

National Native Title Conference 2011



Joint Management Workshop

Towards Equity in Native Title and Joint Management of National Parks

What Harms What Helps?

Native Title Conference Thursday 2nd June, Brisbane

Native Title Research Unit

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

Negotiations between native title holders and Commonwealth, State and Territory governments for joint or co-management agreements over national parks and other conservation or protected areas are a major component of native title agreement-making. Joint management is not only about the structural more formal relationships that are negotiated between the partners; it is also about communication, the business of decision-making and dispute management processes and building relationships on the ground. One does not necessarily reflect the other. There are obvious power imbalances between the partners: one as government with significant material resources, and the other as native title holders or claimants with little or no resources to ensure the good governance which is essential to success. There are also questions as to: the appropriateness of arrangements; relationships between IPAs, native title, national parks and joint management; and issues around the diversity in arrangements which have arisen in native title negotiations within and across State and Territory jurisdictions - notwithstanding that parameters are limited by existing state and territory legislation and by land tenure.

This workshop over two conference sessions aims to highlight some of the issues across and within State and Territory jurisdictions, practices in evaluation and monitoring, and to identify 'what harms' and 'what helps' in joint management and native title processes. It will also consider possible benefits in arriving at a national principled framework and work to identify what might be included in such a framework.

Panel discussions will be facilitated as dialogue to also include participants in the audience including a number of specialist participants, rather than as formal presentations. The workshop also aims to establish a joint management email network and identify future Native Title Research Unit AIATSIS workshop needs for 2012.

Joint Management Workshop Part 1:
Towards Equity in Native Title and Joint Management of National Parks

Session 1: Thursday 2 June 1.30pm-3.00pm

Toni Bauman: *Setting the Context: Joint management as structure and process.*

Panel:

Valerie Cooms: *Getting it Right, Training for non-Aboriginal Rangers in preparation of Joint Management of National Parks: the Quandamooka Stradbroke Island example.*

Buzz Symonds: *Response to Valerie Cooms.*

Dermot Smyth and Dale Mundraby: *Native Title, IPAs, Joint management and national park.*

Bruce Rose: *Response to Dermot Smyth and Dale Mundraby*

Gary Howell: *Issues in negotiating and implementing joint management: a Victorian perspective*

Jade Miller: *Traditional Owner Yorta Yorta Response to Gary Howell.*

Joint Management Workshop Part 2:
What harms and what helps? Evaluating management or joint management?

Session 2: Thursday 2 June 3.30pm-5.00pm

Toni Bauman: *Evaluating Management or joint management as the business of process and relationship?*

Natasha Stacey: *Participatory monitoring and evaluation of joint management in the NT: challenges and lessons.*

This session will raise issues around evaluation and monitoring of joint management, finding out what works and what doesn't work. The session will be interactive and will commence with a brief overview of issues in evaluation. Depending on numbers the audience may be involved in working in small groups to identify 'what helps' and 'what harms' in joint management arrangements and practices, services and policies which might inform a national framework. Responses will be reported and discussed.

Bios for Panellists:

Toni Bauman is a Research Fellow and an anthropologist, mediator, facilitator and trainer. She has over thirty years experience in a wide range of Indigenous matters including: land and native title claims; agreement-making; governance including decision-making and dispute management processes; cultural heritage; negotiation and partnering; National Parks and joint management; government policy; art and craft; evaluation; social impact; feasibility studies and tourism. She has worked as a staff member and consultant for a range of organisations such as Land Councils, Native Title Representative Bodies, and Government Departments. Between 2003 and 2006, Toni ran the Indigenous Facilitation and Mediation Project in the NTRU; and in 2008, advised the Federal Court on its Indigenous dispute resolution and conflict management case study project. She also undertakes a range of speaking engagements and facilitates a wide range of workshops.

Valerie Cooms belongs to the Nunukul people of Minjerriba or North Stradbroke Island. Valerie has 6 grandchildren. Valerie has a Bachelor of Arts Degree majoring in Political Science and History from ANU and a Bachelor of Arts Degree with Honours from the University of New England. She is finishing her PhD in Queensland Political History at ANU. Valerie has worked in various positions including the CEO of Queensland South Representative Body Aboriginal Corporation and later Queensland South Native Title Services. Valerie is a board member of Indigenous Business Australia and a member of the Closing the Gap Clearing House in the Australian Institute of Health and Welfare.

Gary Howell is the Director of Forests and Parks Strategy at the Department of Sustainability and Environment. Gary has a Science Degree with Honours in Zoology, a Master of Environmental Studies and a Master of Public Administration. Gary has worked in local, state and national government in Australia as well as spending two years working in Botswana. Gary has been involved in water reform and river management at both the state and national level. Over the last two to three years he has been working on strategic management of Victoria's forest and parks. This includes Traditional Owner access and involvement in the management of land. Gary and his team led the department's involvement in the development of the Traditional Owner Settlement Bill and negotiations that have led to Victoria's first two agreements to jointly manage public land with the Gunakurnai and Yorta Yorta people.

Jade Miller is the CEO of the Yorta Yorta Nation Aboriginal Corporation and an author, business builder, marketer, and respected influence in the non-for-profit industry. He has authored books, worked with well-known non-for-profit organisations, and is a speaker that has addressed many people. His combined experience in business, philosophy, and social science gives him a unique knowledge that enables him to help non-for-profit organisations and people working in the industry achieve their goals. He has been the Chief Executive Officer of Yorta Yorta Nation Aboriginal Corporation for 3 years, holds a Bachelor in Health Social Science and is presently studying his Masters in Health and Social Science. He has been a key part to delivering Victoria first traditional owner jointly managed national park.

Dale Mundraby is a Traditional Owner of the Mandingalbay Yidinji People, from the Far North Queensland Wet Tropics Region who has worked for the North Queensland Land

Council for the last 8 years. He has been previously employed as a Primary School teacher, having gained a Bachelor of Education in 1998, and has worked for the Wet Tropics Management Authority. Dale is a board member of the Djunbunji Ltd Land and Sea Program and assists the Mandingalbay Yidinji Aboriginal Corporation Prescribed Body Corporate in developing projects on country with the goal of looking after country.

Bruce Rose is the Acting Assistant Secretary, Parks and Protected Area Programs in the Department of Sustainability Environment Water Populations and Communities. He has a long involvement with the Commonwealth's Indigenous Protected Area Program.

Dermot Smyth trained as a biologist and has undertaken field research in northern Australia, PNG, Indonesia and West Africa, developing a strong interest in the relationship between Indigenous peoples and their environments. For the last 20 years Dermot has worked as a consultant in Indigenous environmental management in Australia, with a particular interest in protected areas. Dermot helped develop the concept of Indigenous Protected Areas (IPAs) in the mid 1990s and is currently assisting several Traditional Owners groups to establish IPAs over national parks and marine parks where native title has been determined. Dermot is an Adjunct Principal Research Fellow at Charles Darwin University.

Natasha Stacey holds a PhD in anthropology and has 15 years experience in research and development projects in natural resource management across the Pacific Islands, Indonesia, Timor Leste, northern Australia and Malaysia. She has been employed as a Community Assessment and Participation Specialist on the GEF-funded Pacific International Waters Project based at the Pacific Regional Environment Programme in Samoa and spent most of the 1990s researching the social, cultural and economic drivers of Bajo and other Indonesian traditional fishing activity in Australian waters. She currently works as a Senior Research Fellow at the Research Institute for the Environment and Livelihoods, Charles Darwin University. She is involved in a diverse portfolio including building local capacity for whale shark conservation in eastern Indonesia; designing a participatory monitoring framework to support joint management of Parks in the Northern Territory, and improving coastal and marine livelihoods and fisheries management in the Arafura-Timor Seas region.

Buzz Symonds is the Director of the Cape York Peninsula Tenure Resolution Branch within the Queensland Parks and Wildlife Service based in Cairns. Buzz has worked in north Queensland for many years in parks and wildlife management, land acquisition and Aboriginal land management issues. His current work involves tenure resolution of a number of State held lands delivering new national parks (known as national park (Cape York Peninsula Aboriginal land)) and areas of Aboriginal freehold land, as well as managing the establishment of joint management arrangements for all existing national parks in the Peninsula.

Bios for Specialist participants:

Seppi Bassani Lama Lama Lands Trust, Cape York.

Jessie Brown is a Wardaman Traditional Owner who is a member of the joint management committee for the eastern sector of Judbarra/Gregory National Park and also sits on the Steering Committee of the proposed Wardaman Indigenous Protected Area. Jessie worked as a ranger at Nitmiluk National Park for a number of years. She has also contributed significantly to the Wardaman Ethnobiology project and resulting publication.

Simon Choo has worked in interdisciplinary and intercultural fields for over 15 years. Trained and practiced as an anthropologist and lawyer, with undergraduate degrees in anthropology and law from the University of Western Australia and a PhD in interdisciplinary cross-cultural research from the Australian National University, Dr Choo has worked across the community, private, academic and government sectors, including a number of years as a lawyer with the Yamatji Land and Sea Council (as it then was). This work has spanned Australia, Malaysia, Singapore, East Timor, Papua New Guinea, Indonesia and Pakistan, and has focused on Aboriginal heritage, native title and international development assistance. He is currently the South West Native Title Coordinator for the Western Australian Department of Environment and Conservation and is advising on the implementation of Aboriginal joint and the incorporation of Aboriginal cultural heritage values into the management of the conservation estate.

Dion Creek Kalan Enterprises Aboriginal Corporation, Coen, Cape York.

Nigel Hedgcock has worked for over 25 years for the Queensland Government in environmental management in far north Queensland, including marine and national parks and World Heritage Areas. He engaged with the Indigenous communities of Cape York and Torres Straits during the establishment of the Great Barrier Reef Marine Park management regime; initiated participation of Traditional Owners in National Park management; and represented the State in claims under the *Aboriginal Land Act 1991* for national park lands. During the last decade Nigel has lead engagement policy and planning for the Wet Tropics Management Authority facilitating the Wet Tropics Regional Agreement 2005 and negotiating and implementing Native Title determinations and associated ILUAs, including Eastern Kuku Yalanji. A basic tenet of his work is to achieve practical and beneficial well-being outcomes for Traditional Owners.

Dr Rosemary Hill is a human geographer and senior research scientist with CSIRO Ecosystem Sciences in Cairns. She specialises in environmental governance and planning research with communities at multiple scales to foster sustainability in natural and cultural resource conservation, with a particular focus on Indigenous peoples' knowledge and planning systems. Rosemary recently co-authored the first National Guidelines for Indigenous Protected Area Management Plans in Australia, and the Miriuwung-Gajerrong Cultural Planning Framework. She is a member of the Australian Landcare Council, the World Commission on Protected Areas, the IUCN Commission on Economic, Environmental and Social Policy and sits on the Boards of the Australian Conservation Foundation and Ecotrust Australia.

Naomi Hobson is Yupila woman from the east coast of Cape York. She is the support officer for Kulla (McIlwraith Range) National Park (Cape York Peninsula Aboriginal Land). Naomi works with the four traditional owner groups involved in KULLA National Park: Kaanju, Umpila, Lama Lama and Ayapathu. support each of the TO's in whatever gets put through the board glue between Parks and TO's. YUPILA is the support officer for Kulla (McIlwraith Range) National Park (Cape York Peninsula Aboriginal Land). Kulla National Park is Queensland's second national park and is jointly managed by the Kulla Land Trust and the Queensland Government.

Arturo Izurieta holds a PhD in natural and rural systems management at the University of Queensland and has over 15 years of experience in management effectiveness evaluation and planning of protected areas. He is a former Director of the Galapagos Islands National Park and Marine Reserve and was Senior Officer for the WWF Central America Programme which involved bioregional planning and coordinating conservation activities in the Mesoamerican Caribbean Reef Ecoregion. Before coming to Australia in 2003, Arturo was managing a GEF-UNDP project on Introduced Species in the Galapagos Islands and was a member of a 'task force' of the World Commission on Protected Areas supporting the development of a framework to assess management effectiveness of protected areas. Arturo's research interests in Australia have focused on providing tools to engage community leaders and stakeholders in the management of natural resources, particularly within protected areas in Queensland and the Northern Territory.

Karim Khan is a Noongar man from the South West of Western Australia. He has worked with Western Australia's Department of Environment and Conservation (DEC) for 16 years and is currently the South West Native Title, Culture, Heritage and Liaison Officer. This role involves strengthening the relationships between Aboriginal people of South West Western Australia and DEC, increasing cultural awareness within DEC, contributing to the implementation of Aboriginal joint management and facilitating the conduct of Aboriginal customary activities on the conservation estate.

Richard Ledger has been involved in natural resource management in northern Australia for nearly 30 years. He has worked with Traditional Owners on land management, community development and joint management projects in Arnhem Land, Kakadu, Cape York and the Kimberly. He is currently employed in the Northern Territory as the Joint Management Government Coordinator responsible for developing the governance arrangements for the 27 Framework parks over which the NT Government has entered into long term partnership arrangements.

Sandra Levers is from the Kuranda and Cairns areas of Far North Queensland. She completed a Bachelor of Arts degree from James Cook University. She has had extensive experience facilitating cultural awareness workshops around Queensland and in the Northern Territory for various government departments and private companies. Sandra has worked in Cairns, Alice Springs and in the Cape York area, in the public and private sectors and in Aboriginal organisations.

Alison Liddy Lama Lama Lands Trust, Cape York.

Dean Matthews is a Yawuru man who is a project officer in the Land and Sea Management Unit at the Nyamba Buru Yawuru Aboriginal Corporation in Broome. He is currently working on a 6 month cultural management plan for joint management of Yawuru Conservation Reserves within the Yawuru native title determination including Broome and surrounding country.

Maxine Naden is the co-ordinator of the New South Wales Aboriginal Co-management Unit Protected Area, Policy and Planning, Parks and Wildlife Group (PWG), Office of the Environment and Heritage, Department of Premier and Cabinet (previously known as Department of Environment, Climate Change and Water). Maxine has worked for the Office of the Environment and Heritage, Department of Premier and Cabinet over the past 13 years in regulation and planning, Aboriginal cultural heritage management and protection and Aboriginal partnership co-ordination roles on the NSW National Parks Estate. Maxine has extensive experience in and commitment to the NSW Aboriginal Joint management program. Recently, Maxine finalised the development of the DECCW Aboriginal Park Partnership Manual to provide guidance for DECCW staff and Aboriginal communities in NSW who are, or will be engaging in joint management and is currently drafting the Aboriginal Park Partnership Policy.

Professor Helen Ross is Professor of Rural Community Development in the School of Agriculture and Food Sciences, the University of Queensland. She is an interdisciplinary social scientist (environmental psychologist and anthropologist) specialising in community roles in environmental management. She works on co-management, Indigenous natural resource management, resilience, social-ecological systems, social impact assessment and public participation in partnership with a range of communities and/or management organizations. Her recent projects include a series of studies assisting Aboriginal communities and government agencies to explore their opportunities for co-management of the Great Barrier Reef Marine Park and a study of Moreton Bay (south east Queensland) as a social-ecological system, to assist in monitoring of the marine park use and management. Helen is also the Editor of the *Australasian Journal of Environmental Management*, and a member of the Australian Psychological Society's Climate Change Expert Reference Group, and a member of HealthyWaterways Partnerships's Scientific Experts Panel.

Joann Schmider is a Millaa Millaa rainforest, Waribara clan woman of the Mamu native title claimant group centred around Innisfail in Far North Queensland. Joann is a Traditional Owner Director at local level with her own people, at sub regional level with 6 Traditional Owner groups through a TO organisation and at regional level with the 18 Rainforest Aboriginal peoples including as Director for Indigenous Women's Interests with the natural resource management body (TerrainNRM). Through this, Joann participates in Traditional Owner networks at state and national level. Mamu people have 25 terrestrial and marine national parks in their custodial footprint, including within the central Cairns to Tully Wet Tropics World Heritage Area, and protected area management is a core agenda across all Rainforest Aboriginal peoples' country. In this work Joann draws on 30 years' state, national and international Indigenous affairs experience in social and economic development.

