




Speech By

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MEMBER FOR MAROOCHYDORE

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VEGETATION MANAGEMENT (REINSTATEMENT) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms SIMPSON** (Maroochydore—LNP) (8.16 pm): I think it is very disappointing that the Deputy Premier has had earplugs in for quite a bit of this debate. This House is a house of debate and we have heard some very reasoned contributions from people who are worried about the impact of this legislation. I also heard the Deputy Premier and the environment minister laughing when stories were being shared in this place about the very real concern that this legislation will bring about hardship because it is not balanced. This is Fourth World legislation, entrenching intergenerational poverty for Indigenous landowners of Cape York and other areas by denying them the opportunity to access mainstream economic development. It is Fourth World legislation because it imposes the law of the cities: laws drafted ever so ironically by people in concrete towers without consideration for those who are trapped in the disadvantage of welfare dependency—in this case, our Aboriginal Australians who own their land and who want to be able to farm it sustainably to create a better future for themselves and their children through growing crops, running stock and growing fibre.

Aboriginal landowners, like other farmers, are not environmental vandals. I think this is what is so upsetting listening to the laughter and the derision from members of the government who do not understand what they are doing to the future of not only our Aboriginal Australians in northern parts of this state but also other farmers and landowners throughout this state. They love their land more than any of us can imagine and tonight their future is under threat. They have the opportunity to change their destiny. They have a vision to change their destiny, but this legislation threatens it.

I want to quote from the voices of some of those who are concerned about this legislation, because it is draconian, it is poorly considered and it is more about environmental slogans. We all want to protect the Great Barrier Reef because we all love it, but it has to be based on real science, not political science. Tonight we have seen a disregard for the science in regard to this wonderful resource—the resource on land, which is what we are talking about—the science of sustainable land management.

There has been a tremendous overreach by this government, with their draconian laws in regard to reverse onus provisions. This is evidence of the desperation of a government that has no confidence in their science and the capability of their administration. That is why they have these reverse onus provisions. In other words, those who are charged under these provisions have to prove their innocence because they are first guilty.

I want to give voice to some of the concerns that have been expressed in submissions and on the public record. The first is Eric Rosendale of Bonny Glen station, which is south-west of Cooktown. I have met Eric. He is a fine and proud traditional owner with a proud heritage and a dream. He has worked hard for decades as a stockman throughout the state. He has a passion to see his land released, unlocked with its potential so other generations can benefit by living off their land. Let me quote his

words as reported in the *Australian* on 17 August 2016. He outlined his plans to eventually expand and employ Aboriginal youth, but now he fears it will all be lost with the Palaszczuk government's laws. The article stated—

"I need to clear land for pastures and to plant crops for the cattle but I won't be able to do that under these new laws," he told *The Australian*. "The greenies are behind this and they don't care about my people, who have been looking after the land for thousands of years."

Mr Rosendale echoed the calls this week of the Cape York Land Council which urged key crossbenchers to block changes to the Vegetation Management Act.

So far this government has refused to listen to their very real concerns about the reverse onus provisions which were also identified as an issue by the committee. The article in the *Australian* continued—

The government has claimed that Aboriginal projects will still be able to secure land clearing permits under indigenous-specific exemptions of the 2007 Cape York Peninsula Heritage Act. But Bonny Glen—among at least 10 indigenous-held pastoral leases—is not eligible under the act, according to the Cape York Land Council.

Mr Rosendale said it was "idiotic" that resource companies can mine the Palmer River for gold on the station—owned by the Gummi Junga Aboriginal Corporation—but he can not clear the land. "We have a few small pastures, but we need to clear land to plant corn for feed and for more pastures if we expand the herd, and build it into a bigger station," he said.

"The miners cause more damage, more erosion and the Palmer River flows into the Gulf and not the Great Barrier Reef."

I want to quote another Indigenous leader, Noel Pearson. An article on the ABC News online on 10 March stated—

... Noel Pearson has hit out against the tightening of Queensland's tree clearing laws, arguing the changes could hurt Indigenous people trying to break out of poverty.

...

... Mr Pearson challenged the move, arguing it would hold back Indigenous people who want to develop agriculture businesses.

"We have a right to development, and in particular the Indigenous right to development isn't one that has ever been recognised," Mr Pearson said.

"We didn't have a chance in the old days to develop our land, we weren't part of the economy, we were marginalised and excluded.

"And now that we have our land back, what are you saying to us? That we don't have a right to development?"

"We're not going to lift ourselves out of the poverty and misery we live in unless we have balanced development."

I will also quote some comments from another Indigenous leader in the *Queensland Country Life* on 11 August 2016. The article stated that Richie Ahmat accused the government of pushing through the laws to 'keep the Green vote happy'. He said the proposed laws would devastate Cape York. The article stated—

"As about 98 per cent of Cape York is covered in what is misleadingly classified as "remnant vegetation" the proposed clearing laws will dramatically affect our region more than any other part of Queensland.

"Land is the only asset Cape York Aboriginal people have to unlock economic opportunity, provide jobs and break welfare dependence.

"But the new law will lock communities onto small islands of cleared town land surrounded by a sea of land they own but can't use for agriculture or other development."

I noted that the response of the Deputy Premier was that she is going to have a review—"Don't worry, there'll be a review." That somehow is supposed to make the issue go away, but it has not cut through because that is not black-letter law and that is what we are looking at here. That is what people are raising as their concern. This is Fourth World legislation because it is forcing people to go back to Third World conditions in a First World country with no opportunity to really see the potential of their land sustainably developed. Believe me, they love their country, they know how to look after it and they should have the right to develop it.

The reverse onus of proof has been mentioned. Even paedophiles charged with an offence in this state do not have the reverse onus of proof when they face the law, yet farmers under this government do not have that basic right. That is draconian and shows that the government have no confidence in their own administration to be able to bring a fair process to the table. They also have retrospective provisions in this legislation and they have removed the defence of mistake of fact. We heard the state development minister admit that there can be mistakes in the maps. We know that and it has been well argued by a number of my colleagues with examples of landowners in their areas who face this issue. The bill has reverse onus of proof, retrospective provisions and the removal of the defence of mistake of fact, even though we know the mapping issues are real. This shows this government have no confidence and they have had to rot the system with draconian laws.

(Time expired)