

I would like to acknowledge the Traditional Owners upon whose land we meet today, the Minister for Local Government, the Member for Cook, the Member for Leichhardt, Senator Trood, Rio Tinto representatives, distinguished guests and members of the community

I drew what some would consider the short straw and have been chosen to talk about Land Tenure and how it relates to Weipa. I apologise in advance as I am not a Land Tenure expert and if some of the things I say are sensitive, that is not my objective, I am simply laying the cards on the table.

Now we all understand the Comalco Act and how this allows the mine to operate through an agreement with the Department of Mines and Energy, who are essentially the landlord for the region when it comes to allowing the mining of State owned resources. The same resources which are essentially owned by Queenslanders who vote and pay taxes and yet are excluded from all discussions on land tenure and use.

The Act was written, by my understanding, to promote mining back in the day and I feel comfortable in saying that has now been achieved, and the question before us today is now what?

Mining equipment, techniques and safety measures have all moved with the times but the Act has not.

So while the Act was written for Comalco, a company no longer exists in this region, and if that company no longer exists then the intentions behind the Act have obviously changed, should not therefore the Act be revisited.

There is also the WCCCA Agreement and the Township Agreement both of which recognise the Traditional Owners upon whose land we live and work, yet the community of Weipa is not included in either of these, as is right and proper.

There is Native Title, DOGIT and mining lease issues in the region also. Again the WTA and the community are not signatories to these agreements either. Yes it is very complicated indeed.

So while the rights of whichever mine is the incumbent operator and the TO's are addressed there seems to be very little left over for the community of Weipa and the 3500 people who also live and work here and call Weipa home.

Some of these people have invested in the community and helped to build the town to what it is today, what are their entitlements for the future?

We live in one of the remotest areas in Queensland yet there are no rural blocks, in town virtually all the land is controlled by the incumbent mine except for the land that is privately owned and is rated to pay for the maintenance of the infrastructure for the community.

Market forces usually determine the cost of housing and if there is a shortage of land to build on then the price of owning a home will increase. You would assume that being so remote and in the middle of Cape York that there would be plenty of land available for new homes, rural blocks and commercial blocks, but there is not, they are at a premium.

Weipa is land locked and only covers 11 square kilometres, making it one of the smallest local government areas in Queensland. There is no room for future growth for homes and industry and most negotiations for land even at a State or Federal Government level need to include the mine.

Any development that is planned for the community needs to involve the mine because the land is controlled by them, as is the release of land for homes and housing. Currently, despite the dramatic down turn in employment with over 30% of fulltime jobs lost this year there is only two vacant blocks in Weipa, that's how tight the availability of land is.

Land tenure is a way to generate community pride and of ownership and assists with making councils more self sufficient, so they are able to plan for the community needs and not have the requirement of negotiating with a mining company every time a council wants to do something that involves land.

If there was land made available for more houses then the rates base could increase and reduce the reliance on a mining operation to prop the town up.

With 75% of the homes in Weipa now privately owned, does the ability to rate these properties lessen the burden on the maintenance of the community for the mine and doesn't therefore the community deserve to be recognised for this?

What are the other commitments on land from the mine? And do these other commitments include the community of Weipa?

A scarcity of land and only one way to access it creates further problems when it comes to diversifying the local economy and creating business opportunities that are different from those that land is only made available for.

The community sense of well being is also affected by the manner in which land tenure is handled by the mine at present; and the ability to separate community issues from its core business of mining would certainly contribute to a stronger sense of being for the community. This would also create a healthier community.

While the mining company appears to be the only game in town removing land issues from their operations would also contribute to a sense of a stronger and more resilient local economy separate from the ups and downs of the global share market and the games global miners play.

Land tenure in the community is affected by the Comalco Act which is over fifty years old and the needs of the community have change over that time but the underlying issues of land tenure in the community has not been addressed or modernised and to do so would strengthen the public's confidence in the Local government body, the state government and the mine itself.

The Comalco Act does not reflect a 21st century attitude to Queensland and drastically needs reviewing and updating or to be dropped all together.

It would appear that land tenure in weipa is dealt with on the needs of the mine or the TO's but not the community needs, having said that, there is usually land made available by the mine if the mine supports the proposal.

Allowing land to be opened up would also create competition in Weipa which is greatly needed, simply allowing other mining company's access to the community would create competition in the workforce and much needed extra business for the small to medium enterprises that make up the bulk of businesses in town.

The Lakes area is on mining lease and located in Cook Shire but neither the company nor Cook Shire are prepared to invest time or resources into fixing the area up to a presentable level despite it being one of the main areas for recreational use by all communities in the area, especially Weipa. This area needs to be brought in to the Weipa Town boundaries and should be handed over to Weipa for the community to use as it sees fit given the current condition it is in.

What is the exit strategy for the mine when it is finished in the area? Are they simply going to revegetate and hand all the land back to the TO's and where does this leave the community of Queenslanders who have invested their time, energy and resources into making Weipa their home.

It is vitally important to acknowledge that any consultation on land tenure also needs to include discussion with the town and the TO's.

The land tenure needs of Weipa has to be bought into the main stream so that long term development plans for the community needs – like housing, infrastructure, public open spaces, public works etc are catered for the community by the community. This situation is highlighted by no proper planning for the future that involves the WTA or the community, who knows what the mines plans are except for some of them, maybe.

What is the core interest of the mine are they a mining company or a substitute for a government, are the issues they deal with on land tenure in the community really in the community interests or the mines interests.

There are restrictions on tourism development, if this is the way to diversify the community then where are the Tourism Officers for the mine and the WTA, if this is the future then where is the action behind this statement?

Land tenure creates restrictions for investment and diversification again because for some reason despite being in Cape York there is very obviously a shortage of land. This is incongruous compared to how the region is portrayed.

The issues of land tenure are so complex that it currently does not capture the community of Weipa, am I the only one that thinks this is odd?

The state and federal governments need to step up and get involved in these issues and in this process.

The Department of Mines and Energy are the land lords and they are not even present today, what does this say about their level of commitment to the community? Yet they have a commitment to the mine simply by the mines existence. Does this State Government Department look after Queenslanders interests or those of mining companies?

For the future benefit of the town mining operations need to be kept separate from town operations as commercial and social decisions can be affected. We all know that at the end of the day finance

and the bottom line will always overcome any social or community needs. This would be the biggest conflict of interest created by the current land tenure system.

The town of Weipa needs to be recognised and land provided for its use that is in the communities' interest.

In conclusion, I am not convinced that the current system of Local Government that the Department of Mines and Energy and whichever is the incumbent mine on the day have contrived is the best model, if it was then how come every other country town in Australia with the same population is not governed by Rio Tinto, why doesn't Rio Tinto run Cooktown, Napranum, Mapoon or any other normal town for that matter? Because those communities do not have the Comalco Act, that's why?

And finally, whatever outcomes that occur today need to happen expeditiously and need to include the town, the last thing any members of the community want is to see this issue buried in a pile of paper while some interdepartmental body has long lunches with mining execs in Brisbane to discuss the future of the people that live and work here in Weipa and Cape York.

Thank you for your attention.