

Khalil Lloyd
Manager, Georesources Policy
Department of Resources
Queensland Government
1 William Street
BRISBANE QLD 4000

19 April 2021

Re: Consultation on proposed changes to land access guidance materials

Dear Mr Lloyd

Thank you for the opportunity to provide feedback to the Department of Resources regarding the proposed updates to land access guidance materials.

The Australian Property Institute and the Queensland State Committee is supportive of the use of a Queensland registered valuer and the API's Rules of Professional Conduct in valuations undertaken to support the negotiation process.

In addition, our view is that API membership should be the minimum standard for valuers engaged in these matters to protect both parties in the negotiation and the integrity of the process. API membership ensures a high level of professional standing through professional education and membership, the API suite of standards, compliance checks, an independent complaints process and a limited liability scheme approved by the Professional Standards Councils.

The API considers that in addition to valuers, other property professionals in the land access and negotiation process should engage in professional membership of the relevant industry body – in the case of the API, non-valuer professional membership is offered through the MAPI category. Having this enhanced engagement with a professional membership would also apply the API's Rules of Professional Conduct to all people involved in the process and makes further education and professional develop available.

On Page 16 of "A guide to land access in Queensland", there is a reference to the API's *Rules* of Professional Conduct and the *Code* of Professional Conduct. For consistency, the API refers to the document as the Rules of Professional Conduct.

The API notes that landholders have a right to costs associated with negotiation and preparation including legal, accounting, agronomist and valuer fees. We recommend the department consider that the *opportunity cost* should be payable to landholders entering into

this process which could include disruption of business, planned investment or business activities.

The API also notes that landholders cannot withdraw consent to entry to 'restricted land.

Given that 'restricted land' includes areas where sensitive activities might occur, including with children and animals, consideration should be given to the fact that circumstances can change with requirements of activities on restricted land. It is recommended that landholders be allowed to withdraw consent to entry to restricted land – this may include a notice period.

Thank you again for the opportunity to provide feedback on behalf of our members. If you require any further information, please contact Andrew Milne, Queensland Member Services Manager at qld@api.org.au.

Kind regards



Nelson Savanh
General Manager Corporate Affairs