



Speech by

HOWARD HOBBS

MEMBER FOR WARREGO

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NATIVE TITLE (QUEENSLAND) STATE PROVISIONS AMENDMENT BILL

Mr HOBBS (Warrego—NPA) (3.11 p.m.): Today I want to talk about the Native Title (Queensland) State Provisions Amendment Bill. Members would be well aware that there are something like 260 amendments to this Bill before the House today—some 200 in the first instance and more that have been foreshadowed recently. Being a betting person, I would bet that more amendments will be moved later on.

Native title has caused enormous uncertainty that is unprecedented in Australia's history. It has caused division between black and white. It has caused division between black and black. Based on what members of the community have been told, they have formed unrealistic expectations. Some people, particularly the Aboriginal people, held a belief that they would be getting land back, that they would be able to have all these things, and that maybe people who do not have land would be able to accumulate some land. Everybody would like to own more land, whether it be for a house or a bigger backyard. If somebody is going to say to you, "You can have that for free", of course you will probably say, "Let me have a look at it."

These expectations have been fuelled by activists, fuelled by white carpetbaggers, fuelled by bleeding hearts and fuelled by the irresponsible actions of the ALP Government and the Democrats, particularly in the Federal sphere, and supported very strongly by members on the other side of the House.

Mr Welford: Are you a bleeding heart?

Mr HOBBS: I am not a bleeding heart. The people opposite associate with bleeding hearts.

I have no problem with and I have absolute compassion and understanding for people who are disadvantaged. We want to be able to help them in every way we can, but we must do it in a fair and equitable manner. There is no sense in going out in the community and creating expectations that will lead these poor devils up the garden path. This is what has been done.

The decision of the High Court, which was certainly a blow to the common law and a blow to commonsense, has created difficulties that, as I mentioned before, are being made worse by the political opportunists, particularly the ALP, the Democrats and do not forget the Greens, who were there at the time. I was the Minister in charge of land administration in Queensland when the Wik decision was handed down. Unfortunately one of the things that had to be done, which I still believe today was the right decision, was to put a freeze on a lot of the land dealings throughout the State until we could get a better handle on what native title really meant and what its implications were.

It would have been totally irresponsible for any Minister of the Crown, or any parliamentarian for that matter, to issue a legal document—a land title document—that was, in fact, not valid or to which somebody at some later stage could issue a challenge. People's livelihoods and careers—generations of families—rely on those land title documents. No responsible Government could issue documents that for some reason or another might be flawed.

As we all are aware, after a lot of discussion, debate and argument the Prime Minister put in place the 10-point plan that was to go quite a way towards alleviating a lot of the issues of native title administration. As we were slowly working our way through the process we were able to issue documents before the 10-point plan was passed. After that time the opportunity was opened up for us

to be able to issue clear title with a surety that no native title implications were, in fact, involved in any of the stamped documents. The passage of time has now defined even more appropriate methods of doing that.

The legislation before us today is the result of the absolute haste by the Premier to bring legislation into this House before the Leader of the Opposition could do so. While we acknowledge that there is a need to proceed quickly, as well can be seen the job has not been done well. I really have to say that the right to negotiate clause contained in the legislation at that particular time was unnecessary; it did not have to go in there. It was not part of the 10-point plan. It was placed in that legislation purely at the behest of the Queensland Labor Government. That has held up the issuing of licences and mining leases across this State. The mining industry, particularly the opal mining industry, is still on hold at this stage. This Government has not issued any mining leases since it came into Government—none, zero! A big zero licences have been issued.

I must say this, and I believe it is important to revisit the past for a moment or two. In this House on 19 March 1997 Mr Beattie, the then Opposition Leader, said—

"For a year, the Opposition has warned Queensland that the Premier has been seeking political mileage from rather than solutions to native title issues. We have warned that this disgraceful behaviour would cost Queensland jobs and investment. Today we have proof of just how damaging the Premier's confrontationalist approach has been to mineral development."

He went on to say—

"The mining industry recoiled in horror as he froze their lease applications, as every other State kept leases flowing."

At this stage Mr Beattie has not issued any licences. He went on to say—

"His political posturing is driving the mining industry out of Queensland. This is made clear by the fact that the latest ABS statistics show that expenditure on mineral exploration in Queensland has fallen by 13% over the past 12 months."

On 19 March 1997 one of the other Ministers, Mr McGrady, said—

"For the past 10 weeks, the Premier and his Minister for Natural Resources have held Queensland to ransom. They"—

adopted—

"a land management system by freezing 1,400 approvals simply to serve their own political purposes."

He still has not issued any licences since that time. He is the Minister. He went on to say—

"To slam the brakes on economic activity when we have the highest unemployment level in mainland Australia is pure economic vandalism. The Premier and his Minister claim to have acted on legal advice, but no other State had that advice and QCs were lining up to tell the Government that its freeze was unnecessary."

That is what he said, but he has not issued any licences. He also said—

"What was achieved? Absolutely nothing except hurt to many thousands of Queenslanders! This freeze was designed to create panic within the community about the High Court's decision on Wik."

He went on—

"The Premier should apologise to all Queenslanders for his reckless economic vandalism. Minister Hobbs should resign for abusing his responsibilities for his own political ends. This freeze is still hurting many people in our State, and in particular in my electorate. In the interests of Queensland, the Government should lift this freeze now so that Queensland battlers can get on with their lives."

The now Minister and the now Premier allowed to go through amendments which should have resolved these issues, but they got it wrong. The freeze is still there. On 25 November 1997 the then Opposition Leader said—

"We had the four-month freeze on mining leases that cost the State valuable jobs in isolated parts of the State and damaged our international reputation."

Those comments were made at the time by the now Premier and the now Minister. We find that they are now in exactly that situation. By doing legislation properly, they could have been able to issue some of those leases. In a recent interview with the Premier the Courier-Mail asked him about his achievements. The article states—

"Beattie bristles at the Opposition's continuing attempt to label him the Do-Nothing Premier, particularly at its claim that he has been unable to deliver major new investment projects. He is happy to provide a list of achievements including:

- . Presiding over the creation of more than 43,000 jobs since taking office.
- . Ending confusion about native title laws."

The second point is the most important for the purposes of this debate. He said that was one of his achievements, yet here we have 260 amendments before the House and still we do not have any mining leases issued. I do not think the Premier has achieved an end to confusion at all. If anything, there is more confusion within the industry than ever before.

Under Mabo, something like 2% of the State was unallocated State land. The original native title legislation, put in place by then Prime Minister Keating, talked about the right of Aboriginal people to negotiate in relation to that particular land. That was, while not appropriate, probably somewhat manageable. The Wik decision increased that 2% to about 75% of the land mass of Queensland, which involved a lot of individual land-holders over the length and breadth of the State. It also changed the structure of the rules of ownership of land. There was no need to bring the right to negotiate into this legislation, but that is what has been done. This Government has complicated the process more. It did not need to do that.

The coalition, particularly the Federal coalition, realised that there was a vast difference between the Mabo and Wik decisions. The 10-point plan made it quite clear that we did not have to have a right to negotiate over 75% of Queensland. That certainly is not reflected in the legislation before the House today.

We have spoken to many mining companies in recent times. One said to us that rocks are rocks and that they do not have to mine in Australia. That sends a pretty strong message to us that unless we get our act together the mining industry will abandon us entirely. They have started to leave already. They have been heading out for quite some time because of decisions of Government that have made it harder for them to explore, mine, drill and negotiate. There is such damage to the industry that the effects will be felt for many years, until some clear signals have been given by Government that will give those industries confidence.

Without confidence, economies fall. Without confidence, people will not invest. That is the problem we have had in this State for some time. If we asked people when they lost confidence in Government, we would be able to trace it back quite clearly to the Keating and Goss eras, particularly in relation to land matters. Paul Keating actively pursued native title legislation to the result that he secured. The Goss Government put a freeze on freeholding and instituted tree-clearing guidelines. Under the national park acquisition program, it bought and sometimes forced people from land. The people who had ownership suddenly found that they had leased land that they thought was secure. They found that it was not secure. The Government is now doing the same to freehold, in spite of all the years of security people have had.

An analogy can be seen in relation to motor vehicles. If I bought a car and someone came along and took the wheels off it, I would say, "Hang on a minute, mate. I think you ought to put them back or pay me for those." People would not do that to someone else's car. It is the same for people who own land. If somebody came along and wanted to take the trees off it, for example, or said that somebody else had some ownership of that land, the owner would say, "Hang on a minute, mate. I paid for that."

I think we in this State are not really getting a fair go from particular Governments. There is no reason why people who own land cannot have a secure future. If we are not able to achieve security, we will end up with further chaos and further political instability in this State. I do not see any need to make it worse. This legislation before the House today is only making things worse.

The amendments may fix things up for the opal industry. We hope they do. I have a lot of opal miners in my electorate. They have been bashing their heads against brick walls. We have been saying to them for some time, "I think it should be right." Then when the 10-point plan was formulated, we said, "We think it should be right. All we have to do now is get it through the State House and you will be able to go out and actually start to mine." All the people in the opal industry have been able to do is go out and peg the mine. They cannot work it. They cannot even go out with a shovel and dig. All they can do is walk over it and look at it. They cannot really go out and do proper exploration. They need to be able to do that. They need to have that security. Basically, their lives have been put on hold. I believe that this Government in particular has been totally irresponsible in relation to those people.

I am not talking only about the little miners, but about the bigger ones as well. I have had discussions with quite a few of the big mining companies. Others have said, "If we knew it was going to be this bad, we would not have come. Why would we bother to do it?" But they were in so far that they had to keep going. What a sad basis for a business! The big mines were caught between a rock and a

hard place, and they had to soldier on to a certain degree and try to stay there because of their investment. But it does not give them any confidence. It gives no security to those people or to the shareholders. I ask members to consider the share market for the mining industry. We know that prices are down, and that is probably a worldwide trend.

Mr Welford: They're up.

Mr HOBBS: They are not up very far. By the same token, there has been no confidence on the part of those industries to go out and invest. In the forestry industry, all they need is security; then they will be able to invest and do further value adding. If they can do that, it will create jobs and do those things that we all talk about. It will ensure that we here in Queensland create a great future for the generations to come. I do not see why that cannot be done.

Time expired.
