

UK, Japan, the USA and China. The Bligh government will continue to support and encourage the tourism industry in Tropical North Queensland. We have a plan and we are sticking to that plan.

(Time expired)

019

Grandchester State School

~~Mr RICKUSS (Lockyer—LNP) (12.29 pm): I table some documents and some photographs.~~

~~Tabled paper: Emails, dated 12 and 15 November 2010, between Lockyer electorate office and Ken Ogg, Moreton Region Project Co-ordinator, Department of Education and Training, in relation to BER programs at Grandchester State School.~~

~~Tabled paper: R&F Steel Buildings Quotation U200103, dated 15 November 2010.~~

~~Tabled paper: Photographs of pump, shed and land.~~

~~I am glad to see that the Minister for Education is here, because I want to raise the issue of Grandchester State School. I was out there with the member for Ipswich West the other day for the opening of one of the BER projects. Unfortunately, the bad design of this BER project has let the Grandchester community down. The run-off from the school playing fields runs straight through the sheds, so as soon as it rains water and mud washes straight through the shed. Unfortunately, the battered bank was not turfed at all because the project coordinators did not allow for that in the budget. They did not put a swale drain in to drain the water away from the buildings. I have contacted facilities in Ipswich to try to get this sorted out, but the email responses I have received, which I have tabled, are almost farcical. It sounds like something out of Erin Brockovich.~~

~~They are blaming the P&C and the principal for the fact that the design was not done properly. The design was done by Paynter Dixon and quantity surveyors—all these people who are building experts. They have water pouring through this shed that virtually makes it unusable. They have uncovered electrical pumps. They have uncovered sharp objects about a metre high with a bit of hose cut in half and slipped on it as a safety measure. I could not believe what a disaster it is, and this mob are trying to blame the P&C and the principal for it. This was a \$250,000 BER project.~~

~~I have also tabled a quote for the construction of a shed of the same size—\$70,000. That is ridiculous. I do not mind projects being overmanaged, but to rip off a community like Grandchester, which is in a low socioeconomic area anyway, is just bad form.~~

~~(Time expired)~~

~~Mr DEPUTY SPEAKER (Mr Ryan): Order! The time for matters of public interest has expired.~~

ABORIGINAL LAND AND TORRES STRAIT ISLANDER LAND AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.31 pm): I present a bill for an act to amend the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984, the Aboriginal Land Act 1991, the Liquor Act 1992, the Local Government (Aboriginal Lands) Act 1978, the Local Government Act 2009, the Nature Conservation Act 1992, the Petroleum Act 1923, the Petroleum and Gas (Production and Safety) Act 2004, the Residential Tenancies and Rooming Accommodation Act 2008, the Right to Information Act 2009 and the Torres Strait Islander Land Act 1991 for particular purposes, and to make minor and consequential amendments to the Auditor-General Act 2009, the Environmental Protection Act 1994, the Greenhouse Gas Storage Act 2009, the Information Privacy Act 2009, the Mineral Resources Act 1989, the Police Powers and Responsibilities Act 2000, the Survey and Mapping Infrastructure Act 2003 and the Vegetation Management Act 1999 for purposes related to those particular purposes. I present the explanatory notes, and 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.

Tabled paper: Aboriginal Land and Torres Strait Islander Land and Other Legislation Amendment Bill.

Tabled paper: Aboriginal Land and Torres Strait Islander Land and Other Legislation Amendment Bill, explanatory notes.

Second Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.31 pm): I move—

That the bill be now read a second time.

The Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 were introduced 19 years ago. There have been significant changes since then, including the High Court's decision on Mabo and the Australian government's response to that historic decision—the Native Title Act 1993. Yet the intent of the two acts from 1991 remains just as relevant today. That intent is to foster the capacity for the self-development and cultural integrity of the Aboriginal people and the Torres Strait Islanders of Queensland.

This bill I am introducing today aims to improve the workability of the legislation. Its broad objectives are to provide more options when it comes to transferring land, to reduce the need to create new entities to hold land and to improve the governance arrangements for existing land trusts. It also seeks to enable the recognition of the rights of the Aboriginal traditional owners of land subject to Torres Strait Islander deeds of grant in trust at Seisia, Bamaga and Hammond Island. Each community has different needs and faces different challenges. This necessitates a range of options to transfer land as no single solution will suit all communities.

This bill includes the option of a perpetual town lease. This option was presented to the government by a number of communities. These communities desired to have the town areas transferred to them but recognised that the continued good governance and administration of the town area was a major factor for their communities and for the government. To resolve this, they presented the option that the land be returned to them but on the condition that they in turn grant a perpetual lease over the township area. The government responded to this request. Under new provisions in the acts, perpetual leases for townships will be granted by the trustees and can only be granted to the existing Indigenous local government.

The full range of leasing can occur under these perpetual leases, importantly including 99-year homeownership leases. Councils are well placed to administer 99-year homeownership leases, which are designed to increase Aboriginal and Torres Strait Islander homeownership. These options achieve the balance between the need to recognise the ownership of the land through the transfer process on one hand with the practical need for ensuring the continuing needs of town administration on the other.

The changes are necessary because there is an increasing number of community groups registered under the Australian government's Corporations (Aboriginal and Torres Strait Islander) Act 2006. These groups include prescribed bodies corporate which hold native title following a determination.

To create a new entity to hold the land can put further strains on the community. Often it involves the same people who are involved in other positions within the community. Therefore, it makes sense to grant land to appropriate existing entities. This ensures existing resources are maximised and community members are not required to meet differing reporting and governance requirements. This means that use of existing resources can be maximised and that community members are not required to meet differing reporting and governance requirements. These amendments will provide that land is granted to bodies registered under the Australian government's Corporations (Aboriginal and Torres Strait Islander) Act.

This bill also amends the Local Government (Aboriginal Lands) Act 1978. Amendments to this act will clarify, simplify and update the legislative framework applying to Aurukun and Mornington shires. The Local Government Act 2009, which commenced on 1 July 2010, applies to all local governments across Queensland, including Aboriginal shire and Indigenous regional councils. As a consequence, the Local Government (Community Government Areas) Act 2004, which provided for the 14 Aboriginal shire and Indigenous regional councils other than Aurukun and Mornington shire councils, was repealed as redundant.

Unlike other Indigenous local governments, the Aurukun and Mornington shire councils were established under the Local Government Aboriginal Lands Act. The bill will firstly repeal redundant local government and other outdated provisions in the Local Government Aboriginal Lands Act. Secondly, the bill will ensure greater consistency between the powers and functions of the Aurukun and Mornington shires and those of all other Aboriginal shire and Indigenous regional councils in relation to entry and residence in their areas.

This bill also includes amendments to the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 and the Local Government Act. Amendment of the Local Government Act will ensure that a specific revenue-raising provision applicable to all other Aboriginal shire and Indigenous regional councils continues to be applicable to the Aurukun and Mornington shires. Amendments to the justice, land and other matters act will ensure that its provisions relating to law and order in community government and Indigenous regional council areas also apply to Aurukun and Mornington shires. The amendments reduce existing duplication and do not represent any shift in current policy.

The provisions which establish the shire leases for both Aurukun and Mornington will be retained. The existing power of these shire councils to make laws to exclude persons from, or restrict access to, their shire areas will be removed. The amendments will allow only for local laws to extend access to the shire lease area, not to restrict it. For example, local laws might authorise access to all or part of the

area by guests of residents or persons with a permit for camping, recreational fishing or scientific research.

The Local Government (Aboriginal Lands) Act will be renamed as the Aurukun and Mornington Shire Leases Act 1978 and be administered by the Minister for Natural Resources, Mines and Energy and the Minister for Trade. The Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships wrote to the Aurukun and Mornington shire councils advising them of the review of the Local Government (Aboriginal Lands) Act and invited them to identify any issues of concern.

The Department of Infrastructure and Planning consulted directly with each of the Aurukun and Mornington shire councils on the issues under review and proposed changes to the legislation, including the removal of their power to summarily evict persons from their area. Both local governments advised their support in principle for the proposed amendments. As a result, I commend the bill to the House.

Debate, on motion of Mr Stevens, adjourned.

020

~~BODY CORPORATE AND COMMUNITY MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL~~

~~First Reading~~

~~Hon. PJ LAWLOR (Southport ALP) (Minister for Tourism and Fair Trading) (12.30 pm): I present a bill for an act to amend the Body Corporate and Community Management Act 1997, the Queensland Civil and Administrative Tribunal Regulation 2009 and the Queensland Civil and Administrative Tribunal Rules 2009 for particular purposes. I present the explanatory notes, and 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.~~

~~Tabled paper: Body Corporate and Community Management and Other Legislation Amendment Bill.~~

~~Tabled paper: Body Corporate and Community Management and Other Legislation Amendment Bill, explanatory notes.~~

~~Second Reading~~

~~Hon. PJ LAWLOR (Southport ALP) (Minister for Tourism and Fair Trading) (12.30 pm): I move—~~

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

~~The objective of the bill is to amend the Body Corporate and Community Management Act 1997 to do two things. Firstly, it provides a new lot entitlements system for community titles schemes across Queensland. Secondly, the bill provides for a new regulation module designed to meet the needs of people living in schemes with only two lots. There are more than 39,000 community titles schemes across Queensland comprising more than 364,000 lots.~~

~~The BCCM Act requires there to be two types of lot entitlement schedules for each scheme—a contribution schedule and an interest schedule. Most community interest has been about contribution schedules, as most costs associated with living in a community titles scheme are proportioned by a lot owner's allocated contribution schedule lot entitlement.~~

~~To date, there have been about 120 applications to the Queensland Civil and Administrative Tribunal and its predecessors seeking contribution schedule adjustment orders for schemes right across Queensland. These decisions have affected thousands of lot owners and many more applications are pending. There are thousands of schemes potentially subject to contribution schedule adjustment orders which could impact upon tens of thousands of lot owners.~~

~~We have a problem in the marketplace. It needs to be fixed. That is what this bill is about. The problem is that a lot owner can make an application to QCAT or a specialist adjudicator to seek adjustment of a scheme's contribution schedule. If successful, an adjustment order can significantly change the relativities between the contribution schedule lot entitlements and drastically increase the amount a lot owner must pay for their annual body corporate fees. This can then have a negative flow on effect, reducing the capital value of a lot.~~

~~A lot owner can then find himself or herself locked into an untenable situation. They cannot afford the increased fees but cannot afford to sell at fire sale rates. Regrettably and typically, contribution schedule adjustment orders tend to have the most adverse consequences for the many lot owners on low and fixed incomes. There has been no single cause of the problem. A chain of events and decisions~~