

1993 Background Report on Queensland

Introduction

In 1993 Queensland had a vibrant economy and a population of three million, an increase of 83,316 over the previous year.¹ Government efforts were directed at constructing appropriate infrastructure and developing social policies. A significant change in administrative processes had become necessary in response to the *Mabo* decision by the High Court of Australia on 3 June 1992 recognising the existence of native title on Mer, Dauar and Waier Islands (the Murray Island Group) in Torres Strait.² Premier Wayne Goss was criticised for stating that Ministers concerned about economic growth and jobs for working people should be able to state their case in the face of advocacy by others of native title issues.³

In the Goss Labor Government's second term there was great rigor and firmness. The Premier managed Cabinet clinically and unflinchingly. He had a strong leaning towards respectability and integrity and had introduced a Cabinet Handbook. Legislative reform continued apace in 1993 after over 500 pieces of legislation had been passed in the previous two years, with less opposition than the Ryan Government experienced in 1915-19. Parliament continued to sit for only 45 to 50 days a year, the same as under the Nationals. The Office of Cabinet vetted policy decisions and briefed Cabinet on every submission except the Premier's oral presentations.

Four years after it was recommended by the Fitzgerald Inquiry the Government decided to introduce a comprehensive parliamentary committee system.⁴ At the same time the Government reduced the scope for Freedom of Information requests for Cabinet records. There was an extraordinarily high rate of usage of this Act by Queenslanders, far exceeding that experienced in other state jurisdictions.⁵

Activists in the areas of Aboriginal affairs, gender equity and social issues became concerned at the slowness of reform in these areas. Disturbances erupted when Daniel Yock, a Wakka Wakka man, traditional dancer and amateur boxer from Cherbourg died in custody on 7 November after arrest at Musgrave Park, West End. Five-thousand protestors demonstrated outside the Roma Street Police Headquarters.⁶

The government was a strong advocate of environmental protection and management strategies for Queensland. This commitment was shown in the 16 Cabinet submissions in 1993 concerning the environment.

Meanwhile Queenslanders were preoccupied with responsible fiscal management and emerging productively from the recession of 1989-91. The state became debt free at the end of 1993.⁷

International Affairs

In 1993 the European Single Market for people, goods, services and money commenced. The United Kingdom Parliament voted to support the Maastricht Treaty (the foundation treaty of the European Union in 1992) but without the social policy on employment law. In the United States Bill Clinton was sworn into office as president on 20 January.

In London on 24 April the Provisional Irish Republican Army (IRA) exploded a bomb loaded on a stolen tip truck at Bishopsgate. One person was killed and 44 people were injured. Some 500 tonnes of glass in the financial district broke, and the damage, which included the demolition of a medieval church, *St Ethelburga's*, was estimated at around GB£500 million. It occurred at a critical stage of negotiations underway about the future of northern Ireland. It hardened attitudes against the IRA, and led to the City of London adopting ring-of-steel measures to defend against further attacks.

On 20 June a high speed train made the first journey from France to England via the Channel Tunnel, which was planned to open to the public in 1994. Then, on 7 August 1993 Buckingham Palace opened its doors to the public for the first time. The closure of the British coal mining industry was accelerated with the closure of the Monkwearmouth Colliery on 10 December 1993, ending coal mining in the Durham coalfield in north-east England after 700 years.

On 4 June, on day two of the Ashes cricket test at Old Trafford in Manchester Australian leg spin bowler, Shane Warne, bowled the 'ball of the century' to dismiss the English captain, Mike Gatting.

There was a major risk of a Russian civil war when President Boris Yeltsin dissolved Parliament and instituted a system of presidential rule by decree in October 1993. The 10-day conflict became the deadliest single event of street fighting in Moscow's history since the October 1917 Revolution. Yeltsin was subsequently elected President, consolidated his position, further expanded the powers of the executive, and pushed through the adoption of the 1993 constitution of the Russian Federation.

Australian Affairs

Notable Australian events included the death of Oodgeroo Noonuccal MBE, born Kathleen Jean Mary Ruska, on Minjerribah (the Stradbroke Islands) on 16 September 1993. She was a poet, political activist, artist, and educator.

On 24 September Sydney won the right to host the 2000 Olympic Games. Construction commenced on Brisbane's new international airport on 26 November 1993.

Senator Lady Bjelke-Petersen retired from the Senate on 30 June 1993 after serving 13 years as a National Party senator.⁸ Her husband was the long serving Queensland premier, Sir Joh Bjelke-Petersen.

Australian Financial Affairs

Australia's economic recession in 1989-1991 occurred a century after the severe depression in the 1890s. 1993 was the centenary of the closure of banks including Queensland National Bank, the Colonial Government's bank.⁹

In 1993-94, Queensland's Gross State Product and Australia's Gross Domestic Product both increased by 3.9% in real terms.¹⁰ Employment in Australia fell by 3.4%. The unemployment rate in Australia in 1993 was 10.87%, down slightly from the all-time high since the 1930s of 11.2% in December 1992. Long-term unemployment in Australia reached an unprecedented peak of 366,000 persons in March 1993, representing 38% of the unemployed and 4% of the labour force.¹¹ Inflation was 1.67% in 1993. The Reserve Bank of Australia aimed to reduce interest rates to support the recovery without adding to inflationary pressures. On 31 March 1993, Bernie Fraser, the Governor of the Reserve Bank, stated in a speech to Sydney economists, that if inflation could be held to an average of 2–3 per cent over a period of years, that would be a good outcome.¹²

On 13 March the Australian Labor Party (ALP) won the Federal election which had been fought principally over the 'fightback policy' (consumption tax) proposed by the Liberal Party. The Prime Minister Paul Keating's dissection of the tax through the example of a birthday cake destroyed the validity of the tax in the public's mind. The government had promised tax cuts (L-A-W tax cuts) which were subsequently postponed due to budget constraints in 1993.

The Commonwealth Government informed the Premiers' Conference on 5 July of cutbacks in state grants. The Prime Minister saw the meeting politically as a fiscal equalisation process to bring the country together.¹³ In his budget statement on 22 July 1993 Prime Minister Keating denied breaking election promises but, in the face of an ever-increasing deficit, the Commonwealth was determined to reduce expenditure.

There was a shortfall of \$115 million in Commonwealth Finance Assistance Grants for Queensland in 1993-94, which required significant adjustments within the state budget of which half came from federal grants. The Queensland Government had a long-standing commitment to maintaining Queensland's low tax position, borrowing only for assets that could effectively generate an income stream sufficient to meet debt servicing costs, so precluding budget deficits. Schools and hospitals were funded from recurrent revenues.

The Queensland Budget Review Committee identified total net savings (excluding new initiatives) of \$65 million, leaving \$110 million to be found in 1993-94. The measures were difficult to implement and required each Minister to 'sell' them to the community and to ensure that their departments pursued them vigorously. Several of the measures were very sensitive politically, particularly closures of government offices in country towns and cutbacks involving rationalisation of uneconomic services (e.g., closure of small schools and railway lines) and contraction of non-core services and new fees and charges (e.g., National Parks entrance charge, Queensland Treasury Corporation performance dividend). To ensure the strategy was achieved during 1993-94 a Savings Taskforce was established to oversee the implementation of each measure and it reported directly to the Treasurer and the Cabinet Budget Review Committee.¹⁴

Agriculture

There was major restructuring in agriculture and manufacturing in line with a national approach to competition policy reform in October 1992 when the Commonwealth Government established the Independent Committee of Inquiry into a National Competition Policy for Australia (the Hilmer Committee). It reported in August 1993 and recommended extension of price surveillance, application of competitive neutrality principles to government businesses and restructuring of public sector monopoly businesses. This complemented the removal of government oversight of agricultural industries through marketing boards, co-operatives and special legislation covering the dairy and sugar industries.

Negotiations between the Queensland and Commonwealth Governments with the sugar industry in the lead up to the 1993 Federal election included consideration of the future of the pooling system for prices of cane milled under the *Sugar Industry Act 1991*. It was agreed that the pooling system established in the 1920s should be simplified and the differential reduced to 6% over the period from 1993 to 1996. Over that same period the Commonwealth would adjust the sugar tariff and the *Sugar Industry Act 1991* was amended to that effect.¹⁵

Land Legislation

The government decided to reform the *Land Act 1962*, just as the Liberal – Country Party government reformed the *Land Act 1910* following its election in 1957. On 28 June 1993 Cabinet approved the drafting of a Land Bill incorporating all the reform principles developed in the Review of Land Policy and Administration Report (the Wolfe Report) in 1990 and the White Paper issued in December 1992. The new bill covered leasing and grants of land, reserves, deeds of grant in trust, roads, land dealings, licences, rents, trespass, easements, forfeiture and the land registry, but not continuing tenures and appeal processes. Provisions relating to native title were postponed until state/federal decisions were made on this issue.¹⁶

The Wolfe Report concluded that rents in Queensland had been set at concessional levels for too long and that increases to reflect commercial rates were justified. The Report recommended that the Unimproved Capital Value (UCV) of leases be adopted for rent assessment of all leasehold lands. Cabinet approved this approach on 25 March 1991, and it was legislated in the *Lands Legislation Amendment Act 1991*. On 22 March 1993 Cabinet endorsed the proposed rental percentage rates and rental categories for Crown leases to apply from 1 July 1993. This created a range of responses from leaseholders in proportion to their financial status. The Cattlemen's Union did not support the changeover to UCV and there were numerous petitions to parliament about the increases.¹⁷

Mining

The Department of Minerals and Energy defined its vision in its Strategic Plan for 1993-98 as '*Leading a strong minerals and energy sector with community support to achieve sustained growth in the Queensland economy.*'

New technology and geological mapping methods were delivering improved presentation of geological data and tenure-related information using the Mineral and Energy Locational Information Network.

Additional funding was allocated to fundamental geoscientific mapping investigations - the airborne geophysical survey in the Walsh River area and the gravity survey over the Mount Isa Inlier. A new system of allocation of land for coal exploration would enable release of most of the land within Restricted Area 55 on the Bowen Basin Coalfields.¹⁸

There was a major reawakening of mineral exploration in north-west Queensland. Carpentaria/Mount Isa Minerals Province Interdepartmental Working Group estimated that development of the significant discoveries in the province could result in \$25-30 billion in new export revenue over the next 20-30 years, creation of about 2,000 permanent new jobs in the province and a further 6,000-8,000 jobs through multiplier effects. The Committee also confirmed that the international competitiveness of the province's mineral development activities could be substantially increased through co-operative provision of infrastructure such as a gas pipeline, electricity transmission lines, slurry pipelines to the gulf and port facilities in the gulf.¹⁹

Queensland Government policy was to assist the development by identifying with private enterprise participants, lands required for key infrastructure development in the province; securing environmental and other approvals for such land uses as deemed appropriate by government, establishing appropriate mechanisms for the preservation of access to and/or acquisition of relevant lands. This was implemented in full throughout the 1990s and 2000s.

Infrastructure and transport – utilities, dams, railways, trams, ports and roads

A key reform plank for the government was corporatisation of utilities and government businesses. It signalled that government was serious about public sector reform, achieving structural gains, consolidating the ability to fund social objectives and controlling them by avoiding more severe forms of restructuring. Government's stated purpose was implemented by having the *Government Owned Corporations Act 1993* (GOC) passed to improve Queensland's overall economic performance and by improving GOCs' accountability, with the Treasurer and the portfolio Minister as the two shareholders of each GOC. The list of enterprises to be corporatised included ports, railways, electricity boards, water resources, forestry, the state gas pipeline and Suncorp (part government owned). Shareholding Ministers' reserve powers were expected to be used only in exceptional circumstances and the direction was proposed to be published in the *Queensland Government Gazette* within 21 days.²⁰

The rapid population growth on the Sunshine Coast stimulated government to progress its study of water supply requirements. A 1990 study on 'Water Supply Sources for South East Queensland' recommended that Department of Primary Industries undertake a detailed study for site selection. Their submission to Cabinet on 19 April 1993 included raising of Borumba Dam near Imbil as preferable for its cost effectiveness and minimal impacts and further investigations were to include Munna Creek, Wide Bay Creek and Amamoor Creek. These were the origins of water conservation considerations that developed into the Traveston Dam controversy of the early 21st century.²¹

Highway construction

Upgrade of the Pacific Highway was an urgent priority as the population of South East Queensland increased rapidly. A Cabinet decision on 9 August 1993 to proceed with a Brisbane – Gold Coast Eastern Transport Corridor which included a section through a koala sanctuary at Daisy Hill sowed the seeds for the loss of government by Labor following the July 1995 election. It was to be a six-lane highway to service the Albert, Logan, Redlands and the Gold Coast areas. It implemented Cabinet Decision 01954 of 24 February 1992 which had initiated the Eastern Corridor project. The widening to six lanes of the Pacific Highway to Beenleigh-Redland Bay Road was to be completed by 1995-96 and other upgrades by 1996-97. The approved section of the Eastern Corridor was being incorporated in the relevant Local Authorities Strategic Plans and all affected landholders had been notified. The Minister explained in his press release that 'any transport and land use solution in the area would include design and planning initiatives aimed at mitigating, as much as possible, any potential adverse impacts on the local koala population.'²²

Railways

Investigations commenced in 1983 into the feasibility of a rail link between Brisbane and the Gold Coast after an earlier railway to Southport and Nerang opened in 1889 had been closed in 1964. The National Party government decided in November 1985 to construct a new railway from Beenleigh to Robina.²³ The Goss government committed to 46 kilometres of new track, incorporating 51 new bridges, with the design permitting operating speeds of 160 kilometres per hour. Five new stations were proposed - Ormeau, Coomera, Helensvale, Nerang and Robina.²⁴ Provision was made for duplication. The rollingstock was to be Queensland Rail's existing InterCity Express Rollingstock transferred from the Brisbane – Rockhampton service when the XPT (Express Passenger Train) was introduced on that line.²⁵ Other major railway improvements were the relocation of central Townsville railway yards, investment in rail upgrades in the Cairns and Proserpine regions, and review of the level of fare concessions which had not been addressed for decades.

The government's management of the uneconomic rail lines had a significant impact on its popularity. The cuts in Commonwealth Financial Assistance Grants to Queensland announced at the Premiers' Conference on 5 July resulted in immediate cuts in public services. The likelihood of rail closures had been reported in the press on 6 July and the *Courier Mail* of 9 July listed various lines targeted for closure.

The Cabinet meeting of 12 July 1993 approved the release of an Interim Budget Statement which included closure of a third of Queensland railways and making 545 staff redundant - 29 very low volume, uneconomic rail services, truncating lines at Charleville, Longreach and Mareeba and closing uneconomic branch lines off major rail routes. The closure of these lines was expected to reduce losses by up to \$4 million in 1993-94 and some \$40 million in future years.²⁶ All of the redundant staff were to be offered Voluntary Early Retirement packages.

News of the proposed closures caused outrage in the communities most affected. The major traffic affected was livestock, particularly from Quilpie and Winton. Half of Winton's population turned out to block the line for the Midlander train on 17 July in a bid to halt the closure. Locomotive 1749D was taken over by Monto people on its arrival from Maryborough on 17 July and an effigy of the minister was lynched. Representatives of 17 local authorities met in Kilkivan on 23 July to discuss the closures. They presented a ministerial letter of 16 April to the meeting stating that the Longreach – Winton – Hughenden lines would be maintained and open to traffic, and a report in the *Tablelands Advertiser* of 9 June quoting the minister's statement that Atherton Tableland services would continue. There were no complaints about closure of Dajarra and Kajabbi branches where weeds had taken over. Golden Circle at Northgate was surprised by the news of rail closures as it had recently invested \$300,000 in facilities now made redundant by proposed closure of the Stanthorpe and Wamuran lines.²⁷

In response, Cabinet, on 26 July 1993 established a Rail Taskforce of Ministers, industry, and union representatives to review the future operation of the lines. The terms of reference included review of current use of the lines, forward projections on their use, potential for increased community and industry use of the lines, recommendations on targets for future use and subsidy levels and management of changes.²⁸ The Deputy Premier, Minister for Administrative Services and Rural Communities, Hon Tom Burns, took an influential role in the work of the Taskforce.

Culture

The government supported the arts vigorously. Film Queensland had a budget of \$3.25 million in 1993 for short films and for fledgling film makers. The Pacific Film and Television Commission attracted foreign film makers to do television series and movies on the Gold Coast. Funding from the Queensland Government supported La Boite theatre in Brisbane and Just Us theatre in Cairns to produce Australian plays.

The Queensland Art Gallery's Asia Pacific Triennial of Contemporary Art commenced in 1993 and was the first project of its kind in the world to focus on the contemporary art of Asia and the Pacific. It

featured nearly 200 works by 76 artists from South-East Asia (Indonesia, Malaysia, The Philippines, Singapore, Thailand, Vietnam); East Asia (China, Hong Kong, Japan, South Korea) and the South Pacific (New Zealand, Papua New Guinea, Australia).²⁹

Vocational Education Reform

Vocational training was a key government platform to provide education for all. The Commonwealth government was very focussed on technical education and supported complementary state training schemes. Queensland did extensive work to support this framework approach and on 16 November 1992 the Queensland Cabinet authorised amendment of the *Vocational Education, Training and Employment Act 1991* (VETEC Act). This complemented Commonwealth legislation to facilitate establishment of the Australian National Training Authority (ANTA).

Subsequently, Cabinet endorsed on 25 October 1993 the major recommendations of the review of the Queensland VETEC contained in the Tregillis Report to be incorporated into apprenticeship and traineeship systems. Broad areas targeted included creation of more effective links and communication with industry and moderation and course credentialling within TAFE.³⁰

On 18 October 1993 Cabinet had already endorsed the Vocational Education, Training and Employment Social Justice Policy and the Implementation Strategy for 1993-1995 as prepared by VETEC. It was designed to maximise access, participation and outcomes for Queenslanders within the vocational education, training and employment system. Target groups – Aboriginal and Torres Strait Islanders, women, people with disabilities and those from non-English speaking backgrounds were encouraged together with geographically isolated persons, long-term unemployed and educationally marginalised older people and people in custody or detention centres. While the new direction was strongly supported, Cabinet determined that implementation be done primarily through organisational culture and procedural review without increased funding or resources.³¹

Health

The breadth of health services was featured in the 32 Cabinet decisions during the year on health matters. Four were on mental health. Other significant ones were on multicultural health services, two on women's health, one on people's health rights, and one on establishment of a health promotion council.

The government had a 10 Year Hospital Rebuilding Program which was a major election commitment for \$150 million, endorsed by Cabinet on 16 November 1992 (Decision 02508). The plan had five elements: new and expanded hospitals, refurbishment of hospitals, specialist equipment, day surgery and primary health care. On 17 May Cabinet approved in principle the first year of the Queensland Health Three Year Capital Rolling Program as part of a \$1.5 billion 10 Year Hospital Rebuilding Plan. The funding source was the tobacco tax which was "not currently performing to the level expected". A shortfall of up to \$50 million could result. Treasury flagged the possibility of a commitment of \$143.7 million for health capital works not being met by the state budget in 1993-94. The issue had to be addressed because, being an election commitment meant that the Government's performance would be closely monitored from both within the health system and without. Variations of \$44.072 million offset by health program savings and additional stamp duty revenue were approved by Cabinet on 15 November to enable the program to continue.³²

Mental Health Policy

The Queensland Government was determined to reform the mental health legislation and the conditions for people with mental illness in society following criticism in the Carter Inquiry into Ward 10B in Townsville in 1991. Commissioner Burdekin undertaking a National Inquiry concerning the Human Rights of People with Mental Illness had also made public statements criticising the Act. On 22 February 1993 Cabinet decided to undertake a formal review of the *Mental Health Act 1974*.³³

The next major step was to integrate the full range of acute inpatient and community mental health services into one identifiable program, in order to better coordinate access to services, and for mental health services to be within general health care. At its meeting on 27 September Cabinet confirmed that Queensland's mental health reform was proceeding in line with National and State Mental Health Policies to achieve this. \$18.6 million was provided to Queensland by the Commonwealth under the National Mental Health Plan over five years to accelerate the pace of reform. The process was challenging for clients.

Environmental Protection

Environmental protection on multiple fronts was a top priority for the government with policies and developments occurring in the areas of tropical vegetation protection and coastal environments. Opportunities were taken to acquire particular landscapes for conservation e.g., Starcke pastoral lease in Cape York. Tourism was expanding rapidly. Daintree Eco Lodge opened in 1993.

Amid opposition by conservationists the government produced an environmental report before the Hinchinbrook Resort was approved for Cardwell in 1993.³⁴

Native Title

At the launch of Australia's celebration of the 1993 International Year of the World's Indigenous People on 10 December 1992, the Prime Minister, Hon Paul Keating MP described 1993 as a year of great significance for Australia in turning the goals of reconciliation into reality. He stated,

*'It will be a year of great significance for Australia. It comes at a time when we have committed ourselves to succeeding in the test which so far we have always failed. Because, in truth, we cannot confidently say that we have succeeded as we would like to have succeeded if we have not managed to extend opportunity and care, dignity and hope to the indigenous people of Australia the Aboriginal and Torres Strait Island people. This is a fundamental test of our social goals and our national will: our ability to say to ourselves and the rest of the world that Australia is a first rate social democracy, that we are what we should be truly the land of the fair go and the better chance. There is no more basic test of how seriously we mean these things. It is a test of our self-knowledge. Of how well we know the land we live in. How well we know our history. How well we recognise the fact that, complex as our contemporary identity is, it cannot be separated from Aboriginal Australia. How well we know what Aboriginal Australians know about Australia. Redfern is a good place to contemplate these things.'*³⁵

The provision of native title rights was an excellent platform to advance reconciliation with Indigenous people. The Queensland Cabinet took the *Mabo* decision very seriously and decided to implement it conscientiously, by honouring Indigenous People's native title rights and by providing compensation when those rights were impacted.

While robust public debate on the *Mabo* decision proceeded in Australia in 1993 the Queensland Government aimed to continue its public administration of land and mining tenures and approval processes for new developments in a legal and valid way. The government recognised that the financial impacts for the state in responding to the *Mabo* decision would be considerable and long term.

The government had established an Inter Departmental Working Group on Native Title in November 1992 to manage and develop policy for all approval processes and grants of land tenure.³⁶ Cabinet confirmed this group's work in its decision on 8 March 1993 requiring all government agencies to consult it in relation to policy proposals or implementation of programs raising native title issues.³⁷

On 7 June 1993 Cabinet considered the Commonwealth Government's *Mabo Principles* document and authorised the Premier to negotiate at the Council of Australian Governments Meeting on 8 June 1993 to maximise Queensland's interests in the determination of a national response to the *Mabo* decision.³⁸

The detailed submission which Cabinet utilised to formulate its position for the Canberra meeting captured the essence of the Prime Minister's statement on 27 October 1992 that the High Court's historic decision was a threshold for the future of the nation.³⁹ That submission placed the 11 *Mabo Principles* of the High Court judgment which the Commonwealth Cabinet had endorsed on 1 June 1993 as the focus for dealing with native title in Queensland. These principles became the foundation of the Native Title Bill which was presented to the Commonwealth parliament and passed in December 1993.

Cabinet made two significant decisions on native title on 28 June 1993 – one on administrative procedures, and one to release a public information paper on the *Mabo* decision. It was adventurous administration in that it was translating its developed legal principles out of the *Mabo* judgement into public servants' daily work. The foundations of what became 'past acts' and 'pre-existing rights-based acts' in the subsequent Commonwealth legislation were embodied in this decision:

- grants or dealings in land may only validly proceed to finality past 30 June 1993 without a native title process where there is a legal right to the grant or the dealing; or
- subject to Commonwealth approval, where the holder of an existing exploration permit has a legitimate expectation, based on substantial exploration activity, to progress to a mining tenement; or
- there are documented commitments from the Crown or its agents to the issue of a grant and any dealings consequential to the grant; and
- the Office of Cabinet as lead agency on native title required government agencies to administer procedures consistent with the agreed national approach to the *Mabo* decision and to have those in place by 31 July 1993.⁴⁰

The Public Information Paper on the *Mabo* decision approved by Cabinet on 28 June 1993 was to be distributed widely in Queensland. It listed tenures where the Queensland Government believed that native title had been extinguished:

1. Freehold land (i.e. privately owned land); and
2. Leasehold land, including:
 - Pastoral Leases
 - Agricultural Farm Leases;
 - Auction Purchase Freehold Leases;
 - Grazing Homestead Freehold Leases;
 - Perpetual Lease Selections;
 - Leases with a Freeholding Entitlement;
 - Grazing Homestead Perpetual Leases;
 - Non-Competitive Leases (Perpetual);
 - Special Leases; and
 - Miners Homestead Leases and Miners Homestead Perpetual Leases.

The Paper indicated that native title was extinguished over 91% of Queensland's land surface. It was a guide only, and inconclusive in that the grant of pastoral leases in Queensland was held by the High Court of Australia in its decision in the *Wik* case on 23 December 1996 not to have extinguished native title.⁴¹

The *Wik* People had lodged their native title claim on 30 June 1993 in the Federal Court claiming the land around Weipa and Aurukun, the inter-tidal zone sea, and the seabed, together with all the minerals in those areas. The challenge to the validity of the mining leases disturbed the Queensland Government and the Weipa mining lease holders, Comalco Limited. The company's interest at Weipa constituted a significant investment for Queensland and Australia, contributing approximately \$1.1 billion to the Queensland economy annually and employing 740 people. Downstream processing contributed a further \$700 million.

In response to concerns of Comalco Limited on the impact of the Wik People's claim, Cabinet decided on 26 July 1993 to develop legislation (either through the Commonwealth or Queensland special legislation) urgently to remove the uncertainty, and to confer the right to compensation on persons whose rights were affected by the validation. The validation provisions of the *Native Title Act 1993* (Cth) passed on 21 December 1993 removed the requirement for special legislation.⁴²

The government established a Native Title Unit within Crown Law Office in August 1993 to provide advice on native title legal issues and to respond to the Wik claim.

Overall, the government had achieved an array of major changes following election in 1989. Re-election in 1992 gave the new government authority to manage the state's economy and social fabric in the Labor tradition with a firm hand. There had been widespread institutional restructuring in Queensland, but the particular manner of doing business here continued in 1993.

Endnotes

- ¹ Australian Bureau of Statistics, Estimated Resident Population of Queensland, 17 June 1993. Catalogue No. 3202.3. <https://www.ausstats.abs.gov.au/ausstats/free.nsf/>
- ² *Mabo and Others v. Queensland (No. 2)* [1992] HCA 23.
- ³ *Courier Mail*, 4 October 1993, p. 1. Noel Pearson opposed the premier's view stating that it was too focussed on business. Raymond Evans addresses this point in his book, *A History of Queensland*, Port Melbourne, Cambridge University Press, 2007.
- ⁴ See Neil Laurie, 'Life After (or Winner Takes All)' on the effects of the abolition of the Legislative Council of Queensland, *Queensland History Journal*, vol. 25 no.1, November 2022, pp. 260-276. The constitutional crisis in Britain in 1909-10 over money bills and the removal of the veto power of the House of Lords was an omen for what could happen to the Queensland Legislative Council.
- ⁵ Queensland. Office of the Information Commissioner, Second Report, 1993-4, p. 2.
- ⁶ The government appeared impervious to the circumstances of Yock's death and the impact on the general public and their response. The only reference to the death in the 1993 Cabinet Minutes was the Queensland Police Union's request for public funding for legal representation of its members at the Criminal Justice Commission (CJC) inquiry into the death of Daniel Yock. The request was based on the premise that the members involved were acting in the course of their employment, and that the CJC Inquiry has been announced in a climate of "sensational media reporting". The argument in support of the submission was compared to one lodged in similar terms by Minister Warner for her department's staff involved in the Basil Stafford Inquiry.
(QSA, ITM 410375, S142 – T3993 – B116.00000 (Decision 0338, Submission 03218)
(QSA, ITM 410376, S142 – T3993 – B116.00000 (Decision 0339, Submission 03219)
- ⁷ Queensland State Budget 1993-94.
<https://documents.parliament.qld.gov.au/tableoffice/tabledpapers/1993/4793T2439.pdf>
- ⁸ <https://biography.senate.gov.au/bjelke-petersen-florence-isabel/>
- ⁹ The Queensland National Bank, the Royal Bank of Queensland and the Bank of Queensland suspended payment over three days in mid-May 1893. They accounted for more than half of Queensland's banking assets. Only nine of the 28 banks in Australia stayed open during the 1890s. Queensland National Bank was reconstructed. See Tony Gough, 'Tom McIlwraith, Ted Drury, Hugh Nelson, and the Queensland National Bank 1896-1897', *Queensland Heritage*, vol.3 no. 9, November 1978, pp. 3-13; <https://www.rba.gov.au/publications/rdp/2001/2001-07/1890s-depression.html>
- ¹⁰ Australian Bureau of Statistics, Australian Economic Indicators, 1993, 22 December 1993, Catalogue No. 1350.0.
<https://www.ceicdata.com/en/australia/labour-force-employment-and-unemployment-annual/au-unemployment-rate>; <https://www.rba.gov.au/publications/rdp/1992/9215/some-facts.html>;
<https://www.abs.gov.au/ausstats/abs@.nsf/2f762f95845417aeca25706c00834efa/e620f529f1c25637ca2570ec007868d6!OpenDocument>.
- ¹² BW Fraser (Reserve Bank Governor), 'Some Aspects of Monetary Policy', Reserve Bank of Australia *Bulletin*, April 1993, pp. 1-7.
- ¹³ Transcript of the Prime Minister, the Hon PJ Keating MP, closing remarks, Premiers' Conference, Parliament House, 5 July 1993. <https://pmtranscripts.pmc.gov.au/release/transcript-8916>
- ¹⁴ QSA, ITM 410045, S142 – T3993 – B100.00000 (Decision 03008, Restricted Submission 02893).
- ¹⁵ QSA, ITM 410029, S142 – T3993 – B100.00000 (Decision 02992, Submission 02877).
- ¹⁶ QSA, ITM 410010, S142 – T3993 – B99.00000 (Decision 02973, Submission 02858).
- ¹⁷ QSA, ITM 409808, S142 – T3993 – B90.00000 (Decision 02771, Submission 02664).
- ¹⁸ QSA, ITM 409676, S142 – T3993 – B85.00000 (Decision 02639, Submission 02534).
- ¹⁹ QSA, ITM 409816, S142 – T3993 – B90.00000 (Decision 02779, Submission 02672).
- ²⁰ QSA, ITM 409857, S142 – T3993 – B92.00000 (Decision 02820, Submission 02709); QSA, ITM 4409868, S142 – T3993 – B93.00000 (Decision 02831, Submission 02720); QSA, ITM 410262, S142 – T3993 – B111.00000 (Decision 03225, Submission 03105); On 8 April 1991 Cabinet approved the preparation of a comprehensive White Paper to refine the rationale and principles for corporatisation which were outlined in a Green Paper on Government Owned Enterprises (GOE) in August 1990. (Decision 01136) In its Decision 01844 on 16 December

1991 Cabinet endorsed the principles of corporatisation as outlined in the White Paper, subject to further consultation with GOEs, trade unions and industry groups. The White Paper (Corporatisation in Queensland) was endorsed by Cabinet on 2 March 1992. (Decision 01948) On 18 May 1992, Cabinet approved the drafting of a Government Owned Corporations Bill in accordance with drafting instructions consistent with the policy established in the White Paper. (Decision 02129)

²¹ QSA, ITM 409847, S142 – T3993 – B91.00000 (Decision 02810, Submission 02700).

²² QSA, ITM 410112, S142 – T3993 – B103.00000 (Decision 03075, Submission 02957); *Australian Financial Review*, 26 July 1995.

²³ Decision 47380.

²⁴ QSA, ITM 409974, S142 – T3993 – B97.00000 (Decision 02937, Submission 02822).

²⁵ QSA, ITM 409731, S142 – T3993 – B88.00000 (Decision 02694, Submission 02588).

²⁶ QSA, ITM 410045, S142 – T3993 – B100.00000 (Decision 03008, Restricted Submission 02893).

²⁷ 'Axe to the Branches and a Chunk of the Trunk', *Sunshine Express* (Australian Railway Historical Society (Queensland Division)), August 1993, vol. 29 no. 329, pp. 115,118,119.

²⁸ QSA, ITM 410082, S142 – T3993 – B102.00000 (Decision 03045, Oral Submission by the Premier).

²⁹ <https://www.gagoma.qld.gov.au/exhibition/the-1st-asia-pacific-triennial-of-contemporary-art/>

³⁰ Decision No. 02511 of 16 November 1992;

QSA, ITM 409905, S142 – T3993 – B94.00000 (Decision 02868, Submission 02756) 17 May 1993;

QSA, ITM 409908, S142 – T3993 – B94.00000 (Decision 02871, Submission 02759) 17 May 1993;

QSA, ITM 410250, S142 – T3993 – B110.00000 (Decision 03213, Submission 03094) 11 October 1993;

QSA, ITM 410267, S142 – T3993 – B111.00000 (Decision 3230, Submission 3110).

³¹ QSA, ITM 410269, S142 – T3993 – B110.00000 (Decision 3223, Submission 3103).

³² QSA, ITM 409898, S142 – T3993 – B94.00000 (Decision 02861, Submission 02749);

QSA, ITM 410353, S142 – T3993 – B115.00000 (Decision 03316, Submission 03196).

³³ QSA, ITM 409759, S142 – T3993 – B88.00000 (Decision 02722, Submission 02616).

³⁴ The resort was destroyed by cyclone *Yasi* in 2011.

³⁵ Speech by the Hon Prime Minister, PJ Keating MP, at the Australian Launch of the International Year for the World's Indigenous People, Redfern NSW, 10 December 1992.

<https://pmtranscripts.pmc.gov.au/sites/default/files/original/00008765.pdf>

³⁶ Cabinet Decision 02476 in November 1992.

³⁷ QSA, ITM 409783, S142 – T3993 – B89.00000 (Decision 02746, Oral Submission by the Premier).

³⁸ QSA, ITM 409963, S142 – T3993 – B97.00000 (Decision 02926, Restricted Submission 02811).

³⁹ <https://pmtranscripts.pmc.gov.au/sites/default/files/original/00008703.pdf>

⁴⁰ QSA, ITM 410020, S142 – T3993 – B99.00000 (Decision 02983, Submission 02868).

⁴¹ QSA, ITM 410021, S142 – T3993 – B99.00000 (Decision 02983, Submission 02868); *Wik Peoples v Queensland* ("Pastoral Leases case") [1996] HCA 40.

⁴² QSA, ITM 410081, S142 – T3993 – B102.00000 (Decision 03044, Oral Submission by the Premier).