



Speech by

Annastacia Palaszczuk

MEMBER FOR INALA

Hansard Tuesday, 29 May 2012

MOTION: MUNGKAN KANDJU NATIONAL PARK



Ms PALASZCZUK (Inala—ALP) (Leader of the Opposition) (5.25 pm): I move—

That this House:

- Recognises the handing back of Mungkan Kandju National Park to its traditional owners (the Wik Mungkan, Southern Kaanju and Ayapathu People).
- Welcomes the transfer of an additional 75,074 hectares of freehold land previously revoked from the Archer Bend section of the park to the Oyala Thumotang Land Trust.
- Acknowledges that the return of this freehold land serves in part to rectify a past injustice whereby Wik Mungkan People were prevented from purchasing the Archer Bend Pastoral Holding as a pastoral lease.
- Recognises that with the return of this land, the State Government is closing a chapter of history and building a joint approach to conservation, as well as forming a strong working relationship with traditional owners.

It is a privilege to speak to this motion because it helps mark the resolution of what must rank as one of the most shameful acts by any government in our state's history. Last week saw the culmination of a process started by the previous Labor Party state government to right a wrong perpetrated on Indigenous Queenslanders almost four decades ago. Honourable members may know the details of the particularly shameful act that led to last week's event on Cape York. For those who do not, I will put on the record a few salient points.

In 1974, John Koowarta, a stockman of the Wik people, sought to buy a cattle station at Archer Bend near Coen. Archer Bend Station had been John Koowarta's people's traditional homeland. Mr Koowarta and other Wik people approached the then owner of the pastoral lease, the American businessman Remington Rand. Mr Rand was quite willing to sell, but the then state Premier, Joh Bjelke-Petersen, would have none of it. He described the deal as 'land rights by the back door'. Because it could not be sold to the traditional owners, the purchase of the property was finalised two years later in 1976 by the Aboriginal Land Fund Commission.

The commission had been established and funded by the Whitlam government and its work continued under the Liberal-National government of Malcolm Fraser. It is interesting to read old newspaper clippings from that time. They carry stories of the criticisms levelled by then Premier Bjelke-Petersen against the then Prime Minister. Mr Fraser was someone who displayed a more enlightened approach to Indigenous issues than others on the conservative side of politics. Clearly this did not endear him to Bjelke-Petersen. In fact, Malcolm Fraser's attitude on Indigenous issues at one stage sparked a comment by Bjelke-Petersen that the Prime Minister was practising apartheid in Australia. The attitude of Bjelke-Petersen prompted one federal Labor Party backbencher to say that the then Premier had developed an 'infinite capacity to obstruct every step taken to advance Aboriginal people'.

After the Archer Bend land was purchased by the Aboriginal Land Fund Commission, it sought to transfer the lease to the land's traditional owners. But the transfer was deliberately blocked by the state's then National-Liberal Party government. The government's objection was based solely on the fact that the land was to be used by Aboriginal people. Its action was that simple. It was that small-minded and it was that vindictive.

In 1977 the case went to the Human Rights Commission, which upheld Mr Koowarta's complaint. But the state government of the time stood its ground. The case then went to the High Court, which in 1982 found that the Bjelke-Petersen government had breached the Racial Discrimination Act. At the time, a *Courier-Mail* editorial noted, 'To many Australians it must seem strange that the Bjelke-Petersen government welcomes acquisition of land by foreign companies while denying it to some of their fellow countrymen.'

But then Premier Bjelke-Petersen was not to be outdone. He declared the Archer River property a national park. That move was designed to forever deny the Wik people the right to buy the land—their homeland. It was a decision described by Kevin Guy, councillor of the Australian Conservation Foundation, in an article in 1998, as one of 'spite and prejudice'. The then Premier did not believe Aboriginal people should be able to own large parcels of land. In fact, in 1972, the then minister for lands said in this House—

The Queensland government does not view favourably proposals to acquire large areas of additional freehold or leasehold land for development by Aborigines or Aboriginal groups in isolation.

As the second defendant in the case of *Koowarta v Bjelke-Petersen and others*, he reiterated this statement in his statement of reasons for his decision to refuse to sell the property. He went on to say that the Queensland government was totally opposed to any Aboriginal ownership of their traditional lands.

It was not until 2010, nearly 20 years after John Koowarta's death, that the former Labor government finalised plans to hand back the Archer Bend land. By then it was part of the Mungkan Kandju National Park. Lengthy and complex negotiations were undertaken by the government with local Indigenous peoples and elders. Those talks also involved Indigenous community organisations such as the Balkanu Cape York Development Corporation, the Cape York Land Council and conservation groups.

This landmark decision marked the end of a sordid and politically motivated case of blatant discrimination and prejudice the like of which I trust we will never have to witness again in our lifetime. As I said earlier, this decision in 2010 by the previous Labor government righted a longstanding wrong. As the former environment minister, Kate Jones, said in this place on 6 October 2010, the decision to hand back the land delivered 'a new era of land justice for Queensland'.

The logistics involved meant a handover ceremony could not be organised before this year's state election. So it was left to the new government and the new Premier to formally recognise what the Labor government had started and delivered. I want to place on the record in this House this evening that I commend Premier Newman for attending this important ceremony. However, the most important thing is that the people whose rights had been trampled upon by the current Premier's political hero were finally given justice.

The respected Walkley Award-winning journalist Tony Koch is well known for the stories he wrote and broke on Indigenous issues in Queensland over his long and distinguished career. Tony Koch has described Joh Bjelke-Petersen as 'a mean-spirited opportunist'. Such a description was never more fitting than when considering the former Premier's role in the Koowarta case. Tonight is an opportunity for this whole House to put on record its support for the people and for John Koowarta, who fought for this outcome.

In May 2010, as acting minister for climate change and sustainability, I attended a similar handover ceremony for the new Alwal National Park up on Cape York. The 42,000 hectare park was created on a property previously known as Mulkay, and is now owned by the Olkola Aboriginal Corporation Land Trust. In his decision in *Mabo v Queensland (No. 2)*, High Court Justice and later Chief Justice Sir Gerard Brennan spoke of the Aboriginal peoples' 'connection with the land'. As someone who grew up in Brisbane, I can say that it is not until you actually set foot on the land in Cape York that you can really appreciate the beauty and majesty of this region. It is not until you see the tears in the eyes of the families, who had only dreamt of such a day, that you can fully appreciate the significance of an agreement such as this. These dreams and hopes have existed in the collective experience of the Indigenous peoples for generations and would always continue to do so until the dream was realised. It was one of the most moving experiences of my life to have played even a small part in such an occasion. Families ventured from all over the cape and from all over Queensland to celebrate.

I note that the 20th anniversary of the Mabo decision will be commemorated this Sunday. Like Eddie Mabo before him, John Koowarta did not live to see the handover last week. But I understand he was represented by his widow, Martha, and nephew Bruce Martin, who attended the ceremony along with other family members who travelled great distances to be there. Even though John Koowarta did not live to see the dream become a reality, his name and his vision will live on forever more.

On 5 September 1991, then Premier Wayne Goss said on John Koowarta's death—

The great tragedy is that, within months of achieving his life-long ambition, last Thursday John Koowarta died at the age of 50 of a respiratory disease following an extended illness. Mr Speaker, it is only appropriate then that, as Premier of this State, I formally acknowledge and pay a tribute to the dedication and hard work of John Koowarta ... On behalf of this government and the people of Queensland, I extend to John Koowarta's family our deepest sympathy and regret at his passing and, most importantly, at the injustices meted out against him and his people.