




Speech By
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MEMBER FOR GREGORY

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NATURE CONSERVATION AND OTHER LEGISLATION (INDIGENOUS JOINT MANAGEMENT—MORETON ISLAND) AMENDMENT BILL

 **Mr MILLAR** (Gregory—LNP) (3.37 pm): I congratulate the Quandamooka Yoolooburrabee Aboriginal Corporation—like the member for Ipswich West, I apologise if I mispronounce any of the names—on having native title recognised. I wish them every success as they embark on the new era of management of Mulgumpin, also known as Moreton Island. In 2019 the Federal Court of Australia made a native title determination recognising the Quandamooka people's native rights on Mulgumpin. Underpinning this bill are the Indigenous management agreement and the Indigenous land use agreement which flowed from the native title ruling. As a part of the same native title process, the state of Queensland and the Quandamooka people agreed to work towards joint management of the protected areas of Moreton Island. The intention of this bill is to establish the legislative framework for the joint management of protected areas on Moreton Island—a joint management by QYAC and the Queensland Parks and Wildlife Service within the Queensland Department of Environment and Science.

Around 98 per cent of Moreton Island is dedicated as a protected area—as national park, conservation park or a declared conservation area. This bill will affect virtually all of the island and almost all activities on the island. Like many Queenslanders, I hope that the practical outcomes of this model of management become renowned for the benefits they bring to the island's environment, its inhabitants and the Quandamooka Yoolooburrabee people. I hope that this Queensland model of joint management becomes renowned for its effectiveness and fairness.

There have been some concerns because of the lack of transparency and consultation the Queensland government has brought to the whole process of moving to a joint management status. This bill carries over from a lapsed bill introduced in the House during the previous parliament. I note the statement of reservation from non-government members contained in report No. 3 of the State Development, Tourism, Innovation and Manufacturing Committee of the 56th Parliament. In this 57th Parliament, the LNP members of the State Development and Regional Industries Committee found that their committee inquiry into the bill faced three key issues, all falling under the heading of transparency. This is because of issues over some actions during the committee process and communication with Moreton Island residents and business owners. These issues only serve to hamper the good outcomes in what should be celebrated as an historic achievement for the Quandamooka and all of Queensland.

Democratic governments must be open and accountable. Quite apart from moral considerations, the actions of a democratic government rest solely on public support for those actions. Democratic leadership relies, in the most down-to-earth way, on being able to carry public support in order to achieve solid administrative outcomes. Secrecy is the opposite of democracy, yet it appears that members of the parliamentary committee were unable to inquire into the Indigenous land use agreement or the Indigenous management agreement. Both of these documents are foundational to the joint management model propagated by this bill.

The parliamentary committee had been asked to investigate this bill. In undertaking such an examination, the committee has the power to seek documents, including the ILUA and the Indigenous management agreement. The committee's power in this regard is not limited. The ILUA and the Indigenous management agreement are foundational to the bill and its likely outcomes. Having documentary access to both agreements would seem to be not only valuable but also necessary for effective investigation. Despite all of this, the committee has not seen either the ILUA or the Indigenous management agreement. Committee members were asked to review and provide recommendations on a bill to provide the legislative framework for joint management without knowing the contents of either foundational agreement. Now the Queensland parliament is being asked to seriously debate the bill from the same status.

Concerns about the secrecy regarding the contents of the agreements were also raised by stakeholders and the media during the committee review process. Surely the government wants to start this new era with strong public sentiment in favour of the new model. By the secrecy of its actions, it has placed the intentions of the department and QYAC under suspicion. It has condemned the new model to commencing in a climate of fear and misunderstanding. Because of the government's secrecy, both the department and QYAC are standing on false grounds. This greatly concerns me as the bill provides for only very limited oversight of how \$30 million of Queensland taxpayers' money will be spent and there are no clear statements of access rights or restrictions in different parts of the island. There are no key performance indicators for such items as track maintenance, bushfire management, waste management and facilities maintenance.

If the purpose of this bill is to set out the framework for a world-class ecotourism and cultural tourism offering, which I am sure it is, then it does not seem to be in this bill. Heightening the anxiety for tourism business operators on the island is the fact that these secret deals were being done as their current permits for commercial activity were coming up for renewal. Moreton Island Adventures has a 100-year association with the island. It requires a landing permit for its very existence. In its submission to the committee, it highlighted that the bill will replace a permit application and renewal process that is subject to normal administrative and government scrutiny with an opaque and secret system that offers no scrutiny. It stated—

... QYAC is not subject to the scrutiny of government, does not have a process for objection and review of decisions, or other governing body ensuring the freedom of information.

Given the intention is for QYAC to operate ecotourism and Indigenous cultural tours itself, the bill places it in a direct conflict of interest from the get-go. In practical terms, it has been given the right to veto its competitors. The department has an obligation to consult with QYAC, as it should, but it does not have to justify any arbitrary decision to refuse to grant a permit or renew a commercial activity agreement. If it refuses its consent, then it is highly likely that the department will refuse to grant the permit or renew the agreement in question. As I said, this is essentially a right of veto which is chilling to competitors and which places all stakeholders on false ground from the start. The member for Traeger summed it up when he said that it is about having confidence between your lender—your bank—and your business. Queensland is a democracy under the rule of law. There should be safeguards in this bill to ensure due process and rights of appeal and to ensure full transparency.

The most regrettable aspect of the whole business has been the complete lack of communication and consultation from the government with key stakeholder groups and island residents and businesses. Groups like the Moreton Island Protection Committee have complained that there has been no information about what land may be subject to what new restrictions. Volunteer groups have invested considerable time and effort in rehabilitating Cape Moreton and caring for it. They fear they will now be excluded, but there is no way of finding out. Communication and consultation by their very definition must be timely. When it comes to this bill, the government has failed at that hurdle too.

With existing permits for tour operators due to expire on 31 March 2021—this year—and with a transitional arrangement in place that is already nearly two years old, the first consultation meeting held by Parks and Wildlife and QYAC with the business operators was on 10 February this year. Even then the presentation was lacking in detail and costings for key requirements like cultural training courses for ecotourism cultural competency. A very genuine opportunity has been lost here and I urge the minister to see that the department makes a much more concerted effort to help QYAC as it builds the capacity it will require to give effect to the full intent of this bill. The department must also fulfil its part in the joint management arrangement by ensuring that the state interests of Queensland are being upheld and that the interests of business owners and residents are also upheld. The department needs to understand that these differing rights are not mutually exclusive. All Queenslanders want to see this arrangement work and it is the minister's responsibility to ensure that it does.