



# Native Title, ILUAs & Indigenous Development Opportunities in National Parks



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Forum, Brisbane, 30 Nov-1 Dec, 2010

# NATIVE TITLE

- Commonwealth *Native Title Act 1993*
  - \*ongoing connection to traditional country
  - \*customary use of natural resources (food, craft, medicinal)
  - \*maintenance of cultural sites & ceremonies
- Native Title on: Crown land, **National Park**, pastoral lease
- *129 Native Title determinations – 931,229km<sup>2</sup>* (1 Dec. 2009)
- 462 Native Title applications still in consideration (1 Dec. 2009)



# Determinations\* of Native Title

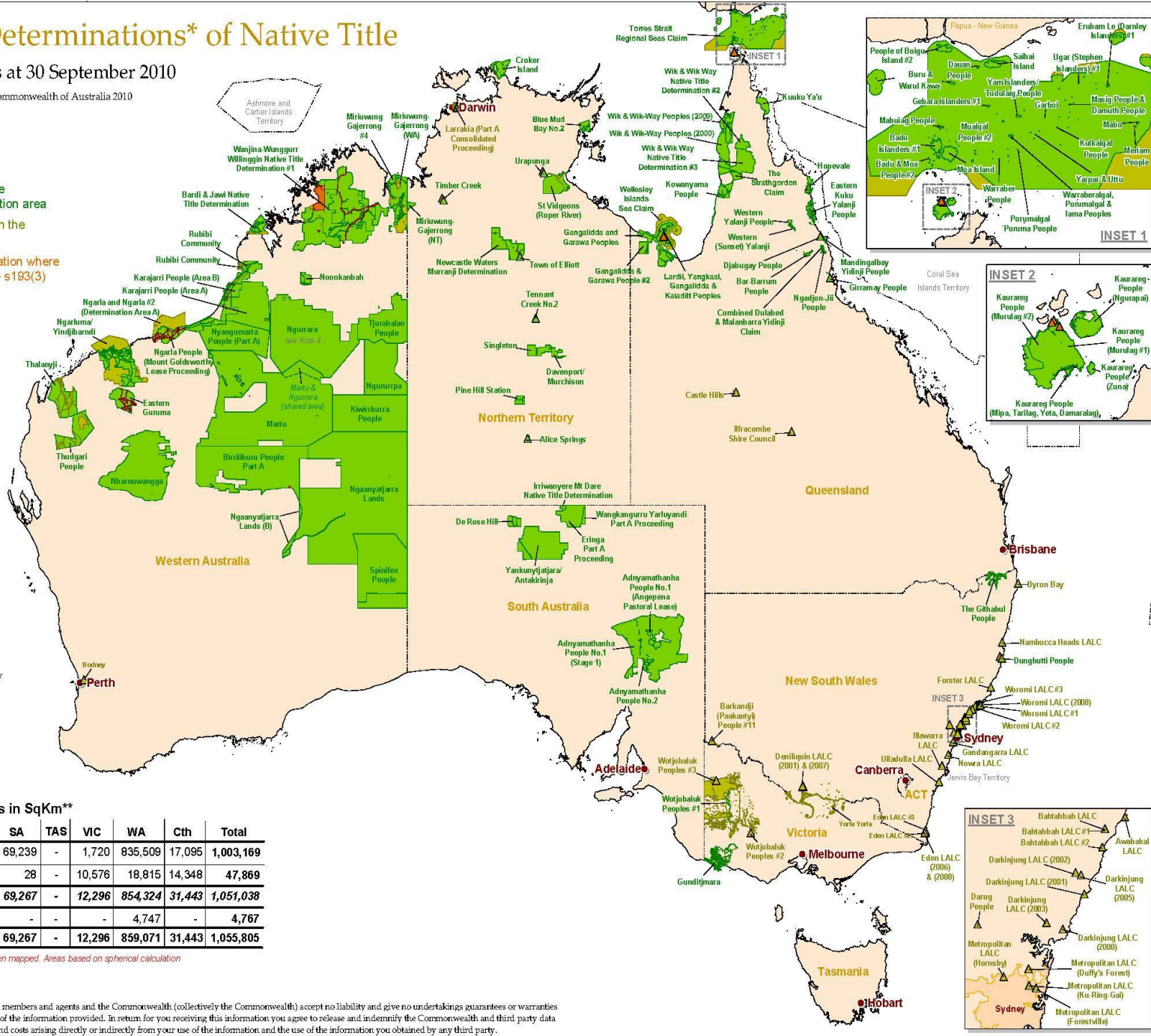
As at 30 September 2010

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- ▲ Native title found to exist in the entire or part of the determination area
- ▲ Native title found not to exist in the determination area
- ▲ Areas not within the determination where native title found not to exist - s193(3)

- \* Note:
1. Some or parts of some determinations may not yet be in effect or on the National Native Title Register.
  2. Some determinations are subject to appeal or in the appeal process.
  3. Small areas are symbolised.
  4. Conditional determination.



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 Landgate (WA), Dept of the Environment & Resource Management (Qld), Land & Property Management Authority (NSW), Dept of Lands & Planning (NT), Dept for Environment & Heritage (SA), Dept for Transport, Energy & Infrastructure (SA), Dept of Sustainability & Environment (Vic) and Geoscience Australia, Australian Gov't.  
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### Summary Determination Geometrics in SqKm\*\*

Category***	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Cth	Total
<span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> ▲	-	1,120	24,737	53,749	69,239	-	1,720	835,509	17,095	1,003,169
<span style="display: inline-block; width: 15px; height: 15px; background-color: #FFFF00; border: 1px solid black; margin-right: 5px;"></span> ▲	-	867	323	2,912	28	-	10,576	18,815	14,348	47,869
<b>sub total</b>	-	<b>1,987</b>	<b>25,060</b>	<b>56,661</b>	<b>69,267</b>	-	<b>12,296</b>	<b>854,324</b>	<b>31,443</b>	<b>1,051,038</b>
<span style="display: inline-block; width: 15px; height: 15px; background-color: #FFA500; border: 1px solid black; margin-right: 5px;"></span> ▲	-	-	1	19	-	-	-	4,747	-	4,767
<b>total</b>	-	<b>1,987</b>	<b>25,061</b>	<b>56,680</b>	<b>69,267</b>	-	<b>12,296</b>	<b>859,071</b>	<b>31,443</b>	<b>1,055,805</b>

Note: \*\* Where possible determination outcomes have been mapped. Areas based on spherical calculation from spatial data records and are indicative only.  
 \*\*\* As shown in legend

The Registrar, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accept no liability and give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information provided. In return for you receiving this information you agree to release and indemnify the Commonwealth and third party data suppliers in respect of all claims, expenses, losses, damages and costs arising directly or indirectly from your use of the information and the use of the information you obtained by any third party.

# Indigenous Land Use Agreements (ILUAs)

- 471 negotiated **Indigenous Land Use Agreements** (17 Nov. 2010)
- Registered ILUAs cover 1,115,776 km<sup>2</sup> (14.5% Aust.)
- QLD (244), NT (100), SA (46), WA (37), Vic (36), NSW (8)
- *Negotiate land uses, leases & permits with Native Title holders*  
(National Parks, Govt. agencies, councils, commercial operators)
- Negotiate '*Future Acts*' that may impact on Native Title rights
- **ILUAs for Co-Managed National Parks (NPs) & Nature Reserves**
  - NT:** Davenport Range, Dulcie Range, Finke Gorge, Gregory, Mary River, Simpson's Gap, Watarrka, West MacDonnell, 20 reserves (2005)
  - NSW:** Arakwal NP (2001 & 2008), *Githabul* - 8 NPs (2007)
  - QLD:** Barron Gorge (2005), Raine Island (2007), KULLA (2009), *Kuuku Ya'au* - Piper, Quoin & Forbes Is (2009), Wooroonooran (2010)
  - SA:** Vulkathunha-Gammon Ranges (2006), Witjira (2008), Coongie Lakes (2010), Strzelecki & Innamincka Regional Reserve (2010)
  - VIC:** *Wotjobaluk*-Little Desert NP (2005), *Gunditjmara*-Mt Eccles NP (2007), *Gunai/Kurnai*-Tarra Bulga, Lakes, & Mitchell River NP (2010)

# Indigenous Land Use Agreements

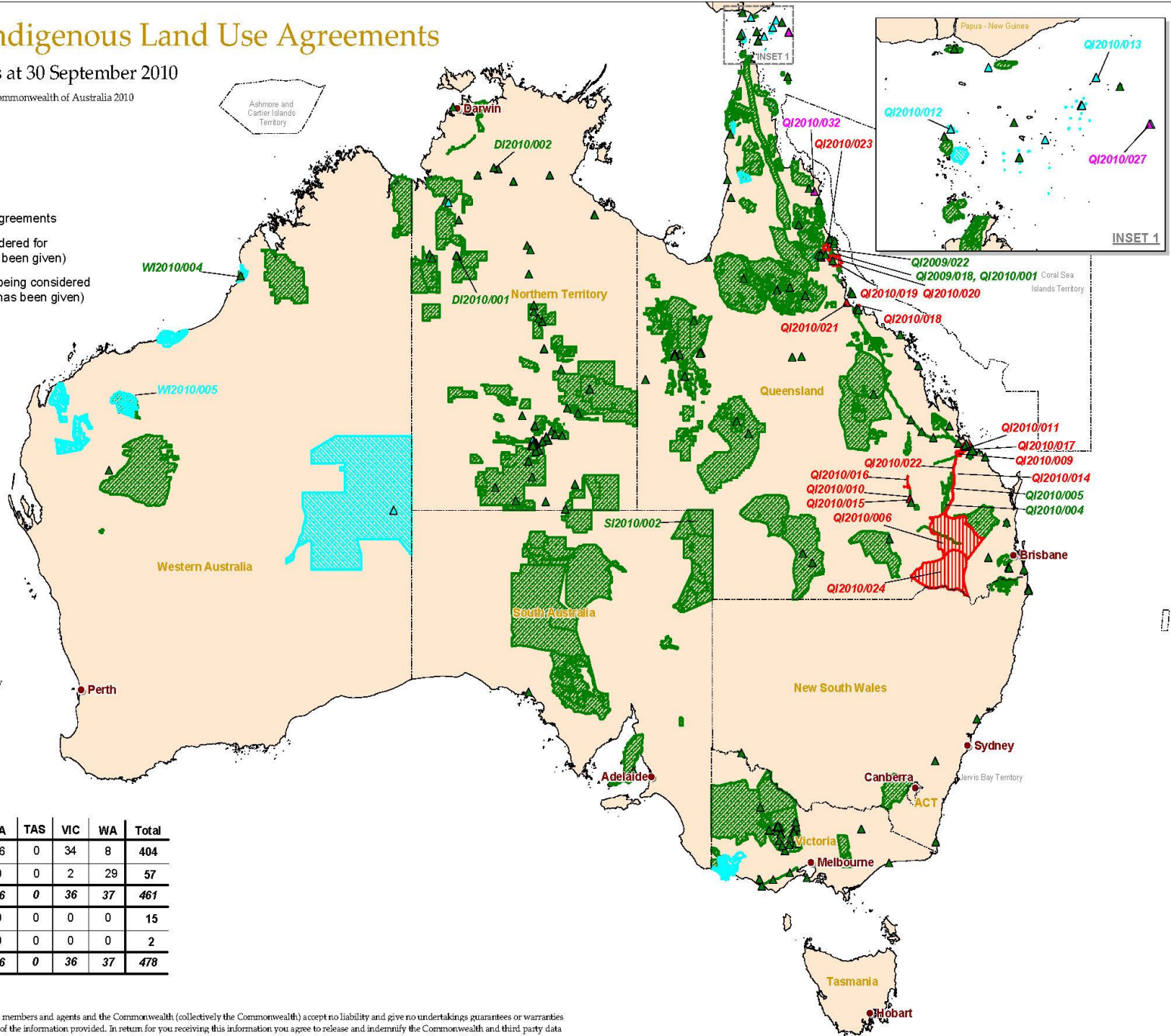
As at 30 September 2010

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- Registered Area Agreements
- Registered Body Corporate Agreements
- Area Agreements being considered for registration (where notice has been given)
- Body Corporate Agreements being considered for registration (where notice has been given)

- \* Note
1. Areas shown represent the geographic extent of the agreement.
  2. Small areas symbolised
  3. Please refer to attached page for ILUA names.
  4. Only those agreements which have either been registered or notified since 30 June 2010 have a label on this map. To view a list of all ILUAs, refer to the ILUA table provided on the NNTT's web site.



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 © The State of Queensland (DERM) for that portion where their data has been used.

## Summary Statistics

Category**	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Total
	0	8	93	215	46	0	34	8	404
	0	0	7	19	0	0	2	29	57
	0	8	100	234	46	0	36	37	461
	0	0	0	2	0	0	0	0	2
	0	8	100	251	46	0	36	37	478

\*\* Note: As shown in map legend

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# Native Title Rights & Determinations

## *Native Title Determinations*

- *Djabugay*, Barron Gorge National Park, QLD, 2004
- *Wotjobaluk*, Wimmera, western Victoria, 2005
- *Yawuru*, Broome, 2006
- *Noongar*, Perth, 2006\*(appealed)
- *Yidinji*, Cairns, 2006
- *Githabul*, northern NSW, 2007  
(8 NP, 2 Nature Reserves, 13 State Forests – 6,000km<sup>2</sup>)
- *Gunditjmarra*, western Vic, 2007
- *GunaiKurnai*, eastern Vic, 2010

## *Native Title Rights*

- Land rights (recognition)
- Resource rights (wildlife)
- Cultural & intellectual property rights (sites)
- Political rights (negotiate)
- Economic rights (jobs)
  - rangers, guides, land care, training, business, tourism

*“Native Title is a fact of life the tourism industry has to come to grips with”*

(Lois Peeler, Chair,  
Aboriginal Tourism  
Australia, 2005)



Respecting Our Culture

# ROC



A business development tool...  
developed specifically to assist...

- ✓ Indigenous Tourism Operators
- ✓ Indigenous Art Galleries
- ✓ Museums and Information Centres
- ✓ Indigenous Communities
- ✓ Tourism and Travel Industry
- ✓ Visitors
- ✓ Heritage and Protected Area Managers

# Native Title & Economic Development

## *Indigenous Economic Development Strategy 2010-2018*

### *IEDS Action Plan 2010-2012 - 4.5 Indigenous assets*

The Australian Government is working with States and Territories and Native Title Representative Bodies to develop mechanisms to better exploit **economic and social development opportunities arising from native title determinations or settlements.**



## Four stages of Indigenous Co-Management of NPs

1. **Exclusion/Removal:** Ejection of People, Denied Use of Natural Resources, Informal Park Services
2. **Conflict/Contestation:** Indigenous Rights, Land Claims, Cultural Conflicts, Indigenous Tours
3. **Negotiation/Co-Management:** Agreements, Leases, Settlements, Resource Use, Interpretation
4. **Development/Consolidation:** Park Board, New Enterprises, Joint Ventures, Tourism Ownership  
(Zeppel, 2009)

*Yorta Yorta* land claims since 1881  
Native Title claim denied 2002  
Barmah NP co-managed in 2010  
- park board, 4 *Yorta Yorta* rangers



# National Parks & Native Title

- Joint management of NPs arose out of lease-back arrangements from NT land claims under the *Aboriginal Land Rights (NT) Act 1976* (e.g. Gurig-1981, Kakadu-1984, Uluru-1985, Nitmiluk-1989)
- High Court recognition of Indigenous land rights across Australia in *Native Title Act 1993*
- Native Title Act recognises customary Indigenous links with land (crown land, national park, pastoral lease) & use of natural resources
- Native Title claims to National Parks by traditional owners with ongoing cultural ties to land
- ILUAs negotiated with Native Title claimants for joint management of National Parks, use of natural resources, park work, & tourism.
- Agreements outline how consultation & negotiation with Traditional Owners will occur in relation to any proposed park management action that may affect cultural heritage or other Native Title rights

# ILUAs with Native Title claimants in National Parks

ILUAs for National Parks negotiate the following aspects:

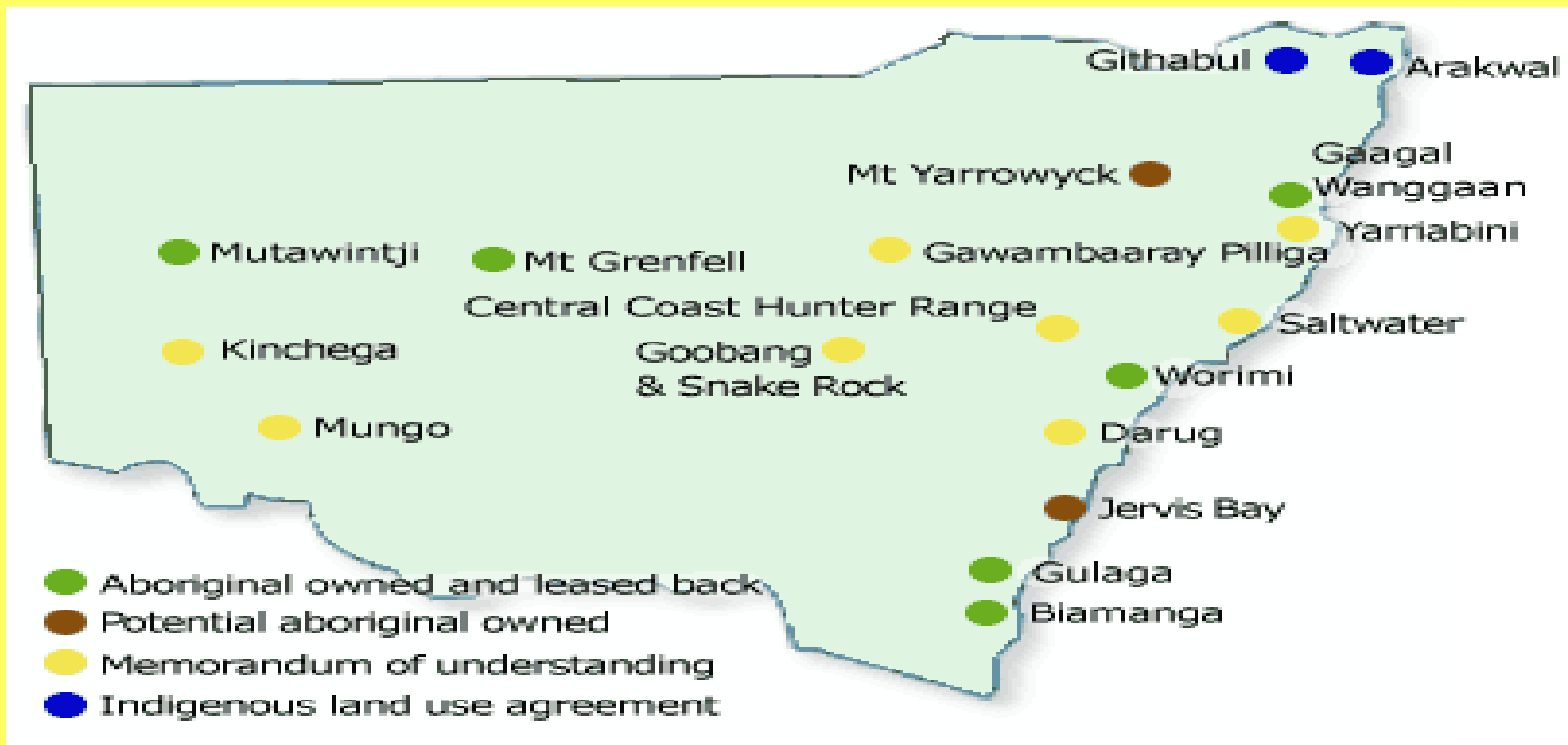
- Natural resource management
- Cultural heritage management & access to spiritual sites
- Hunting, fishing, gathering (method, areas, time, species)
- Taking water for personal use
- Indigenous living areas & camps (areas, time, activities)
- Boosting employment, training, & economic opportunities for Indigenous people in parks
- Encouraging Indigenous businesses linked with park management & visitation (i.e. tourism, park services)

# Indigenous Joint Management of National Parks

- Jointly managed national parks by Federal Government and Traditional Owners (e.g. Booderee-ACT, Kakadu & Uluru-NT)
- **NT** - Indigenous joint management of all National parks/nature reserves in Northern Territory (39 jointly managed areas)
- **NSW** - 18 parks in Aboriginal ownership/jointly managed: Mutawintji, (1998) Mungo (1998), Arakwal (2001), Kinchega (2002), Gulaga & Biamanga (2006), Mt Grenfell, Worimi (2007)
- **QLD** - 2 parks in joint management: Barron Gorge NP (2005); Raine Island (2007); *Cape York Peninsula Heritage Bill* (2007) provides for all Cape York national parks to be co-managed
- **SA** – Ngaut Ngaut CP, Vulkathunha-Gammon Ranges, Witjira
- **WA** – Gibson Desert NR, Karijini, Millstream-Chichester, Purnululu, Prince Regent, Rudall River
- **Victoria** –Grampians/Gariwerd, Little Desert (2005), Mt Eccles (2008), Nyah-Vunifera, *GunaiKurnai*-3 NPs, Barmah (2010)

# Aboriginal Joint Management of NSW National Parks

- NSW - 18 park areas Aboriginal owned/jointly managed:
- Leased back parks: Mutawintji, (1998), Mt Grenfell, Gaagal Wanggaan, Gulaga & Biamanga (2006), & Worimi (2007)
- Parks with ILUA: Arakwal (2001), *Githabul*-8 NPs (2007)



# Mutawintji National Park, NSW

- In western NSW, returned to Aboriginal owners in Sept. 1998
- 1967 Mootwingee Historic Site, 1983 Mootwingee National Park
- 1983-Aboriginal blockade of historic site (rock art & engravings) to assert control over Aboriginal heritage/ensure respect for culture.
- Historic Site closed from 1983-1989. Sacred sites closed to public, campground relocated, walking trails realigned
- 1st NSW park returned to Traditional Owners (TOs) & leased back to NSW National Parks & Wildlife Service for 30 years
- Park name changed in 1998 from Mootwingee to Mutawintji, joint management, Park Board with TOs, Mutawintji Culture Centre
- Mutawintji tour guide school since 1991  
Aboriginal ranger since 1993  
Mutawintji Heritage Tours began in 1996  
NPWS Discovery guides (Sutton,1999)



# Booderee National Park, ACT

- 1970s land rights & 1979 blockade of Summercloud Bay visitor area
- *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*
- Joint management lease in 1995, park management board in 1996
- Name changed in 1998 from Jervis Bay to Booderee NP
- Lease covers Booderee NP & Booderee Botanic Gardens
- Owned by Wreck Bay Aboriginal Community Council
- Traditional use of park area for hunting, food gathering, ceremonies
- Park leased back for 99 years, lease review every 5 years
- Payment of annual rental fee & % park income to WBACC
- Over 50% park staff (n=20) are Indigenous - rangers, visitor guides
- Aboriginal-led walks & Koori school holiday activities
- Wreck Bay Enterprises Ltd park contracts for Entry Station booth, road maintenance, walking & fire trails, cleaning, horticulture.
- Aboriginal training officer in park, Wreck Bay Green Corp team
- Booderee won 2010 Responsible Tourism Award (cultural heritage)

# Joint Management Leases for National Parks

## National Park

Kakadu, NT  
(1984)

## Lease provisions

99-year lease to Cwth  
Annual rent (\$150,000-1991)  
25% park entry fees  
50-60% Ab. staff  
Kakadu Cultural Camp, Murdudjurl Tours, Mardugal Walking Tour

## Aboriginal tourism

Yellow Water Cruises  
Guluyambi Cruise  
Gagadju Lodge, Crocodile Hotel  
Warradjan Cultural Centre

Uluru-Kata Tjuta, NT  
(1985)

99-year lease to Cwth  
Annual rent (\$150,000)  
25% park entry fees

Anangu Tours  
Maruku Arts & Crafts  
Ayers Rock Resort, Yulara

Booderee, ACT  
(1995)

99-year lease to Cwth  
Annual rental fee  
% of park entry/use fees  
Park service contracts

Bush tucker tour  
Koori holiday activities

Garig Gunak Barlu, NT  
(1981)

Perpetual lease to NT govt.  
Annual rent \$20,000 (1981)  
Park entry fees

Safari hunting royalties  
Resort rental payments

Nitmiluk, NT  
(1989)

99-year lease to NT govt.  
Annual rent \$100,000  
50% of park revenue

Nitmiluk Tours (100%)  
(boat cruise, kayaks, campground)



# Joint Management Leases for National Parks

## National Park

Witjira, SA  
(1995; ILUA 2008)

## Lease provisions

99-year lease to Irrwanyere  
Aboriginal Corporation

## Aboriginal tourism

exclusive park commercial tours  
cultural guides for all tours

Mutawintji, NSW  
(1998)

30-year lease to NSW govt.  
Annual rent of \$275,000  
(must be spent in park)

Mutawintji Heritage Tours  
NPWS Discovery rangers  
Mutawintji Culture Centre

Gulaga, NSW  
(2006)

30-year lease to NSW govt.  
Annual rent \$210,000

Umbarra Cultural Tours  
Umbarra Cultural Centre

Arakwal ILUA, NSW  
(2001 & 2008)

3 Aboriginal park positions  
\$150,000 for traineeships

Githabul ILUA, NSW  
(includes 8 NPs) (2007)

4 Aboriginal park positions  
Payments indexed to Sydney CPI

Karijini, WA

Karijini Eco Retreat  
Savannah Campground  
(Gumala Ab. Corporation)

# Queensland National Parks & Indigenous Peoples

- Queensland Parks Service (QPWS) now recognises Native Title rights & Indigenous interests in National Parks (75% under claim)
- Aboriginal claims to National Parks on Cape York Peninsula under *Aboriginal Land Act 1991* & *Cape York Peninsula Heritage Bill (2007)*
- Indigenous cultural obligations & custodianship rights in National Parks
- *Master Plan for Queensland's Parks System (2000/01)* 'Safeguarding Cultural Values' - Strategy Actions for Indigenous Heritage & 'Working Together – Indigenous Partnerships, Rights and Interests'
- QPWS Indigenous Joint Management Unit operates in policy section
- Ongoing QPWS negotiations with Traditional Owners & Native Title claimants/holders about park management (mainly cultural heritage)
- First ILUA negotiated by QPWS for Barron Gorge NP (2005)
- ILUA negotiated for Mamu Canopy Walkway, Wet Tropics WHA (2007)

# Wet Tropics World Heritage Area

- 18 distinct groups of *Bama* Aboriginal people in Wet Tropics WHA
- 80% of Wet Tropics WHA claimable under Native Title-6 park ILUAs: *Mandingalbay Yidinji* (06), *Eastern Kuku Yalanji* (07), *Ndadjon-Jii* (08), *Mamu Canopy Walkway* (08), *Dulabed & Malanbara Yidinji* (09), *Girramay* (10)
- Wet Tropics Regional Agreement with Aboriginal people in 2005
- Aboriginal involvement in Wet Tropics policy, planning, land management, & commercial activities (permits granted by QPWS)
- Relisting of Wet Tropics WHA for Indigenous cultural values
- WTMA promotes Aboriginal tours e.g. Mossman Gorge, Yarrabah
- Aboriginal tourism opportunities supported in *Wet Tropics Nature Based Tourism Strategy (2000)* & *Wet Tropics Walking Strategy (2001)*



# Mamu Canopy Walkway, Wet Tropics WHA

- In Wooroonooran National Park, 90 minutes south of Cairns
- 350m long elevated walkway, a 37m tower & cantilever platform
- Opened August 2008, with \$10 million in funding from Qld govt
- Operated by the Queensland Parks and Wildlife Service (QPWS)
- 10 years of negotiation - Heads of Agreement signed in 2002  
(Mamu Aboriginal Corporation, NQ Land Council, State of Queensland, QPWS, Wet Tropics Management Authority, & former Johnstone Shire Council)
- Homeland of the Mamu Aboriginal people-Native Title claimants
- ILUA negotiated by QPWS in 2007 with Mamu people: Cultural heritage assessment & monitoring of the rainforest site, part-ownership, employment (construction, heritage monitors, rangers), interpretation of Mamu culture & history on signs & artwork.
- Mamu royalty fee of \$1/visitor from \$20 entry fee (\$150,000/year)
- 12ha land for Mamu to develop visitor facilities (accommodation)

# Indigenous investment in NP tourism

## Indigenous Land Corporation [www.ilc.gov.au](http://www.ilc.gov.au)

- Established in 1995, Federal govt. funding of \$45million/year (2010)
- Acquires pastoral properties & funds land management projects
- Acquired 9ha of land (\$10 million in 2008) for Ecotourism Transit Hub (café, gallery, tours), training (40 jobs), Mossman Gorge NP, Qld
- Purchased Ayers Rock Resort, Ayers Rock Airport, & worker's village, Yulara NT (\$300 million in 2010) with Wana Ungkuntja Trust (Mutijulu, Imanpa & Docker River communities), Uluru Kata Tjuta NP
- 1 Indigenous employee out of 670 Yulara resort staff, National Indigenous Tourism Training Academy at Yulara in 3 years
- Return of 104,000ha of Yulara freehold land to Traditional Owners



# Indigenous investment in NP tourism

## Indigenous Business Australia [www.iba.gov.au](http://www.iba.gov.au)

- Established in 1990 as ATSI CDC, became IBA in 2001
- IBA investment in tourism facilities located in or near joint NPs:
- Gagudju Crocodile Holiday Inn, Gagudju Lodge Cooinda, Kakadu Tourism, Kakadu NP (1998) (Gagudju Association)
- Mungo Lodge, Mungo NP/Willandra Lakes WHA, NSW (2003)
- Wildman Wilderness Resort, Mary River NP (proposed), NT (2006)
- Cape Don Experience Fishing Lodge, Cobourg Peninsula, Garig Gunak Barlu NP, NT (2007) (Djuldjurd Aboriginal Corporation)
- Kings Canyon Resort, Kings Canyon NP, NT (sold by IBA 2009/10)



# Online booking of Indigenous tours



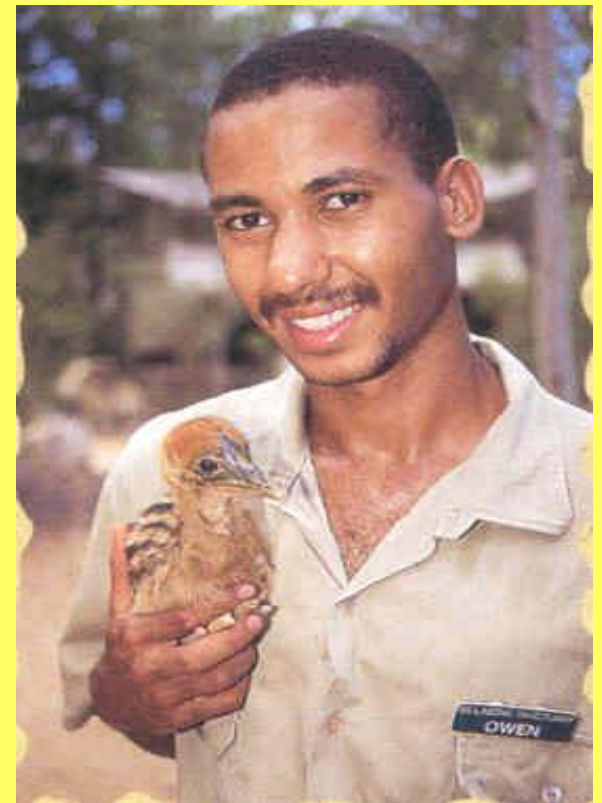
Tess Atie, owner of NT Indigenous Tours

- IBA funded online booking system Frontdesk for 68 Indigenous tourism operators (239 registered Indigenous tourism operators in Australia)
- Book online button on operator website + technical support & product development advice
- 62% increase in monthly bookings, 53% increase in value
- Tourism NT, Tourism NSW & ACT Tourism using Frontdesk

# Indigenous Ecotourism

**“Tourism which cares for the environment and which involves (Indigenous) people in decision making and management” (ANTA, 2001)**

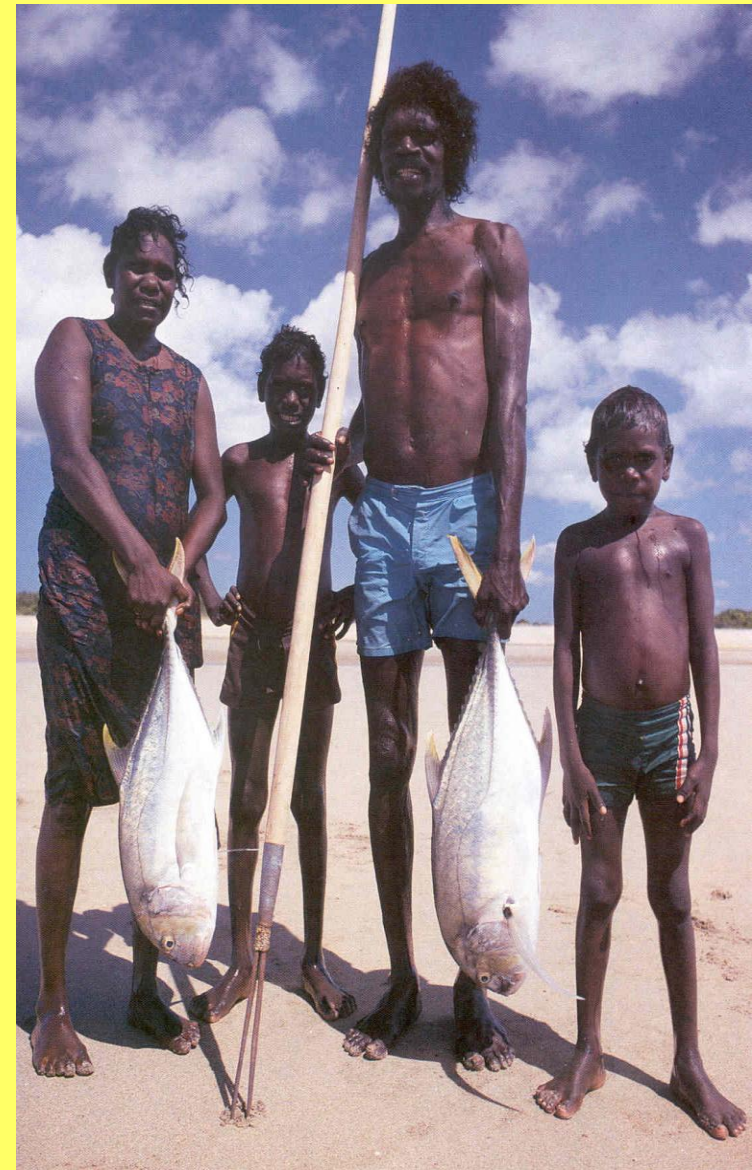
- Nature-based product or setting
- Indigenous cultural interpretation
- Manage environmental or cultural impacts - community/tribal control
- Conservation of traditional country
- Reinforces cultural knowledge, skills
- Benefits for communities (ownership, jobs, fees, craft sales, cultural pride)





# NATIVE TITLE & ECOTOURISM

- Aboriginal Tourism Australia
  - fact sheets on Native Title
- Asscn. Marine Park Tourism Operators – Native Title service
- Savannah Guides Indig. policy
- 2006 Ecotourism Australia Conference – *Ecotourism & Native Title* (Warren Mundine), *Ecotourism on Aboriginal Land* (Joseph Elu, Indig. Business Aust)
- \*National Parks, Reserves, IPAs



# Indigenous Protected Areas (IPAs)


## Indigenous Protected Areas July 2010

  Declared Indigenous Protected Areas

- 1 Nantawarrina
- 2 Preminghana
- 3 Risdon Cove
- 4 putalina
- 5 Deen Maar
- 6 Yalata
- 7 Walalkara
- 8 Watarru
- 9 Badger Island
- 10 Mount Chappell Island
- 11 Guanaba
- 12 Warul Kawa Island
- 13 Dhimurru
- 14 Wattlebridge
- 15 Mount Willoughby
- 16 Paruku
- 17 Ngaanyatjarra
- 18 Tyrendarra
- 19 Toogimbie
- 20 Anindilyakwa
- 21 Laynhapuy - Stage 1
- 22 Ninghan
- 23 Northern Tanami
- 24 Warlu Jilajaa Jumu
- 25 Kaanju Ngaachi
- 26 Babel Island
- 27 Great Dog Island
- 28 lungatalanana
- 29 Pulu Islet
- 30 Tarriva Kurukun

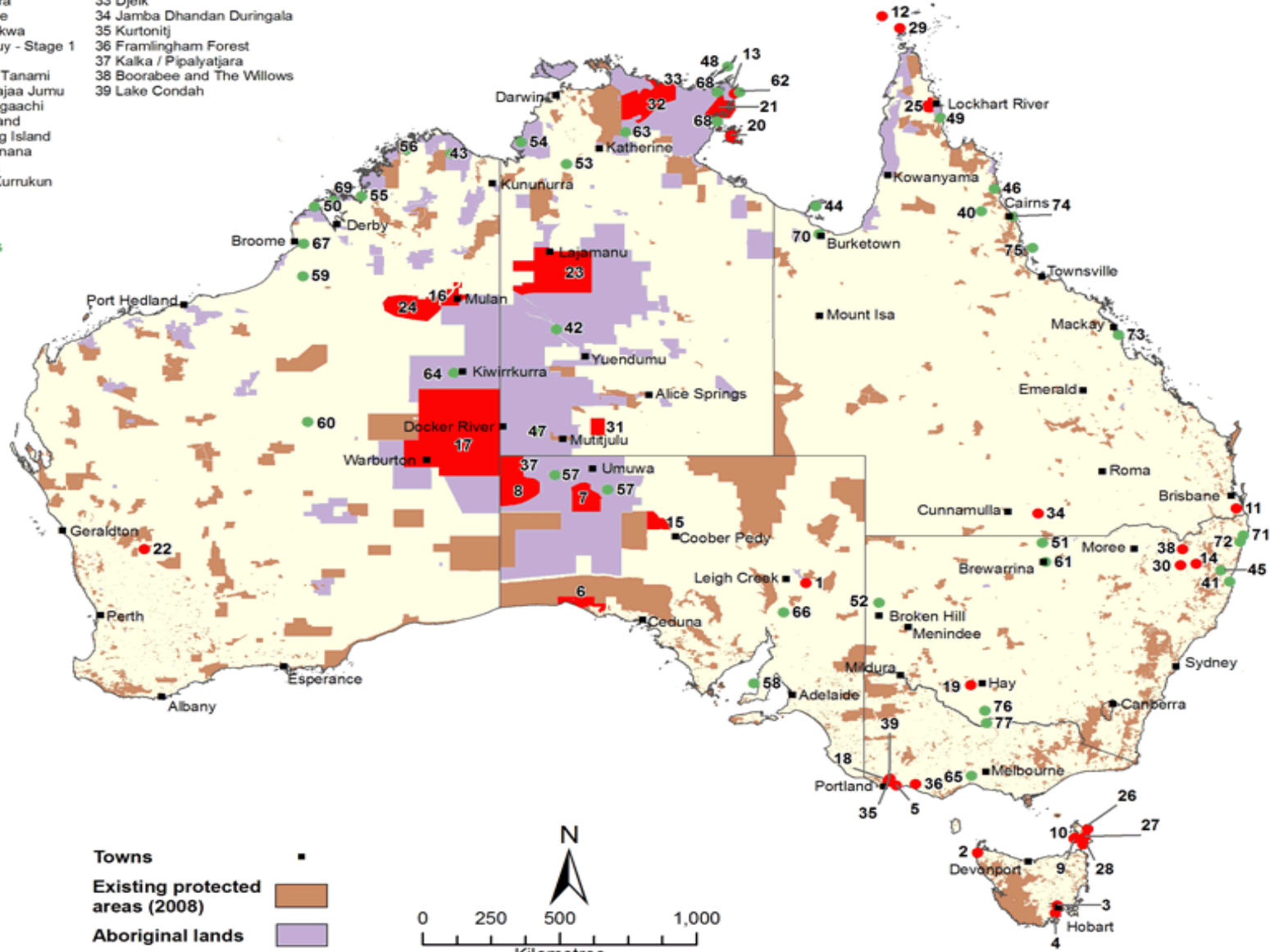
 Indigenous Protected Area Consultation Projects

- 40 Ngarrabulgan
- 41 Gumma
- 42 Southern Tanami
- 43 Balangarra
- 44 Wellesley Islands
- 45 Dorodong
- 46 Eastern Yalanji
- 47 Katiti/Petermann Ranges
- 48 Marthakal
- 49 Angkum
- 50 Bardi Jawi
- 51 Orana
- 52 Poolamacca
- 53 Wardaman
- 54 Thamarurr - Stage 1
- 55 Dambimangari
- 56 Uunguu
- 57 Sandy Bore/ Aparu Makiri
- 58 Wardang Island
- 59 Karajarri
- 60 Biriliburu
- 61 Brewarrina Ngemba Billabong
- 62 Dhimurru - Stage 2
- 63 Jawoyn - Stage 1
- 64 Kiwirrkurra
- 65 Wurdji Youang
- 66 Yappala
- 67 Yawuru
- 68 Laynhapuy - Stage 2
- 69 Mayala
- 70 Wellesley Islands - Stage 2
- 71 Wardell-Lumley's Lane
- 72 Minyurni

 Co-Management Consultation Projects

- 73 Central Queensland Coast
- 74 Mandingalbay Yidinji
- 75 Giringun
- 76 Weral Forest
- 77 Yorta Yorta

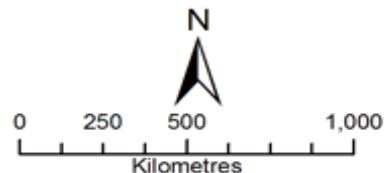
- 31 Angas Downs
- 32 Warddeken
- 33 Djelk
- 34 Jamba Dhandan Duringala
- 35 Kurtonitj
- 36 Framlingham Forest
- 37 Kalka / Pipalyatjara
- 38 Boorabee and The Willows
- 39 Lake Condah



Towns 

Existing protected areas (2008) 

Aboriginal lands 



# Ecotourism on Indigenous Protected Areas

- 39 declared IPAs cover over 23.5 million ha (1km<sup>2</sup>-98,000km<sup>2</sup>) – mainly in central & northern Australia
- \$50M funding for IPAs, & by Indigenous Land Corporation (\$7M in 2006/07, \$2.5M in 2008/09): land management activities, training of rangers & workers.
- 76 full-time & 111 part-time Indigenous employees
- Work on weeds, feral animals, fire management, biodiversity surveys, protect cultural sites, land rehabilitation, signage, repair/maintain infrastructure
- Some IPAs developing tourism: Anindilyakwa (NT), Dhimurru IPA (NT), Yalata IPA (whale watching, SA)
- Tourism workshops - Karajarri (WA), Angas Downs (NT)
- Most IPAs are too remote, with limited road access, & lack visitor facilities or accommodation for ecotourism

# Indigenous Views of Ecotourism

- Bonds between Indigenous people & environment (Subsistence hunting activities, spiritual relationships)
- Reinforce land claims, rights to use land & resources
- Acknowledge Indigenous cultural identity & ownership
- Conserve land/resources, tribal income & employment



# Indigenous involvement in ecotourism

- Aboriginal Land Trust/Council (e.g. Northern LC)
- Tribal village or community (e.g. Manyallaluk, NT)
- Families or individuals (e.g. Walker Family, NQ)
- Full or part-ownership, joint ventures, partnerships, service provision (transport, food), jobs (guides)
- Community-based ecotourism ventures (e.g. Kuku Yalanji Dreamtime Walks, Mossman Gorge, NQ)
- Private joint venture (lease rental, head fee, % profits)
- National Park agencies (e.g. Wet Tropics WHA)

# Issues for Indigenous Ecotourism

\*Political & economic benefits of Native Title Land/resource rights, jobs

\*Environmental & cultural benefits of ecotourism

Maintain biodiversity, 'country' & cultural practices

\*Relied on CDEP funding tour guides, rangers, other staff  
Ended mid-2009 regional Aust.  
Remote programs cut in 2011



# Framework for Indigenous Ecotourism

## Environmental

- +Indigenous environmental stewardship
- +Cultural & spiritual values of biodiversity
- \*Preserving environment from harmful use
  - \*Subsistence uses of the environment

## Economic

- \*Limited capital & equity in tribal areas
- \*Lack of reserve infrastructure & services
  - \*Tax status & public funding schemes
  - \*NGO funding for ecotourism ventures (e.g. Bama SX, North Qld)

## Cultural/Social

- +Diversity of Indigenous cultures
- +‘Traditional’ culture & authenticity
- +\*Intellectual & cultural property rights
- \*Poverty & social issues on tribal reserves

## Political

- \*Indigenous land rights & resource rights
  - +\*Indigenous councils & organisations
- +Indigenous elders, kinship, local leaders
  - \*Access to Indigenous territories (‘title’)

- \*Externally determined factors or legal rights of Indigenous groups controlled by nation-states
- + Internal cultural, environmental and political factors controlled within Indigenous groups

Source: Zeppel, H. (2006) *Indigenous Ecotourism: Sustainable Development & Management*.

# **Indigenous Issues in Eco/Nature Tourism Strategies**

***National Ecotourism Strategy, Australia, 1994***

***Ecotourism: Adding Value to Tourism in Natural Areas, Tasmania, 1994***

***Ecotourism: A Natural Strategy for South Australia, SA, 1994***

***Nature Based Tourism Strategy for WA, WA, 1997 & 2004***

***Queensland Ecotourism Plan, QLD, 1997 & 2003-2008***

***Wet Tropics Nature Based Tourism Strategy, QLD, 2000***

***Wet Tropics Walking Strategy, QLD, 2001***

***Nature in Tourism: A Plan for NSW, 2004-2007***

# **Indigenous Issues in Economic Development Strategies**

***Aboriginal Economic Development in Western Australia, WA, 1997***

***Northern Territory Economic Development Strategy, NT, 2002***

***Cape York Partnerships Economic Development Policy Framework, QLD, 2004***



# Indigenous Issues in Nature/Ecotourism and Economic Development Strategies

## Environmental

- \*Natural & cultural assets on Aboriginal lands
- \*Aboriginal cultural affinity with nature/the land
- \*ATSI cultural perspectives of natural environment
- \*Cultural heritage sites, Aboriginal interpretation
- \*Aboriginal cultural values of Wet Tropics WHA
- \*Experience Aboriginal heritage in natural areas

## Economic

- \*Increase in Aboriginal tourism operators
- \*Support Ab. tourism development/marketing
- \*Improve Aboriginal business skills, accreditation
- \*Foster ATSI involvement in Qld ecotourism
- \*Aboriginal tourism employment & training
- \*Economic outcomes from Indigenous tourism, arts
- \*Training & enterprise support, partnership agreements & joint ventures with Aboriginal groups
- \*Developing Aboriginal tourism businesses
- \*Facilitate new tourism enterprises, business mentoring & Aboriginal jobs in tourism
- \*Develop Aboriginal arts, cultural & ecotourism projects in regional hubs of Cape York
- \*Tourism funding support for Indigenous groups

## Cultural/Social

- \*Recognise ATSI intellectual property rights
- \*Minimise impacts on ATSI cultural sites
- \*Aboriginal products, heritage sites, consultation
- \*Aboriginal heritage & cultural interpretation

## Political

- \*Consultation & negotiation with ATSI communities
  - \*Access to Aboriginal freehold lands
  - \*Partnerships, management of nature tourism
- 
- \***Maintain tourism access/opportunities in NT parks**
  - \***Aboriginal participation in WA national parks & tourism development**
  - \*Cooperation between government agencies & Aboriginal communities to develop tourism

# Aboriginal Tourism & Native Title

- *Aboriginal Tourism Development Strategy for WA (2005)*
- *Objective 4: Aboriginal people being able to maximise sustainable use of their lands and waters for tourism development*

## Strategies

- 4.1 Develop a statutory land title to enable Aboriginal people to achieve ownership or long term leasing of land
- 4.2 Foster a negotiation approach to address Native Title claims
- 4.3 Foster capacity building of Indigenous land holding bodies to enhance decision-making with respect to use of Indigenous land for tourism purposes
- *National Strategy for Indigenous Tourism 2007 – 2012: Building A Sustainable Future Through Tourism* (ITA, 2007)
- Native Title & Aboriginal land ownership issues NOT addressed

# Future of Indigenous Ecotourism

- Biodiversity Conservation  
(National Parks, IPAs)
- Indigenous Land Rights  
Native Title determinations
- Growth of Ecotourism  
(New products/areas)
- Indigenous Economic & Social  
Development (communities,  
families, individuals)
- Partnerships & Joint Ventures  
(investment, packages, marketing)



# Indigenous development in NPs

- ILUA lease terms
- Annual rental indexed
- Renegotiating terms
- Investment by IBA in tourism facilities
- Other property rights (e.g. carbon credits)
- Other park utilities (e.g. communication, renewable energy)
- Park services (entry fees, maintenance, cleaning etc)
- Park conservation work (fire management, wildlife surveys, pest control etc)
- Park infrastructure (construct boardwalks, tracks, signs, visitor amenities)
- Park tourism (guides, eco & cultural tours, art & craft, operate/invest in tourism)

# Native Title & NPs in Victoria

- *Traditional Owner Settlement Bill 2010 (Victoria)*
- *Gunai/Kurnai* of Gippsland Native Title determination Oct. 2010
- Recognition & Settlement Agreement 2010 with *Gunai/Kurnai* (\$12 million & joint management of 10 Gippsland parks & reserves)
- Aboriginal groups that could prove a traditional rather than continuous connection to land able to forge agreements with the Government to jointly manage areas such as national parks.
- 8 million hectares of public land in Victoria, including national parks, state forests and beaches. 45% of Crown land under claim.
- Traditional owner groups would be compensated for activities including mining, carbon capture and storage as a result of reforestation, restoration of wetlands, maintenance of natural vegetation as carbon sinks and fire management systems that cut carbon emissions.

# Yawuru Native Title in Broome, WA

- Yawuru Native Title determination in Broome 2006
- Yawuru Area Agreement ILUA (362km<sup>2</sup>) & Yawuru Prescribed Body Corporate ILUA 2010 (616km<sup>2</sup>)
- \$140M of land for cultural heritage & development use
- \$50.5M monetary benefits: \$15M for development
- \$4.5M over 4 years for joint management of 'Conservation Estate', \$500,000 for joint management plan
- Yawuru agreements for road work tenders & revegetation
- Train & employ Yawuru people as rangers, all rangers in the Conservation Estate in 5 years to be Yawuru

# Research on Native Title & Ecotourism in NPs

- Assess outcomes of Native Title claims & negotiated ILUAs for ecotourism in different land tenures & regions
- Compare agreements for lease-back of co-managed NPs
- Evaluate role of Land Councils/NTRB in negotiating ILUAs, ecotourism partnerships & joint ventures in NPs
- Review engagement of tourism associations with Native Title issues e.g. Ecotourism Australia, Savannah Guides
- Identify social, political & economic factors that support or impede Indigenous ecotourism & joint ventures in NPs
- Examine treaty claims, tourism plans, and development strategies for ecotourism in NPs in NZ, Canada & USA

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