

Division 21: Lands, \$32 945 000 —

Mr N.W. Morton, Chairman.

Mr D.T. Redman, Minister for Lands.

Mr C. Slattery, Director General.

Mr A. Abraham, Chief Finance Officer.

Mr A.R. Prior, Acting Executive Director, Regional and Metro Services.

Mr T. De Barro, Acting Executive Director, Land Assets Management and Projects.

Mrs A. Hughes, Acting Executive Director, Strategy and Reform.

Ms S. Eckert, Acting General Counsel.

Mr R. Gell, Acting Executive Director, Business Management Services.

[Witnesses introduced.]

The CHAIRMAN: Member for Gosnells.

Mr C.J. TALLENTIRE: The fourth dot point on page 248 refers to the commonwealth Native Title Act 1993. What money has been put aside for work on Indigenous land use agreements, which could be seen as a remedy towards some of the issues in the Native Title Act?

Mr D.T. REDMAN: I will clarify the member's question. The member made a reference to the Native Title Act in the budget papers. Is he asking whether there is money put aside for the settlement of native title?

Mr C.J. TALLENTIRE: The fourth dot point is about the pastoral lease renewal process.

Mr D.T. REDMAN: Yes.

Mr C.J. TALLENTIRE: A key issue is the role of the Native Title Act. One issue with the Native Title Act is dealing with the future acts provisions within it. One of the ways around those future acts provisions is through Indigenous land use agreements. Where is the money to work on Indigenous land use agreements?

Mr D.T. REDMAN: I will ask the director general to respond to that question, but I will make the point that the Department of the Premier and Cabinet takes the lead on native title matters —

Mr C.J. TALLENTIRE: This is a pastoral lease matter.

Mr D.T. REDMAN: Yes, but the member is talking about pastoral lease matters that relate to tenure reform or tenure changes.

Mr C.J. TALLENTIRE: No. The dot point refers to "renewal".

Mr C. Slattery: In the reform agenda, which is also alluded to in the budget, there is the establishment of a native title unit within our land assets management and projects team. That is to provide a greater focus on the native title process. In relation to the ILUA process the member referred to, the Department of the Premier and Cabinet is the lead in that particular space, although the new Department of Lands will focus on how we can actually improve the ILUA process, particularly in pastoral leases but also across regional Western Australia, to actually make the process a little easier and broadly understood by a range of participants, including pastoralists, entrepreneurs, traditional owners and other people with interest in the land.

Mr C.J. TALLENTIRE: Can I have an answer to the question: how much money has been allocated to the development of Indigenous land use agreements?

Mr C. Slattery: No specific money has been allocated to a specific ILUA development project at this stage. It will be part of the department's work in developing up how that should proceed and then we will approach the minister with recommendations about how we can actually develop a more broad ILUA framework to unlock the potential of crown land in Western Australia.

Mr C.J. TALLENTIRE: In that case, is the minister looking to amend the Land Administration Act for the pastoral lease renewal process in 2015?

Mr D.T. REDMAN: No, not for the pastoral lease renewal process. The renewal process means that at the end of June 2015 pastoral leases will roll over. That is the process we are working through now. Pastoralists were recently sent two options: one is to have a pastoral lease that is largely written in the same format as their current pastoral lease and the other is a modernised lease that contains more contemporary arrangements. Pastoralists will have a choice of which one they take up. Right now, a consultative process is occurring in the regions. Pastoralists can attend forums to have their questions answered. Indeed, issues may be raised about the nature of

those leases that the government will respond in managing that. In terms of pastoral lease turnover, there is no intent to change an act.

Mr C.J. TALLENTIRE: The minister touched on lease renewal. In terms of tenure reform, does the minister intend to reform the Land Administration Act?

Mr D.T. REDMAN: The short answer is yes. At some stage, we will get to the point of looking at tenure reform whereby there may be a number of choices that those who own pastoral leases have to progress to another form of tenure. Ultimately, I guess, it may progress to extinguishing native title and become freehold. That is an option that some may choose to take up when we get to that point. If that happens, settlement of native title is clearly a part of that. In fact, there does not need to be much of a change in the current lease arrangements to trigger native title. That may need to be settled as part of the process. The government intends to provide choice or opportunity for third party investment. That might be able to come into some of these areas. Whether that third party investment is agricultural, tourism or ecotourism related, a heap of opportunities exist, particularly in the northern part of the state, which we want to try to unlock through some tenure reform. That in no way diminishes, and nor should it, the fact that there is native title over those areas that needs to be resolved, if it progresses to the point that it needs native title resolution.

The CHAIRMAN: Member for Eyre, you are not a member of the committee, so I ask, for the purposes of time, that you make this a very quick question.

Dr G.G. JACOBS: It is on this question of pastoral leases. I am still on the fourth dot point in and around the issue of the renewal process. The dot point refers to ensuring that it is achieved without impacting on native title. What measures have been put forward in the renewal process to ensure that pastoralists are not adversely impacted? This process has been going on for a long time. We have heard about it in the press. A recent press release by the Pastoralists and Graziers Association is that it is still not happy —

The CHAIRMAN: This is a quick question, member.

Dr G.G. JACOBS: The minister spoke about the options. What mitigations has the minister put in the renewal process to not impact adversely on pastoralists?

Mr D.T. REDMAN: I cannot highlight enough the importance of effort going into this area of pastoral lease renewals. It is a big part of the Department of Lands' business right now. We cannot get it wrong. Not sorting out the lease arrangements is not a position we want to be in by the end of June 2015. We have a very committed time line of things happening between now and that point. Pastoralists have options papers now. I am expecting that we may have some feedback on that. We will be very responsive to that feedback. Bear in mind that pastoralists need to be in a position to sign new leases in a timely way such that if banking encumbrances sit over current leases, they are able to manage their financial affairs to sort that out. There are also issues of compliance and caveats around soil conservation and so on. In some cases, management orders and pastoral lands board directives around stocking and the like sit over pastoral leases, which need to be resolved. We want to ensure that if they are not resolved by the time the pastoral lease has been signed, there is a clear commitment and a plan in place to deal with that. For some pastoral leases, that would quite frankly be challenging, but those are the issues we are working through and we need to make sure that we have that done in a timely way to be able to execute the pastoral lease rollover come the end of June 2015. We have also engaged closely with the Pastoralists and Graziers Association of WA in its back office. The association might have some public commentary on this, but the member can be assured that there is strong engagement with its back office about some of the issues it is raising.

The appropriation was recommended.

[12.20 pm]