




Speech By
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MEMBER FOR DALRYMPLE

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

 **Mr KNUTH** (Dalrymple—KAP) (12.55 pm): I rise to speak to the Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014. The intent of this bill is to be commended. The chair's foreword to the committee report states—

With surveying and town planning programs well underway, communities are now in a position to provide the option of freehold if the community believes it will be of benefit to them.

Importantly the legislation ensures all of the decision making is left to the traditional owners and community members in partnership with the trustee and councils and provides the flexibility for communities to determine how and when to provide freehold.

I think it is very important to allow communities to make that decision. I know that this legislation is not forced upon communities and is about giving communities the tools in order to take that option.

As a member of the committee that went to some Torres Strait islands, Mornington Island and other Indigenous communities, I felt to a certain extent there was a concern that there was a lack of information provided to those communities and that the legislation was rushed. The committee report states—

It was evident to the committee from its public meetings held in Aboriginal and Torres Strait Islander communities that very few community members had prior knowledge of the freehold option proposal in the Bill, and that councils and Native title representative groups had not actively engaged with, or informed their communities, of the proposal. For example, at the hearings on Mornington Island ... the committee noted:

Mr KNUTH: *You mentioned the risk. I want to get a bit of a feel of where you are coming from. When this bill was announced, did you feel optimistic or did you feel it was going to be dangerous ...*

Mr Wilson: *To be honest I just heard about this last week.*

Ms Linden: *We had someone drop off this piece of paper and they said to come to this meeting on this day ... The lady who gave me the flyer could not tell me much about it ...*

I do feel that the intent of this bill is good, but I think the process should have been different whereby the departments gave the information to the Indigenous community so they were fully aware and had an understanding of this bill before it was put in place. Likewise, as that implementation was put forward by the department and the communities could get a bit of a feel for the issues, then we could have a public hearing and hear what the Indigenous people had to say. If that had been the case, I believe the process would probably be a little more positive.

Concerns were expressed with regard to freeholding. If you freehold a piece of land then obviously it is yours. A concern was also raised with regard to someone outside the area, such as from Brisbane, buying that freehold land, but I believe that is something that could be resolved.

I commend the government on taking this initiative. I also commend Bob Katter Sr for the work he has done over the years. The *Australian* states that as a member of parliament and also a minister for Aboriginal and Islander affairs—

First, he pushed self-management of Aboriginal communities by elected councils. Second, he introduced laws granting inalienable freehold title to Aboriginal reserves, to be held in trust by the councils. Third, he introduced laws to enable private ownership of lands by families through perpetual leases for home ownership, and term leases for enterprise development. Then he set about putting his program into action. He insisted Aboriginal people take up all jobs they could perform, from administration to roads and housing construction.

I acknowledge what he has done and I acknowledge the member for Cook for the work he has done. I also acknowledge the fact that the government has taken this initiative forward.

This is not going to be easy, of course, because there is a lot of ironing out to be done. I do know that, in terms of the recommendations, the minister has advised that the department has been able to provide much more information which I believe would have been beneficial if it was put in place first, but I believe this is a step in the right direction.