



Speech by

Mr ROB MITCHELL

MEMBER FOR CHARTERS TOWERS

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NATIVE TITLE

Mr MITCHELL (Charters Towers—NPA) (11.38 p.m.): I wish to bring to the attention of members a very disturbing situation that has occurred in the Cook Shire in north Queensland. On 7 October, the leaseholder of a property received a phone call from her son who told her that a native title claimant had arrived at their property with a truck loaded with a part prefabricated building to be erected on the lease. He claimed to be a traditional owner of the land and said that he was going to bring his people back there. The claimant said that the Department of Natural Resources had given him permission to put up the building on the lease. A phone call to the DNR by the lessee found that this was untrue. Also, ATSIC and Family Services denied any funding or authority for such a building, and the Cook Shire had not issued any permits or received any application in relation to it.

The lessees rang the National Native Title Tribunal to ascertain their rights. It was suggested that they should just come to an agreement, in spite of the legitimacy of the claimants yet to be established or what any alleged native title on the lease may comprise. The NNTT finally admitted that the claimants were not entitled to take such action without their permission. The lessees rang the Cape York Land Council solicitor without success. They then rang the land council and were informed that Bulkanu—a development offshoot of the council—was organising the building and that the Wuthuthi were going to build an out-station and take their people back to their land.

On 8 October the building was unloaded on the property and the truck went south for another load. The lessee then rang the land council solicitor and was advised that he was led to believe that DNR had given permission. DNR again denied giving any authority. The lessee requested the solicitor to instruct the Bulkanu to remove the building from the lease. On 9 October the lessees again attempted to talk to the land council solicitor but were again unsuccessful. They then contacted the original claimant, who made it quite clear that white man's law was not his law and that he was putting the building on "his" land and bringing his people back there and did not need permission from them or anyone else.

All through this ordeal the lessees had tried to contact the Premier's Department, the Minister and the local member, but to no avail. No response was forthcoming from any of those people. On 12 October the truck again arrived with another load. The lessees told the driver not to unload and to take all the material back to where it came from. They attempted again to talk to the land council and the solicitor, but once again they were not available. They rang the Bulkanu, who were not very cooperative, and were told again that they should come to some agreement with the claimant.

They eventually rang the Bamaga police, out of concern for their family's safety, after learning of the presence of a certain person at Injinoo. The police understood their concerns because of previous public statements by this person regarding Cape York pastoralists meeting Aboriginal agendas or facing possible burning out. One wonders whether this is the way to promote coexistence on the cape. On 14 October all of the material had been removed and the claimants had left the property. That was not the end of it.

The lessee went to Cairns to meet with DNR in relation to the renewal of her lease. She was confronted by an Aboriginal woman, verbally attacked and then punched in the head with a clenched fist. The lessee is of slight build and in her late sixties. The attacker then told her to show respect for Aboriginal people because it was their land. The family has held the leases since 1960-61, and the claimant group had become known to them in that area only since 1986.

As I said earlier, this has been a very disturbing ordeal. I certainly hope that there will not be a repeat of these actions in Queensland and that, if that is the case, it will be reported to the relevant authorities. It concerns me that there may be other agendas behind this course of action. It also says very little for the Native Title Act as it now stands. It seems that claimants and others are of the opinion that leaseholders have no rights to their land. I wonder how long we can sustain the ever-increasing problems and delays because of native title. We have Jason Yanner and his thugs still causing havoc in relation to the commencement of Century Zinc, one of the largest mining projects in the world. Further, 1,000 mining leases are on hold and many road projects are being delayed across the State. At this rate, I wonder whether any Government will ever achieve a commonsense solution to this problem.
