




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

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NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

 **Dr ROWAN** (Moggill—LNP) (11.56 am): I rise as the shadow minister for Aboriginal and Torres Strait Islander partnerships to make a contribution to the debate on the Natural Resources and Other Legislation Amendment Bill 2019. For legislation such as this—an incredibly large, so-termed omnibus bill that spans some 234 pages and amends no fewer than 29 separate acts—I will keep my contribution primarily confined to the amendments affecting Queensland’s Aboriginal and Torres Strait Islander peoples.

As I have said, this bill contains amendments impacting no less than 29 acts. As per the bill’s explanatory notes, this bill specifically amends ‘the Aboriginal Land Act 1991 and the Torres Strait Islander Act 1991 to reduce the regulatory burden and clarify the interpretation and application of these acts’, as well as amending ‘the Aboriginal and Torres Strait Islander Land Holding Act 2013 to provide a more efficient process for the transmission of leases where the original lessee dies intestate (without a will) and to extend the statutory review period of the Aboriginal and Torres Strait Islander Land Holding Act 2013 from five to 10 years’.

Specifically in this legislation, clauses 11, 12, 16, 19, 22 and 94 each relate to various matters under the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 and these seek to replace the current regulation making process with a ministerial declaration process. As articulated by my Liberal National Party colleague the shadow minister for natural resources and mines and member for Burdekin, Dale Last MP, we will not be opposing these specific amendments. Whilst supportive of these amendments, the LNP has also listened to the concerns of affected stakeholders. I note there were concerns which were raised by the Cape York Land Council in its submission to the State Development, Natural Resources and Agricultural Industry Development Committee and I take this opportunity to thank the council for taking the time to contribute to the parliamentary committee’s examination of the bill.

Whilst acknowledging that these specific amendments will reduce the government’s legislative burden by replacing a subordinate legislation process with a ministerial declaration process, I do note that within this legislation it is proposed that a public register is kept of ministerial directions. We do know that there are real concerns amongst various Indigenous organisations about what is often seen as Labor’s Clayton’s and duplicitous support for resources projects, particularly in Cape York, and we have heard the comments recently by Gerhardt Pearson in relation to that and also what is happening in the Galilee Basin. Certainly enhancing and expanding Indigenous opportunity across our state is very important, particularly self-determination for our first nations peoples and economic opportunity as well. That will successfully ensure that Closing the Gap metrics in relation to health and education and economic opportunity are achieved in this state.

I also acknowledge the contribution made by the Queensland Law Society. In its submission to the parliamentary committee, it noted—

The proposed amendments appear appropriate to the extent that reducing the burden of administrative processes will assist traditional owners negotiating with the State for Aboriginal and Torres Strait Islander freehold grants under these Acts.

I take this opportunity to reflect more broadly on the size and scope of the bill. I know many members on this side of the House have raised these issues. Since coming to power in 2015, the Palaszczuk Labor government has continuously and strenuously trumpeted its supposed commitment to being an open and transparent government. However, as the past four years have shown and as every Queenslanders knows, particularly in my electorate of Moggill, that is simply not the case. This bill, from its crafting through to its examination, is just the latest in a long line of poor legislative and consultative processes that have been undertaken by the Palaszczuk Labor government. As I noted at the start of my contribution, the bill before the parliament extends over more than 230 pages and amends 29 individual acts. It is simply not good enough and ultimately it is an insult to the many stakeholders who will be affected by this bill incorporating so many changes that the Labor government has offered so little time for those changes to be fully considered.

I have heard contributions made by many Labor members who have said that stakeholders, including the Queensland Resources Council and the Queensland Law Society, were satisfied with the bill's process. However, that is misleading at best. One needs only to read the first page of the Queensland Law Society's submission to the committee to understand that this process of examination was far from ideal and that the length of time allocated was less than optimal. In foreshadowing the length of its submission, the Queensland Law Society outlined that—

Due to the size of the Bill, QLS has limited its comments to those aspects outlined below. There may be other unintended consequences which we have not been able to identify due to time constraints.

I repeat—

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It is a real and valid concern that, given the limited time for scrutiny, there will be unintended consequences. There has not been adequate time for stakeholders to make their submissions or for appropriate oversight to understand what some of those potential unintended consequences could be. How can we expect there to be good, sound legislation when even the Queensland Law Society has to point out that the processes of this Labor government are very flawed?

For the benefit of the Labor government and members opposite, I draw the attention of the House to the testimony of Mr Bill Potts, the President of the Queensland Law Society, during the public hearing into the bill on 25 March this year. It is very important that the parliament hear his words. When Mr Potts was asked by my colleague the Liberal National Party member for Bundaberg for his point of view on the consultation process with respect to this omnibus bill, Mr Potts stated—

Can I say this: consultation is something that we have for many years both promoted and, where necessary, insisted upon. Where there is no upper house of review, the committee system becomes so much more important.

Later he stated—

... we have as part of our central ethos, our central mission, good law. We want there to be evidence based law. The more consultation we get, the better, particularly where there are some acts involved.

This is just anecdotal: recently we were given four days to respond. Clearly, that is just not in anybody's interests. The more time we get the better, the more opportunities we therefore have to work on those unintended consequences across a whole range of subject matter experts.

Similar sentiments were echoed by the Queensland Resources Council. At page 1 of its submission to the parliamentary committee, this Labor government's significantly flawed processes were laid bare. The QRC stated—

Even for an omnibus Bill, this legislation is extraordinarily broad in scope, amending according to the references in the Minister's Explanatory speech, a staggering 29 different Acts. The breadth and complexity of this Bill makes it very difficult for any stakeholder to be confident they have understood all the ramifications of these amendments in the 15 business days between the Bill being tabled and submissions falling due for the Committee.

This is not the Liberal National Party finding fault with the Labor government's legislative and consultative processes; these are well-respected stakeholders, the Queensland Resources Council and the Queensland Law Society, that first and foremost want to ensure that good law, backed up by good consultation and examination, passes through this parliament and that appropriate time and consultation take place with respect to scrutiny when we are enacting such far-reaching legislation. To that end, on this side of the House we wholeheartedly support such sentiments. I call upon the Palaszczuk Labor government to actually listen to the community and provide the open and transparent government that they have been promising over the past four years. That simply has not been happening.

Finally, I commend the contributions made by my colleagues in opposing a number of the clauses in this bill, particularly those concerning the removal of the foreign landownership report, clauses 36 and 37; allowing the state to access private land without consent, clause 45; and the extension of

ministerial decision-making powers, clause 260. I call upon all members of the House to support the Liberal National Party amendments. I certainly commend the Liberal National Party shadow minister, his response to this bill and the amendments that he will be moving.

I conclude by saying that it is only this side of the House that supports the resources sector in Queensland. That is well and truly known by Queenslanders. On Saturday, those who live in rural and regional Queensland will have a clear choice. If they elect a Bill Shorten federal Labor government, Bill Shorten and federal Labor pose not only a real risk to our economy but also a sovereign risk here in Queensland and right across Australia. I say to those who live in rural and regional Queensland: if you support the resources sector and the mining industry, you must back the Morrison federal LNP government.