




Speech By
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MEMBER FOR CAIRNS

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NATURE CONSERVATION AND OTHER LEGISLATION (INDIGENOUS JOINT MANAGEMENT—MORETON ISLAND) AMENDMENT BILL

 **Mr HEALY** (Cairns—ALP) (3.05 pm): I rise to speak in support of the Nature Conservation and Other Legislation (Indigenous Joint Management—Moreton Island) Amendment Bill 2020. As a lot of people in this chamber would be well aware, from 1788 until recently Australian law did not acknowledge that Aboriginal and Torres Strait Islander people had rights to land that predated European settlement. It was thought that Indigenous people's rights were no different from those other citizens except where governments granted them special rights such as heritage protection or statutory land rights.

From the earliest days of European settlement, Indigenous Australians opposed to this view have been arguing for their legal recognition. However, it was not until 1992 in the Mabo judgement that the High Court of Australia determined that Indigenous people's rights over their lands did survive colonisation. The court based its decision on the principles of equality and non-discrimination. It ruled that Indigenous people's rights to land are not only recognised but also protected and enforceable under the common law of the Commonwealth. As a result of that and many other court cases, on 27 November 2019 the Federal Court of Australia made a native title consent determination under the Native Title Act 1993 recognising the Quandamooka people's native title rights on Moreton Island, or Mulgumpin as it is known to the Quandamooka people.

Protected areas on Mulgumpin include Moreton Island National Park and Cape Moreton Conservation Park, which are currently state land. As an outcome of the native title determination, these lands will be returned to the Quandamooka people as Aboriginal land and subsequently become jointly managed protected areas. Before these lands can be granted as Aboriginal land to the Quandamooka Yoolooburrabee Aboriginal Corporation, also known as QYAC, the land must first be identified as transferable land in the Aboriginal Land Act 1991.

The Aboriginal Land Act is therefore being amended to provide that prescribed protected areas of Mulgumpin are identified as transferable land. This land will include most of the existing Moreton Island National Park, Cape Moreton Conservation Park and some unallocated state land that is proposed to be added to the protected area estate in the very near future. Some small areas of existing protected area that support Marine Safety Queensland and Australian Maritime Safety Authority facilities for navigation safety purposes are excluded following the agreement reached between the Quandamooka representatives and the relevant state and federal government agencies.

Once that land becomes transferable under the Aboriginal Land Act, steps can be taken to prepare deeds of grant and seek Governor in Council approval to appoint QYAC as the grantee of the land. When the land is granted it will mark the formal return of the traditional lands of the Quandamooka people to their ownership. QYAC will take responsibility for holding the lands in trust for the Quandamooka people and, through joint management arrangements, work in partnership with the Queensland Parks and Wildlife Service to manage these parts of Mulgumpin as part of Queensland's protected area estate.

This outcome reflects similar processes undertaken to transfer prescribed protected areas on North Stradbroke Island to the Quandamooka people and native title determinations in 2011 in relation to these lands. It is reassuring to see our First Nations people take back possession of what was and always will be their land.

I would like to register in the strongest possible way that I seek no counsel in the fears of those who harbour concerns about this process. It is merely a reflection of ignorance. I see this as nothing more than natural—albeit delayed—justice. I believe this is a vital and important part of the journey, enabling the economic foundations to be established for our First Nations people, a right that has been denied to many previous generations. For our First Nations people, legal ownership of their land and sea provides benefits that cannot ever be underestimated.

Recently I was privileged enough to join elders of the Ewamian people, along with tourism industry representatives, west of Mount Surprise and west of the Einasleigh River to inspect the developing product on Talaroo Station. This unique piece of land is home to the ancient Talaroo Springs. To stand there with the Ewamian elders, to see young Aboriginal men and women working on their land in the Queensland National Parks uniform was, for me, and I suspect for many others, not just a powerful moment highlighting where we have come from but, far more importantly, where we are going. We are all aware of the dignity associated with a job, the capacity to determine and develop our own future through economic development and the fundamental principle of on country. I know that will continue to happen with Mulgumpin.

This process and the amendment we make here today is essential to ensuring ongoing economic independence but, far greater, these are essential foundation platforms for our First Nations people. It is also reassuring to know that the Palaszczuk government will be investing in improved facilities which will enhance the visitor experience ensuring a positive and strong future. This is essential for ongoing development. It has always been accepted by many that a greater understanding of our Indigenous and Torres Strait Islander culture develops an enriched appreciation of Australia's cultural heritage. I believe that not only leads to a greater reconciliation process but also builds strong economic foundations and a growing interest from our domestic market in Indigenous culture. The Palaszczuk government acknowledges that.

This year being the Year of Indigenous Tourism has the potential to transform the landscape of cultural and ecotourism in this state as we aim to become the nation's market leader in the Indigenous tourism experiences area. As Minister Hinchliffe mentioned in his contribution yesterday, the Department of Tourism, Innovation and Sport is working closely with Tourism and Events Queensland, Queensland Tourism Industry Council, Tourism Tropical North Queensland and across government to deliver a suite of activities from marketing, media, training and mentorship as well as improvements to the sector's representation and business development support. The core activity of the Year of Indigenous Tourism is the delivery of the \$7 million Growing Indigenous Tourism in Queensland Fund. In 2019 over 9.5 million Australians went travelling overseas, spending, even at conservative estimates, around about \$54 billion. With the international markets closed for the foreseeable time, the timing is opportune, the possibilities are many.

I would like to acknowledge and thank the State Development and Regional Industries Committee for their contribution. I would also like to make note of some of the contributions by my parliamentary colleagues on this side of the chamber. I have found them enormously empowering. I am enormously proud to be a member of a government that is not only contributing to this process but also driving this essential and much needed change. I commend the bill to the House with very strong support.