



Speech by

Hon. ANNA BLIGH

MEMBER FOR SOUTH BRISBANE

Hansard Wednesday, 6 October 2010

MINISTERIAL STATEMENT

Archer Bend, Return of Land to Wik Mungkan People

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.45 am): Today I am pleased to announce that thousands of hectares of land taken from Indigenous people on Cape York more than 30 years ago will be returned to its rightful owners. Our government today will take the unusual step to revoke a section of a national park outside Coen, some 600 kilometres north-west of Cairns. The 75,530-hectare section of the Mungkan Kandju National Park, known as Archer Bend, will be returned to the Wik Mungkan people three decades after it was taken from them by the National Party government of the day.

This decision puts an end to a shameful chapter in Queensland's Indigenous history. It changes the outcome of a long legal battle which saw the legitimate legal rights of the Indigenous people of Cape York circumvented by what can only be described as a shocking abuse of power. On 12 November 1977, the Joh Bjelke-Petersen government declared the culturally significant part of the cape to be national park. This followed a long battle with the Wik Mungkan people who fought to purchase the Archer Bend pastoral holding lease and gain ownership of the land.

Many members of this House will remember that John Koowarta battled the National Party government for years over the lease. John was a Wik stockman. He saved his money towards a dream that one day he would be able to buy back Archer River, the land of his birth. The land had been leased from the Queensland government by an absentee American investor who, when contacted in 1974 by John Koowarta, agreed to sell him the lease at market rates. But Joh Bjelke-Petersen considered the deal 'Aboriginal land rights by the backdoor' and he refused to allow the lands department to transfer the lease.

John Koowarta complained to the federal Human Rights Commission, and he won. That was ignored, so he went to the High Court of Australia and he argued that the Queensland government's refusal of the transfer was made on racial grounds. The High Court found in his favour, agreeing that the Queensland government had contravened the Racial Discrimination Act, which had been introduced by the then Whitlam government. It was then that Bjelke-Petersen stepped in with an abuse of power that has shamed the people of Queensland for more than three decades. He declared Archer Bend a national park, and by this deliberate and calculated travesty of justice he crushed John Koowarta's dream.

John Koowarta died aged 50 on 29 June 1991 without seeing his people back on their land. Speaking at his grave site, his wife Martha, a respected elder of the Aurukun community, said that her husband died of a broken heart. What happened on that day in 1977 has served as a hurtful symbol of the National Party's attitude towards Indigenous affairs. It was a corrupt use of government power motivated solely by a spiteful determination to deny the legal rights of John Koowarta and his people.

The revocation of any national park is a serious matter and should never be taken lightly. It should only be contemplated by any government in exceptional circumstances. The declaration of this national park, as I have just outlined, was not motivated by a desire to create a new national park for conservation purposes but by political spite. I firmly believe this is exactly the kind of circumstance where such a measure should be contemplated and is appropriate.

In recent times our Labor government has been negotiating with traditional owners to convert the Mungkan Kandju National Park to a jointly managed national park through the Cape York Peninsula tenure resolution program. Early in the negotiations, the Wik Mungkan people wrote to me and asked that part of the park be revoked and granted to them as Aboriginal freehold. The traditional owners have agreed to revoke just under half of the Archer Bend section of the park so that next year it can be granted to the traditional owners as Aboriginal freehold land.

The area to be revoked is the north-western corner of the park, north of the Archer River. It covers about 75,530 hectares, which is 44 per cent of the Archer Bend section and 17 per cent of the whole park. The key conservation values in the area will be protected through a nature refuge which will cover 43 per cent of the area revoked from the park. The government will provide financial and practical assistance to traditional owners for conservation management of this nature refuge.

The return of this area as Aboriginal freehold will provide opportunities to the Wik Mungkan people to manage the cultural and natural values of the land. It will allow them to establish living places and business enterprises on their traditional lands. The Queensland government and the Ayapathu, Kandju and Wik Mungkan people have agreed that 83 per cent or 381,470 hectares of Mungkan Kandju National Park should remain a park due to its high conservation values and many popular sites for visitors. That means the park will continue to protect the Archer and Coen River corridor and associated wetlands and wildlife. I hope the measure we are taking today goes some way to easing the hurt many Indigenous people felt on that day in 1977 and have felt ever since.