's initiative to introduce this amendment bill, which aims to modernise the application of the *Land Act 1994*, the *Land Title Act 1994*, and other legislation, through a number of relatively minor amendments.

Of primary interest to the Property Council's membership are the amendments to the *Land Title Act 1994* relating to priority notices. The amendments proposed in the Bill are consistent with similar changes undertaken in New South Wales, Victoria, Western Australia and Tasmania to implement the reforms agreed through the Australian Registrars' National Electronic Conveyancing Council.

The amendments will replace the current settlement notice mechanism with a priority notice mechanism. A priority notice will prevent registration of other dealings occurring on the land in question until a contract is concluded and titling documents registered. This approach will bring Queensland in line with the new nationally consistent notice practice.

By amending section 164 of the Act, the Bill will empower the Registrar to not produce a physical certificate of title if they are satisfied that a legal practitioner holds the certificate of title. This measure will reduce red tape and increase the efficiency of the land title process by permitting legal practitioners to use an electronic lodgment network to lodge instruments without the need for a physical lodgment.

The proposed amendments will help facilitate the further use of e-conveyancing in Queensland. The Property Council supports the adoption of these amendments as they will have a positive impact on state's economy by reducing regulatory delays through the mainstreaming of electronic conveyancing.

If you would like further information in relation to this matter, please contact me on (07) 3225 3000 or cmountford@propertycouncil.com.au.

Yours sincerely

A handwritten signature in black ink, consisting of a large, sweeping 'C' shape that extends horizontally to the right.

Chris Mountford
Queensland Executive Director