



Speech by

Mr TIM MULHERIN

MEMBER FOR MACKAY

Hansard 11 November 1999

COMMUNITY SERVICES LEGISLATION AMENDMENT BILL

Mr MULHERIN (Mackay—ALP) (2.57 p.m.): I am pleased to support the Community Services Legislation Amendment Bill 1999. The Bill when proclaimed will enable the State of Queensland to finally make amends for one of the more unfortunate incidents in our State's history. I refer to the forced removal and relocation of the people of the Mapoon community in 1963.

In a shameful action, homes were burnt down and the people sent to Weipa and New Mapoon. The people themselves believed that the Government wanted to move them to clear the way for an expansion of mining activity. It is hard to imagine that less than 40 years ago the police, under instruction from Government, could be used to round up people and summarily relocate them to another part of the State. While their homes were destroyed, the spirit of the people was not broken. The link between the people and their land proved too strong and, from 1970, Mapoon people gradually returned to their land.

In 1989 the Government, in recognition of the Mapoon people's undeniable right to land, issued a deed of grant in trust over the Mapoon land to trustees representing the Mapoon people. While recognising the importance of the deed of grant in trust, the Mapoon people were acutely aware that their deed did not result in the creation of a council which would govern the community of their own people. Despite the difficulties, the people of Mapoon have been steadily reconstructing a thriving community. Houses have been built, a school established and a health service put in place, and the population is around 200 people. While earlier requests to create a council were rejected, recurrent funding was, however, provided to the Mapoon community Aboriginal corporation to provide local government services to the growing community.

The Mapoon people were resolute in their pursuit of council status. In 1998 after a visit to Mapoon, the then Minister for Families, Youth and Community Care announced his intention to establish an Aboriginal council for the Mapoon community. After the change of Government, that decision was quickly endorsed by the Honourable Minister for Aboriginal and Torres Strait Islander Policy.

This Bill will enable the Governor in Council to establish an Aboriginal council for Mapoon by regulation. Under clauses 7 and 22, which deal with proposed new section 14, the legislation provides a capacity for the Government to pass a regulation declaring part of the State to be a council area. It is that provision that will be used to create the council area for Mapoon. The process that has led to agreement over the creation of a new council for Mapoon is one that needs to be followed in any similar case that might arise in the future.

Mapoon is currently in the Cook Shire and that council supports Mapoon having its own council. In cooperation with the Aboriginal Coordinating Council, the Local Government Association has urged the Government to enable Mapoon to become a council in its own right. This is an example of commonsense and goodwill being exercised by all parties. The amendments also ensure that councils may exercise jurisdiction over land in their area regardless of the tenure of the land. In the case of Aboriginal and Torres Strait island councils, normal local government powers may be exercised where native title or indeed other forms of tenure may exist. This is similar to the mainstream local government, where a council's powers are not tied to the ownership of the land. Currently all councils are trustees of the deed of grant in trust land upon which councils operate.

The Mapoon community will still have some work to complete before they can become a council, such as deciding on the composition of the council, determining what will be done with the assets of the Marpuna Aboriginal Corporation and working out myriad small operational issues. Departmental officers will assist the community in that process, with the aim of having a council created in time for the March 2000 local government elections.

For the Mapoon people, the establishment of an Aboriginal council will represent the achievement of a cherished goal. For Queenslanders—both indigenous and non-indigenous—it will be an important step along the path to reconciliation. I congratulate the Minister and her staff for bringing this Bill to fruition. I know that the people of Mapoon will be over the moon once the council has received Executive Council approval.

As a member of the Public Accounts Committee I will comment on the sections pertaining to accountability requirements. Those reforms have been long overdue. We appreciate the work that the Minister and her staff have done.
