Speech By
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MEMBER FOR MULGRAVE

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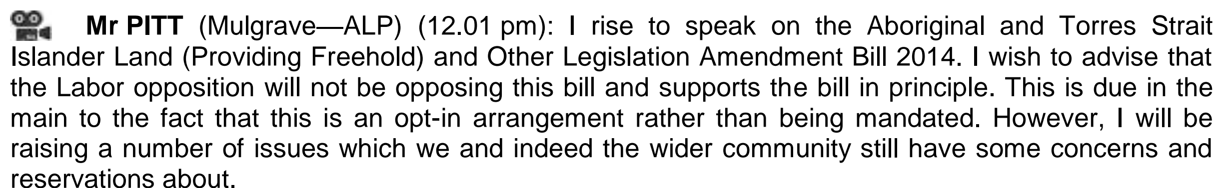
ABORIGINAL AND TORRES STRAIT ISLANDER LAND (PROVIDING FREEHOLD) AND OTHER LEGISLATION AMENDMENT BILL



Mr PITT (Mulgrave—ALP) (12.01 pm): I rise to speak on the Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014. I wish to advise that the Labor opposition will not be opposing this bill and supports the bill in principle. This is due in the main to the fact that this is an opt-in arrangement rather than being mandated. However, I will be raising a number of issues which we and indeed the wider community still have some concerns and reservations about.

As honourable members would know, this bill was introduced on 18 May 2014 and sent to the Agriculture, Resources and Environment Committee for review. The bill deals with two main tranches of legislative change: firstly, amending legislation to allow freehold land options in Aboriginal and Torres Strait Islander communities; and, secondly, allowing the minister of the day to declare on a case-by-case basis conditional right of public access over a property where erosion has meant that access along the area of the beach has been compromised and the only access would be to traverse existing private property.

The legislation before us today is a watershed bill where the outcome of this legislation, if passed, may not be easily predicted. It may mean we see an increase in Indigenous homeownership in some areas but potentially not in others. Only time will tell what impacts the legislation will have in practice.

The land on which Aboriginal and Torres Strait Islander communities are currently located is usually deed of grant in trust land, or DOGIT for short. It was introduced by former Aboriginal affairs minister Bob Katter many years ago. DOGIT land, which is held in trust, is community level land which came about via the enactment of the Community Services (Torres Strait) Act and the Community Services (Aborigines) Act in the early 1980s. This involved the local trustee group determining the use of the land on behalf of the entire community. The land was not owned by one individual or organisation.

In addition, there is what has been called Aboriginal or Torres Strait Islander freehold which allows approved and designated Aboriginal corporations to be granted land to operate a business for a community group or corporation which benefits Aboriginal or Torres Strait Islander people. Both DOGIT land and Aboriginal or Torres Strait Islander freehold land cannot be sold or mortgaged and possess many other requirements which protect the collective interests of all community members, in particular native title holders who have fought for many years and, in fact, decades for their land rights.

What this bill proposes to do is amend the existing Aboriginal Land Act 1991, the Torres Strait Islander Land Act 1991 and the Land Act 1994 to allow the trustees to act for the relevant communities. There are 34 communities subjected to this legislation that will have to determine, in

consultation with their communities, if they want some or all of their land to be converted to freehold land. This extinguishes the collective community interest and native title interests.

As I just mentioned, this bill will allow 34 communities, via their trustees, to determine if they want to opt-in or opt-out of this freehold land option. Those communities include Aurukun, Badu, Bamaga, Boigu, Cherbourg, Darnley, Dauan, Doomadgee, Hammond Island, Hope Vale, Injinoo, Kowanyama, Kubi, Lockhart River, Mabuaig, Mapoon, Masig, Mer, Mornington Island, Napranum, New Mapoon, Palm Island, Pormpuraaw, Poruma, Saibai, Seisia, St Pauls, Ugar, Umagico, Warraber, Woorabinda, Wujal Wujal, Yam and Yarrabah, located in my electorate of Mulgrave.

The reason I listed the names of every community that will be able under this bill to go down the freehold land path is because there are many communities and, in turn, community members that need to be (a) consulted and (b) informed of their new rights and obligations and about what it will mean, not only to them but fellow residents and future residents of their community.

We all know that consultation is a sore point for the LNP government, and we have seen it displayed yet again. I take on board the minister's comments in response to the committee's report, but I think that the committee has taken the sum of all comments put forward and made its determination. The parliamentary committee stated in its report—

> Despite there being broad in-principle support for the freehold option, concern was raised in the majority of submissions and in evidence at the committee's public hearings, that there has been very little direct consultation and engagement with traditional owners, residents and community representative groups within the Aboriginal and Torres Strait Islands communities by the Government prior to the introduction of the Bill.

But let us not just take the committee's word for it. Take a look at some of the submissions received during the parliamentary committee's deliberations on this bill. The Cape York Land Council Aboriginal Corporation indicated in its submission that, whilst apparently extensive consultation has occurred, there has been no direct consultation with native title holders or individual traditional owners. Just like the opposition, the Cape York Land Council holds concerns that the key stakeholders are still not fully aware, nor do they completely understand, the implications of this legislation and what it could mean for their native title rights. The same concerns have been echoed by the Kaurareg Aboriginal Land Trust which stated, 'Despite being the traditional owners of this area, the Kaurareg people have not been adequately consulted about the bill.'

But the prime example of how those opposite have failed to consult properly on such an important piece of legislation came out of a hearing on Mornington Island on 23 July 2014 when a crossbench member asked a question regarding how a witness felt when the bill was announced. The witness, Mr Wilson, replied, 'To be honest I just heard about this last week.'

I note that the government has pledged $75,000 for further consultation in the pilot communities. However, this may not be adequate to ensure that all stakeholders who reside in the 34 communities are aware of the situation and their rights. This has been echoed by the Torres Strait Island Regional Council in its submission, which stated—

> The $75,000 pledged by the State for consultation by Trustees for 'pilot' communities, is grossly insufficient and would likely not even cover the travel and accommodation costs of Council officers to each island for a single consultation.

The submission went on to state that the council—

> … do not wish to see the 'baby thrown out with the bath water', that is a scenario where Trustees are unable to successfully 'sell' good public policy, due to under-resourcing.

TSIRC has called on the government to meet the cost of consultation to ensure that proper consultation is undertaken.

While the opposition will not oppose the freehold land proposal, we do however believe that the process is as important as the end outcome. We agree with the submissions to the committee that consultation has not occurred appropriately and to the depth required. Properly resourced consultation is required before any community can confidently go down the path of freehold land ownership, aware of all the facts and potential ramifications. As the Local Government Association of Queensland stated—

> Land administration matters in Aboriginal and Torres Strait Islander communities are complex ... The LGAQ understands that the State Government is eager to move forward with improved land tenure arrangements in Aboriginal and Torres Strait Islander communities; yet cautions that this must proceed at a pace whereby all stakeholders are well-informed and at ease with the process.

When it comes to engagement practices, and certainly in terms of future decision making by the government and trustees, I think Aboriginal and Torres Strait Islander Social Justice Commissioner, Mr Mick Gooda, said it best and laid it out in his 2012 social justice report. He stated—

Three key elements are involved in ensuring our effective participation in decisions that affect us. They are contained in Article 19 of the Declaration:

- Duty to consult—Governments (or States) have a duty to consult with Indigenous peoples 'whenever a State decision may affect indigenous peoples in ways not felt by others in society', even if their rights have not been recognised in domestic law.
- Good faith—Governments must consult and engage with us in good faith which ensures that decision-making processes are fair, cooperative and consistent with our cultural practices. Consultations should be 'carried out in a climate of mutual trust and transparency'; this includes providing sufficient time for Indigenous peoples to engage in their own decision-making process, and participate in a manner consistent with their cultural and social practices; and the objective of consultations should be to achieve agreement or consensus.
- Free, prior and informed consent—The principles of free, prior and informed consent requires that third parties in decision-making processes affecting Indigenous peoples enter into equal and respectful relationships with us. This principle applies not only to administrative acts and decisions, but also to the legislative process itself. Communities can also apply this principle in their local governance arrangements. There should be no coercion or manipulation used to gain consent. The principle is not a right of veto, but if consent is sought in good faith, it allows Indigenous peoples to say no to a proposal.

Together, these aspects of the right to participate in decision-making mean that Indigenous peoples must be recognised and treated as substantive stakeholders in the development, design, implementation, monitoring and evaluation of all policies and legislation that impact on our well-being.

There is no magic bullet for this situation. The government needs to take heed and understand that it cannot go about this process like a bull in a china shop and just tick a box and meet a commitment. As such, I ask the minister and the government to increase the funding available to trustees in the 34 communities to ensure that proper consultation occurs and ensure that this legislation is fully understood.

While I have always held the view, both privately and publicly, that Aboriginal and Torres Strait Islander issues should not be treated as a political football for one side of politics or the other to score cheap political points, I do wish to correct the record and refute some of the claims which have been made by those opposite, in particular the shareholding ministers and the Premier. In a joint media statement by the Premier, the Minister for Natural Resources and Mines, and the Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs on 8 May 2014, the day this legislation was introduced into this House, it was claimed, 'Despite 20 years in office, the former Labor government failed to deliver for Indigenous people, denying them an opportunity enjoyed by their fellow Queenslanders.' This statement is fundamentally untrue.

By way of example, this bill further refines previous Labor policy and legislation in the case of the current lease agreements and the proposed simplification of these agreements. It was Labor that amended legislation to increase the 30-year term on leases to 99-year terms in 2008, thus providing the framework for Aboriginal and Torres Strait Islander families to have security over their property for 99 years with an option to renew. This was akin to ownership and also allowed native title rights and other community rights to be maintained. It is pleasing to see that the minister is keeping these leases in place for those communities that do not wish to transition to the freehold model and is proposing to streamline the lease process.

While on the subject of Labor achievements, it was the former Labor administration that established the Remote Indigenous Land and Infrastructure Program Office. As members of the House would know, this program office was established in 2009 and I have always been a proud advocate for the work of this office during my time as minister. The program office provides cross-agency leadership, coordination and support to ensure that large capital works programs, such as the building of new dwellings and premises, are undertaken not only in an efficient manner but also in a way that brings the whole community along with it from start to finish.

Mr RICKUSS: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER (Mr Watts): What is your point of order?

Mr RICKUSS: I have listened with interested to what has been said, but it is starting to stray a long way from relevance to this bill.

Mr DEPUTY SPEAKER: The long title of the bill I think is still being referred to. I ask the Manager of Opposition Business to continue. I will listen carefully.

Mr PITT: Thank you, Mr Deputy Speaker. I was responding to comments about this bill made by the minister in the media on the date this was introduced. I think they are entirely relevant to this bill. As I was saying, I want to make special mention of the leadership of Allen Cunneen, who has worked tirelessly to deliver on this ethos. However, the program office does not just coordinate the building of new premises. It also manages Indigenous land use agreements to obtain native title

consent for 99-year homeownership leases. Importantly, as it says on the department's website, it ensures that—

Land Use Planning Schemes are completed for all communities which will provide each Council with information to make decisions about the sustainable use of the communities land. This process forms the foundation for communities to transition to freehold land via the assistance of surveying which is a requirement under this bill. Through the remote program office, the former state and federal Labor governments worked together via the National Partnership Agreement on Remote Indigenous Housing to work with local communities to build more dwellings, to decrease overcrowding and to plan for the future via the surveying of the land. The work of the Labor established program office has been the essential foundation that will enable any increased opportunity for homeownership under the former government or the current government.

I note that the minister in his introductory speech stated that 'freehold can only be granted in a community with a planning scheme instrument in place'. I would ask the minister to point out where he has provided any further funding under the proposed bill to allow communities to develop the required planning scheme instruments, including for detailed surveying.

I have noted already that the minister has stated that $75,000 is available for further consultation, which I say is still far too low, but there does not appear to be any funding grants or programs made available to assist communities undertake further surveying and planning scheme development to ensure their communities are ready to implement the freehold land model if they choose to do so. I ask the minister today to ensure that further funding is made available to communities that require assistance in going down the freehold path to not only conduct the detailed consultation I covered earlier but also assist them in undertaking the necessary work such as surveying. This is the only responsible action to take. I also ask the minister to provide a greater level of detail including the next steps in terms of how this legislation's implementation may impact council's town planning schemes, particularly in terms of sequencing. We do not want to see a situation where we are putting the cart before the horse and there is an outcome in the community which is not in the community's best interest.

I now turn to the type of land that can be granted freehold status. The bill in its current form defines that land which can be made available for freehold as land which is located in an urban area, which is identified as an area intended specially for urban purposes, including future urban purposes. While there is support and I understand and agree with the reasons why the bill in its current form limits the granting of freehold land to the township areas to reduce the chances of large tracks of land outside of the township being bought up and locked away for years, there is an argument that on a case-by-case basis land outside of the township area should be allowed to be converted into freehold land if that is what a community wants.

At this point I wanted to highlight a few points that have been raised by Vince Mundraby. Vince and I have had many discussions over the years about the need to increase Indigenous homeownership and the need to support economic development in Aboriginal and Torres Strait Islander communities and surrounds. As outlined in the committee's report, Mr Mundraby 'submitted that block holders of land outside of the township where people had established residences and successful farming business should be afforded the opportunity to be issued freehold title'. Therefore, the opposition welcomes the committee's recommendation that the minister of the day be given power to grant a special ministerial grant of freehold for community land outside the township urban areas to be classified as freehold, if the proposal put forward by the trustees meets all requirements. I note that the minister's amendments circulated earlier this week deal with the definition of 'urban area'. However, I seek further clarification from the minister as to what is meant by the term 'urban area', and explain whether properties, either business or dwellings, will be allowed to be considered for freehold land conversion.

Under the current provisions in the bill before us today, freehold land will only be afforded to an eligible person, excluding corporations and other bodies. During the so-called consultation undertaken prior to the introduction of the bill by the minister's department, it was deduced that stakeholders consulted wanted the eligibility class to be restricted to individuals rather than organisations. While this may have been the case, evidence was provided by stakeholders during the committee's deliberations on the bill, including a manager of a community owned Indigenous corporation, Bamaga Enterprises Ltd. Bamaga Enterprises gave evidence that excluding Indigenous corporations was a short-sighted move and that not allowing Indigenous corporations to acquire an interest in freehold land would effectively stifle potential economic development.

The committee has recommended that the bill be amended to allow community based Indigenous owned corporations registered under the Commonwealth Corporations (Aboriginal and Torres Strait Islander) Act 2006 eligibility for the grant of freehold under the allocation process only if the available land in question does not have any current interest holder. While on the face of it this will not further the goals of the bill by directly increasing Indigenous homeownership, by allowing a

dwelling to be purchased and lived in, it may have consequential and peripheral benefits in the long term. The opposition supports this recommendation.

I would like to turn now to how this bill may affect native title. Honourable members would know that native title has been a right that has been fought for in and out of the courts over many years and decades, cemented in the land mark case of Mabo v Queensland (No. 2) handed down by the High Court of Australia on 3 June 1992. It is concerning that (a) proper and full consultation has not occurred with all stakeholders in the affected communities, in particular native title holders; and (b) this bill will require native title holders to give up their rights voluntarily without compensation by the state after they have fought for many years to obtain those rights. As the North Queensland Land Council stated—

It has taken approximately 20 years to achieve recognition of native title in Yarrabah and asking native title holders to voluntarily surrender their native title when attaining it was a very hard-won battle is both unrealistic and unfair.

There have been concerns raised that adequate consideration has not been given regarding the extinguishment of native title. The opposition believes this is a critical issue which needs to be addressed. I understand the department's argument that putting native title holders in the eligible person criteria would exclude all other persons and that native title holders would automatically be the only category of people open to enter into freehold land arrangements. However, under this bill, the only way that native title holders can gain access to freehold land is if (a) they currently hold an interest in the land, such as a lease, or (b) there is no current interest in the land and then anyone could apply for the freehold land. The committee noted that—

… steps can be taken by traditional owners to establish an 'interest' in order for them to be eligible for the grant of freehold.

This is concerning as the legislation as it is before us today will put an onus on current native title holders to seek an interest in the land to be eligible to apply for freehold land or rely on the trustees of the land to make a special condition of the freehold instrument that native title holders have a higher interest than those who are not. If native title holders are required to voluntarily extinguish their rights, then further work needs to be undertaken to ensure that all stakeholders are aware of the consequences of their actions. In addition, this bill may not simply extinguish current native title rights; it has the potential to extinguish future native title rights. With land being converted to freehold, future claims for native title will be limited or extinguished, which is also concerning.

Whilst the bill provides limitations and restrictions on who land can be granted to in freehold—namely, an Aboriginal person or Torres Strait Islander, or the spouse or former spouse of an Aboriginal person or Torres Strait Islander, or the spouse or former spouse of an Aboriginal person or Torres Strait Islander who is deceased—it will not prevent the onselling of the land after the initial transaction. I note that the North Queensland Land Council stated in its submission that this—

… has the potential to significantly reduce the amount of land held in Aboriginal ownership at Yarrabah and on Palm Island, and which, over time, could effectively fracture the Aboriginal communities residing there.

A recent article in the *Cairns Post* entitled 'Could Yarrabah lose its way of life? Leaders say community at risk if bill passed', dated 23 August 2014, dealt with this issue. It said—

Yarrabah's traditional owners and some councillors fear that people's vote of approval for this option could mean ownership of homes, and land, may ultimately pass into the hands of "outsiders", including investors with their sights set on buying up Yarrabah's beachfront blocks notionally worth seven figures.

Henry Fourmile, a traditional owner of the Gunggandji people, was quoted as saying—

Even if they can afford to buy but then can't afford to make repayments the bank will step in, they'll lose the house and the land, and then it's anyone's.

Mr Fourmile went on to state—

Indigenous people may not realise when they sell it or lose it, but anyone could take it, then they can get rid of all our sacred sites and our stories there.

Members, this bill regrettably has the potential to not increase Indigenous homeownership but reduce it, as there are no safeguards in place to counteract the potential for onselling to outsiders. This is a delicate issue and I understand the complexities. I understand that potentially allowing external investment in housing could be a positive move which could create jobs and benefit the community. However, there is a real concern, and it is not just held by me or the opposition but by the community members on the ground in the 34 identified communities. They are already questioning the long-term effects of the legislation. It would only take falling behind in the mortgage repayments and a potential foreclosure of the loan to see land up for sale again. But this time it would not be restricted to community members; it would be available to the community at large. This is a concern,

especially in my electorate of Mulgrave, which includes Yarrabah, where there is a large tract of beautiful beachfront land which could be snapped up by anyone with no restrictions.

This leads me to the point I have already raised—consultation is the key here, both before and after. As Yarrabah Councillor Malcolm Canendo stated—

There needs to be more clarity in the community about what this means for them … Community consultation is definitely needed.

I call again on the government to ensure that adequate resources are available to the community's trustees to undertake not only proper and extensive consultation but also an education campaign outlining the potential benefits and, importantly, the risks involved.

I would like to briefly touch on the arbitration process and the potential conflicts of interest which may arise as a consequence of the bill before us today being passed. Clause 321 of the bill outlines the minimum requirements that the trustees need to undertake in order to satisfy their consultation requirements. There were concerns raised during the committee's deliberation on the bill that a conflict of interest could potentially arise and that the arbitration process would be out of reach for many of the communities, with their only option being the Land Court for any issues. The Cape York Land Council Aboriginal Corporation and the Kaurareg Aboriginal Land Trust expressed concern. They said—

In some cases regional and shire councils are not representative or trusted by community residents, and there may be a conflict of interest in the role of councils acting as both the local government authority and the land trustee.

I note that the bill requires that a probity officer be appointed to oversee freehold allocation where there are no existing interest holders. However, the legislation before us today does not require a probity officer to be allocated if there is an interest holder and thus begs the questions: where is the oversight of the process, in particular if the trustee is the council and the council possesses land, and what happens if there is conflict? I support the committee's recommendation that a 'community arbitration process' be established which will act as an intermediary step before disputes and/or appeals go to the Land Court. This process will allow local community members to voice their concerns at the local level in a more open and transparent manner to ensure that issues are solved quickly and with minimal cost.

Before I turn to the amendments in this bill dealing with beach access, I want to address another issue. While it is well intentioned to introduce legislation into this House which establishes the framework for freehold land to be created, in order to gain access to the housing market, people need a steady income. They need a job which they will be able to derive income from to not only make their mortgage repayments but also pay utilities and maintenance on the dwelling. As members would be aware, many in the 34 communities identified in this bill rely on social benefits to support not only themselves but also their families as well. As the North Queensland Land Council indicated, the bill may lead to the possibility of creating a two-class strata system of the haves and the have-nots—those who can afford to purchase a dwelling and support the repayments and other associated costs, and those who cannot. The same *Cairns Post* article that I referred to earlier stated—

Councillor Bevan Walsh said property ownership would give Yarrabah's residents a sense of responsibility, but he admitted most of the community was "not well-off enough" to buy, as demonstrated when the council recently discovered that "about half" of the block holders who council last year issued leases to still hadn't paid for them.

While on the subject of Yarrabah, it has been an issue of mine and the local community for many years now—right back from when I made my maiden speech in this place—that Yarrabah needs to be granted remote status by the federal government to ensure that the Yarrabah community has access to the same level of grants and support as other communities outlined in this bill. Yarrabah is the largest mainland Indigenous community, and while it is not remote in terms of geography, it is isolated. Despite the relatively short distance between Yarrabah and Cairns, the only transport route currently is a one-hour-plus drive over the range and around the inlet. The community has a low percentage of vehicle ownership and no public transport. Despite being a massively improved road, the range access to Yarrabah is problematic for some vehicle types.

I know I am not alone in calling for Yarrabah to be granted remote status. There are many individuals in Canberra and indeed state and federal public servants who think this would be a good idea in terms of health, transport, employment, training and housing. I ask Minister Elmes, Minister Cripps and indeed the Premier to join with me in lobbying the federal government to this end to allow greater opportunity for this community by giving it remote status.

Members, the bill before us today is but one component of the work of government. A multifactor, multipronged approach is required to tackle the solution. Other policies and programs are required to ensure that people have the ability to not only get a job but also maintain a job into the future. This will increase their opportunities for homeownership. Labor has already committed to

reintroducing Skilling Queenslanders for Work to assist our youth and long-time unemployed get into the job market. Without the wraparound support services and the further programs and policies to increase Indigenous employment, Indigenous homeownership could stagnate and not progress. We all have to pull up our sleeves and do our bit. As I alluded to earlier in my contribution on this debate, even if a member of a community becomes a homeowner, without a job and adequate support services, foreclosure on their loan may be imminent, meaning the newly created freehold land would be up for grabs by anyone in the wider community, thus reducing Indigenous homeownership.

I would like to touch on the elements of the bill that relate to beach access. The bill before us proposes to amend the Land Act 1994, as stated in the explanatory notes, to enable the relevant minister of the day on a case-by-case basis to declare a conditional right of public access over a property where erosion has meant that access along the area of the beach has been compromised by the private ownership of the beach area. As outlined in the committee's report—

Whilst the purpose of this provision is to address specific beach access issues arising from erosion of beach frontage impacting three lots at Rules Beach in Central Queensland, the legislation if enacted could be applied to any future cases where beach erosion reduces the high water mark to within an existing private property.

While there were many submissions to the bill, only a few focused on this aspect of the bill. Concerns were raised regarding the public liability of allowing the public onto someone's private land and also who would be charged with the responsibility of maintaining the property once a declaration had been made by the minister.

I note that in the amendments circulated by the Minister for Natural Resources and Mines earlier this week further clarifications have been made to the owner liability and who is responsible for the maintenance of the area after its declaration. The further amendments indicate that liability will be borne by the manager of the declared land, unless there was a negligent act undertaken on the part of the owner, which would make them liable. That means the state will assume the landowner's occupiers liability and the owner will only be civilly liable for a direct act or omission by the owner, such as setting up a trip wire across the land.

The further amendments circulated by the minister also clarify the definition of maintain, meaning that if a local government elects to be the manager of a declared beach area then the local government authority would only be required to take reasonable and practical measures to maintain the area in a safe condition. While the opposition supports this proposal, we support the committee's recommendation that the minister and his department should 'ensure that all reasonable steps are taken to negotiate and resolve beach access disputes with the affected property owners prior to the declaration of a beach access area'. We believe that it is only right that, if you are declaring a portion of a property owner's land to allow public access, the department and the minister should undertake proper and meaningful consultation, something which I know those opposite have had a hard time with, before the minister evokes a formal declaration. I would encourage the minister to ensure that his department implements internal policies to ensure that this occurs.

I also want to take this opportunity to thank the Agriculture, Resources and Environment Committee for their detailed examination of the bill, especially the hardworking secretariat, led by Mr Rob Hansen, and the Technical Scrutiny Secretariat, led by Mr Peter Rogers. They had their work cut out for them with this piece of legislation. In the limited time available to them, the committee conducted nine public hearings in Cairns, Woorabinda, Mornington Island, Napranum, Injinoo, Hammond Island, Cherbourg, Brisbane and Yarrabah and sought feedback, with 13 formal written submissions being received. While the bill before us today is not perfect, it shows that when the committee process is used correctly and bills are not introduced in a rushed manner and put through urgently, the committee system is able to scrutinise the legislation and make valued and considered recommendations based on submissions from the wider community.

In conclusion, this bill will be passed. However, that does not mean that it will solve the issue of Indigenous homeownership on the passing and commencement of this bill. It does not mean that when the Governor signs this piece of legislation into law that we can switch off and move onto the next issue. As I said earlier, this is just one step in a long line of steps that needs to occur in order for all of us to reduce discrimination in our community and boost the ability for Indigenous Queenslanders to have their very own slice of the Australian dream and own their own home. We on this side of the House believe—just as I am sure those opposite do—that governments have a major part to play in ensuring that adequate policies and opportunities are available and afforded to Indigenous Queenslanders to assist them in gaining access to the property market, in particular those Queenslanders who reside in remote Indigenous communities. A multifaceted approach is required—a bottom-up approach, where the community owns the process, where the community is properly consulted and that all aspects are taken into consideration, including but not limited to native title issues.

As I said earlier, it is disappointing that the LNP government have used this particular bill to attack the record of the previous government. As I said, announcements about this bill implied that homeownership was not available under the previous government, when in fact 99-year leases introduced under Labor provided rights akin to freehold without the extinguishment of native title. I say again: both sides of politics support Indigenous homeownership and this bill comes on the back of years of policy development and programmatic work under the former Labor government to get to this point. It was a Labor government in 2009 that established the remote program office and coordinated the accurate surveying of DOGIT communities to allow for the town plans. This work was the essential foundation that will enable any increased opportunity for homeownership under the former government or the current government.

Indigenous homeownership does not simply become a reality with the stroke of a pen. It also requires the resourcing on the ground, economic development and policies to support job creation. Neither the government nor the opposition should lose sight of the importance of job creation in the communities concerned because stable employment is an absolute necessity to give people a stable means of providing for their families and entering the housing market. Instead of playing politics, I hope that we will be able to work together in a greater bipartisan way in this particular area so that we can actually get the best and greatest opportunities for Indigenous Queenslanders in remote communities.

The legislation before us today is a building block; it is a stepping stone which builds on the work of the previous government and the governments before that in an effort to reduce the homelessness and overcrowding rates and to increase the ability for Indigenous Queenslanders to own their own home. I stress again that the opposition is not opposing this bill because the freehold approach is voluntary, not mandatory. I hope that trustees will inform their communities about the benefits or otherwise of this legislation before making any decision they are going down the freehold path. We support this bill. We look forward to the bill's passage through this House.