




Speech By
Michael Hart

MEMBER FOR BURLEIGH

Record of Proceedings, 12 May 2021

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

 **Mr HART** (Burleigh—LNP) (3.02 pm) I too rise to contribute to the Nature Conservation and Other Legislation (Indigenous Joint Management—Moreton Island) Amendment Bill. I was a member of the committee that looked at this particular bill. As the shadow minister told the parliament, we will not be opposing this. I think the minister, the shadow minister, the chair and deputy chair have articulated pretty much how this bill works, so what I would like to talk about is the lack of consultation and the secrecy that is creeping into the committee process and not allowing members of parliament to do their job.

There is no doubt in my mind that the joint management of Moreton Island can work between QYAC and the department of natural parks. There will be no problem with this working if people work in good faith, they take care of each other's problems and issues, and they solve them equally. My main concern is how the committee system worked. We all know that we are a unicameral parliament in Queensland, meaning that we have no Senate. Members of this House sit on committees, we look at the bills, we tear them apart, we look to see what the best results are, and then we make recommendations to the House. In this case we made a recommendation that the bill be passed.

When we travelled to Moreton Island and talked to the residents, QYAC and people who have invested a lot of money over there, my feeling was there is quite a bit of concern about how the government has handled this particular bill. By way of explaining that, I would say that one of the most prominent issues raised by the stakeholders during the former committee's inquiry was the confidential nature of the ILUA and the IMA, the Indigenous management agreement. Those participating in the inquiry argued that this made it difficult to understand the potential future impacts of the bill and what the future may hold. In their submission the Koorindal Landholders Association said—

The secretive nature of the ILUA, the IJMA, the decision making and the future decision making between QYAC and the Queensland Government for the use of the island has been and remains very concerning to many ... There was a genuine opportunity to facilitate a collaborative relationship between locals and the indigenous landowners, instead the secrecy breeds a level of fear and animosity ...

Moreton Island Adventures is a fifth-generation family owned business that operates the essential ferry service over to the island as well as the local store and local tourist accommodation. They said—

Moreton Island Adventures is concerned about the fact that there is no visibility about the terms of the agreement that has already been reached between QYAC and the State about how the land is proposed to be managed, and, in particular, those areas where general public access may be restricted.

Moreton Island Adventures have had no visibility over this process at all, and there has been no consultation about the proposed plans for the ongoing use and management of the island.

Moreton Island Adventures is particularly concerned that restrictions will be imposed on the location of its current operations including Cape Moreton and various other locations enjoyed by the general public on Moreton Island.

Moreton Island Adventures is also concerned about the terms of the IMA, and how existing interests in the land will be created and managed ...

This information is crucial, for businesses to determine whether their business will be commercially viable into the future.

These people are putting millions of dollars into their business and they want to know whether they have a future on the island going forward.

I asked the department if the IMA could be provided on a confidential basis and they advised—

No, the department cannot provide the document. The IMA is a confidential document because it is attached to the Indigenous Land Use Agreement that was prepared for the native title consent determination and the ILUA contains a confidentiality clause.

It does. There is a confidentiality clause, but I would point out to the members here that the confidentiality clause does allow for the government to release this for accountability purposes. Surely one of those accountability purposes must be to explain to a parliamentary committee why we should pass this bill. Isn't that why we are here to start with—to look into these things, to examine them and to work out whether there is anything wrong with them? The explanatory notes to this bill, and even the minister's speech today, said this bill delivers on parts of the agreement in the ILUA. In fact, the explanatory notes say—

The Bill will facilitate ... provide for the declaration of an IJMA over prescribed protected areas to deliver joint management arrangements with QYAC on Moreton Island consistent with commitments in the ILUA;

The bill enforces those things that are in the ILUA, yet we do not know what is in there. No-one will tell us what is in there. It was quite within the scope of the committee to demand that the department provide us with the ILUA. Members of this House would be fair in thinking that in fact that probably happened. I know that I wanted to see the ILUA. I will not put words in the member for Lockyer's mouth, but I know he wanted to see the ILUA. I know that the member for Traeger wanted to see the ILUA. In fact, I think that some of the Labor members wanted to see the ILUA, so of course we asked for it. What happened? We were denied access to it by a vote of the committee.

I will explain how the committee system works. There are three non-government members, there are three government members and the chair has the casting vote, and of course the government stopped us from having access to it. In fact, the government went even further than that; the government made that particular vote secret as well. It is completely secret. They are hiding everything. They are hiding things from the people of Queensland. That is not accountable, transparent and open, which is what this government consistently tells us they are. They are far from it. There is a great deal of risk—

Mr Power interjected.

Mr HART: I know what I am doing, member for Logan. There is a great deal of risk in the government using these sorts of secrecy agreements in the future to hide the facts from members of parliament. What are we doing here if we cannot look at all of the information that we require to do our job? Honestly, what is the point in being a member of parliament if you are denied access to information you need to do your job? That is exactly what this government does and I can see it as a worrying trend moving forward. This government is going to start using confidentiality agreements in every particular department to try to hide this information from members of parliament and people who have livelihoods that are determined by these sorts of bills. I encourage the House and all committee members to keep that in mind for the future. Be aware that this government could expand doing this even further to hide this information from the public and members of parliament.

I reiterate again that joint management on Moreton Island can work, and the people who live and run businesses on Moreton Island and QYAC can work together. They want to work together. They just want to know how they are going to do that. Having no transparency whatsoever on the ILUAs, the Indigenous joint management agreements and the Indigenous management agreement is not helping anyone. At the very least, the parliament and members of the committee should have been able to see these documents on a confidential basis. We made that perfectly clear. If it was confidential, we would not be talking about it. We needed to know what was in there and we were denied that.