



Speech by

**Tony ELLIOTT**

**MEMBER FOR CUNNINGHAM**

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Hansard 25 August 1998

**NATIVE TITLE (QUEENSLAND) STATE PROVISIONS BILL**

**Mr ELLIOTT** (Cunningham—NPA) (4.54 p.m.): I have pleasure in rising to support this debate on the Native Title (Queensland) State Provisions Bill. I believe the legislation is well and truly overdue. We all know the reason for that. It is certainly not the fault of the Queensland Government. I am pleased to see that, once it had the opportunity to do so, this Government acted fairly quickly to introduce the Bill. Above all else, what is needed is certainty. Uncertainty has been an absolute, abject disaster for Queensland, particularly for the mining sector and for investment in the pastoral and farming industries. We all need to understand the level of uncertainty that has been caused, particularly in the many industries that involve banks and financial institutions. I know of one case in which a financial institution that was backing a project foreclosed on the project because of native title problems as a result of the uncertainty resulting from the Government's difficulties in getting the legislation through in Canberra. As I said, this legislation is long overdue.

All of us need to understand the historical context of the native title process. I am happy to go on the record and say that I had no problem with the Mabo decision. I view the Mabo circumstances very differently from all the other aspects of native title over the rest of the State that some people try to rope in. The Mabo circumstances were clear cut. People were in continuous possession of the land. They lived on the land in a manner akin to the manner in which many people in this Chamber live on their land. They utilised it. They grew vegetables. They fished in the sea surrounding Murray Island. Very definitely, in my opinion, all those activities contributed to the reasonableness of the Mabo decision.

However, to extrapolate a decision from the Mabo decision to say that the same thing applies all around the State in respect of the Aboriginal communities that were moving over a large area of land to where game was and using fire regimes to flush out game is quite different. Although some circumstances are different from others, we need to consider the problems that have been created for us. Coming in here and continually looking backwards rather than forwards will do us no good. We will never get anywhere as a nation until we start to be positive, start looking forward and stop examining our navels and whingeing about what our ancestors did. We have to get on with the whole process of Government, of understanding what land is all about and trying to ensure that we have sustainable agriculture and that mining industries are allowed to operate only where they will restore the land and provide a decent environmental program following their mining programs. If we do all those things and if native title is sorted out, it should not be a problem in respect of those industries.

However, native title has caused us immense trouble and dissatisfaction. It has brought about tremendous problems for the financial institutions that were trying to ensure that projects that were trying to get up and run were able to obtain a realistic tenure to the land in order to ensure that banks would be prepared to lend money for the projects.

While I am on this subject, I would also like to touch on some potential problems relating to the Boobora Lagoon at Goondiwindi. The ski club has been using the Boobora Lagoon for yonks. A group has decided that no-one should use this lagoon for waterskiing because it has some sort of cultural significance to the local Aboriginal population. Many of the local Aboriginal population do not agree with that. In fact, it seems to have caused quite a fair amount of division within the indigenous community. I think that we are allowing a situation to go over the top. We have to look at it in a balanced way and ensure that the interests of all parties are accommodated.

There is a limited amount of recreational activities for young people in the Goondiwindi area. If we keep taking away things that keep young people off the streets and ensure that they are not breaching the law and doing stupid things, we are only going to exacerbate the problems of juvenile crime. It will also heighten racial tensions. We in this Chamber all know that there have been occasions

at Goondiwindi—and there have been more serious incidents at Moree—when there has been some racial disharmony. Quite frankly, we can do without that. We also do not need to do anything that will exacerbate racial tension. We have to work towards assimilation and getting everyone to work together as a community.

Personally, I have a lot to do with some of the Aboriginal people who operate out of Toowoomba and around my area. At various times, a fellow who works for a contractor does some work for me. Without doubt he is the best person I have ever had the pleasure to have work with me. He is not only highly competent but also he has a wonderful attitude. He will come from Toowoomba and turn up before one is out of bed. He works hard, has a wonderful work ethic and a wonderful attitude. No-one can ever say to me that the Aboriginal population are not capable of working. The majority of the people who come and do chipping in our area are Aboriginals. If anyone suggests to me that these people are not capable of working, I would like to put that person in the field with them and let them walk up and down the rows at 4 o'clock or 5 o'clock in the morning through to about 2 o'clock—sometimes it is until 11 o'clock, depending on how hot it is—and see how that person goes. Those people are capable of working, that is for sure.

It is essential that we look at the various problems that we have around Goondiwindi. There is a potential problem up and down the river also. There is the suggestion of a claim over the whole of that area. I do not think that it is a reasonable claim. Once again, we have to have a balance.

I want to go on record as saying that I think it is high time that we brought this legislation into the House. Quite frankly, the Senate has been totally unreasonable in respect of it. We have to get on with the job. Above all else, we have to have certainty in this State so that the mining industries, the pastoral industries and other industries will want to invest money here. We will not get the financial institutions to back such investment unless the money that they are lending is for projects that are secure and are not going to be interfered with in respect of tenure and native title problems.

There are a couple of other areas close to Goondiwindi in which the same problems could occur. Graincorp from New South Wales is looking at an area, but there have been some worries about potential native title problems. We must also look at that matter. In the main, I support the Bill. As the Leader of the Opposition said, the Opposition is pleased to see the Bill introduced because, quite frankly, it has been a long time coming and it is long overdue. I support the Bill.

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