



Speech by

RACHEL NOLAN

MEMBER FOR IPSWICH

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NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Ms NOLAN (Ipswich—ALP) (11.51 a.m.): Ipswich is very much an old mining town.

Mr Cummins: And a lovely mining town.

Ms NOLAN: It is an old and lovely mining town. While the economics of underground mining of black coal means that we no longer have a viable mining industry, Ipswich retains a social and economic connection to mining. The new Acland mine at Oakey, which the Premier opened last week, is owned by an Ipswich company based at North Ipswich. We very much have a continuing interest in mining exploration and mining.

Mr Robertson: And in employing people from Ipswich as well.

Ms NOLAN: I take that interjection.

In speaking to the bill today I wish to address the native title amendments. The amendments allow Queensland to revert to the Commonwealth right to negotiate process for native title and mining exploration tenures. It will further encourage and support exploration and mining not just around my electorate but throughout Queensland. Most importantly, this bill creates new opportunities for the mining sector to thrive in exploration in greenfield areas of Queensland where minerals are undercover and require a number of geological methods to be tested. A necessary part of this is being able to repeatedly turn over exploration permits. There has to be a repeated turnover of exploration land to enable these important discoveries to be made. That is, we have to be exploring in a lot of areas to get mines in just a few. By allowing for the right to negotiate procedure this bill will increase the speed with which tenures can be granted.

Members on this side of the House know that the minister is determined to overcome the delays in negotiation processes that have been occurring. I know there has been an enormous amount of work to move this process forward. The complexity of the process coupled with legal challenges has very much hindered the industry's progress. Nevertheless, I know there have been some great wins brought about by the determination and commitment of all the parties involved. This sits at complete odds with a lot of the negative rhetoric that has come from the opposition benches, although today perhaps there has been an improvement: we are not getting negative rhetoric; we are getting complete disinterest. Perhaps we have made a step forward, at least in terms of the opposition's opinion.

Mr Lawlor: They used to be apathetic; now they couldn't care less.

Ms NOLAN: The member for Southport is quite right. Exploration in Queensland has not stopped, although the opposition, when it was interested, might have told us that it had. Exploration in Queensland has not stopped, thanks to the dedication of people in the industry, native title parties and the minister and his department. This work that is being done should stand as an example to others as to how this right to negotiate can go ahead. We all know that the Commonwealth right to negotiate process is complex—many would say too complex—for exploration. That is why it went unused in this state and Queensland moved to develop alternative state provisions to allow for high- and low-impact exploration activities, hoping that access agreements could provide a strong mechanism for low-impact exploration at least. Success in using these provisions proved elusive, despite the eventual limited support of the Senate, and it means that realistic outcomes have not always followed through.

Another hurdle was the legal challenge the Central Queensland Land Council mounted against the alternative state provisions in 2000. It succeeded in the first instance through the Federal Court, but

this government was successful in appealing that to the full Federal Court, which found that the alternative state provisions had always been good and that all grants under them were valid. The all-consuming delays were exacerbated by the Commonwealth Attorney-General's refusal to remake the determinations to overcome the problem perceived by Justice Wilcox. The Premier immediately requested new determinations on the day of the Wilcox decision—a request that was repeated by the minister last June. The Commonwealth refused to look after the interests of Queensland's mining industry or its native title parties, at a great cost to Queensland as a whole.

Frustrated by the Commonwealth's refusal to deal with this issue, the Premier sought a review of how Queensland should deal with mining and exploration in conjunction with native title—a review that involved extensive consultation with relevant stakeholders from native title groups and the mining industry. Both native title parties and the mining industry expressed a strong preference for the Commonwealth process and as a result the minister has brought this bill before the House as quickly as possible with a view to starting to use the Commonwealth's process from 1 July this year. At the same time, this government will make sure that exploration can go ahead using the alternative state provisions until 31 March—a strong signal to all the parties involved that Queensland is keeping exploration on the agenda. It has been clear in recent years that we needed a change in direction, and the minister has been driving this change in part through this bill. I commend it to the House.