



Conference Paper

Aboriginal Voices and Inclusivity in Australian Land Use Country Planning

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Abstract

Following the Australian High Court's decision in the *Mabo* case in 1992, it is now instrumental for land use planners to be educated and skilled in Aboriginal and Torres Strait Islander (ATSI) people's rights, interests, needs and aspirations in conventional and contemporary land use planning processes to ensure inclusivity within Australian culture and its structures. As an applied science discipline, for land use planning these imperatives include formally recognising ATSI peoples' long connections with *Country*, acceptance of the High Court's rejection of the doctrine of *terra nullius*, recognition that ATSI people will always retain their special relationship with and responsibility for land and sea *Country*, but more importantly incorporating Indigenous land planning values into extant Western land use planning instruments (ALGA 1999:225). This paper reviews and critiques the position and alignment of this applied science discipline, from an Indigenous perspective, and its policy and education accreditation governance role in responding to contemporary land use determinations as it impacts upon inclusivity of Indigenous knowledge, law, and policy in practice and educating the future generation of land use planners.

Keywords: Country, land, land use planning, professional accreditation, Planning Institute of Australia

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1 Country, Land and Planning

Elder April Bright articulated that "It is part of our responsibility [to be] looking after our country. If you don't look after country, country won't look after you (April Bright in Rose, 1996: 49).

The relationship between Aboriginal people and *Country* is deep and intimate. Within Indigenous terms, one belongs to *Country* and there is a reciprocal relationship that exists between people and *Country*. People and *Country* take care of each other; this highlights a way of understanding dynamic ontologies that currently exists within our cultural belief systems where reciprocity is grounded within *Country* (Martin, 2013).

Country is not imagined it is a living entity a giver and receiver of life. *Country* is a multi-dimensional aspect that includes the sea and land as an extension of *Country*.

Aboriginal people refer to a holistic system when considering the ecological aspects and connection between all entities and this is manifested through our social and spiritual dimensions. *Country* embraces its origins with a clear view towards the future existing both in and throughout time. Aboriginal people identify themselves with various elements, thus including areas of the land/sea which are inclusive to the substructure of the skies and above. All are relational to components of *Country*. The laws of the land complement the laws of the sea; sea like land is “*Country*” that is sung too, celebrated, respected and cared for:

Aboriginal people are so special we understand a lot more that goes on around us. We see a lot more, we hear a lot more, we feel a lot more, we touch a lot more, and we taste a lot more than the people around us. We have a panoramic vision of what's behind us, what's underneath us, and what's on top of us (Ernie Dingo in Coolwell, 1993: 90)

Country is tantamount to life, with a yesterday, a today and tomorrow, allowing for an awareness and a will towards life. *Country* is home and peace, sustenance for our bodies, mind, spirit and hearts ease. The premise of *Country* along with its definitions provide a framework of understanding how Australian Aboriginal peoples imbed our beliefs, cultural values and respect within the land (Rose 1996).

The construction of the landscape for us as people is much more significant to Aboriginal people's identity rather than spatiality and form through the built environment. We identify and devote time to *Country* as it is a crucial aspect to one's identity, as it reflects traditional beliefs and traditional concepts. *Country* embodies and continues to further embody a complete system of knowledge that recites to our people. Cultural beliefs of Aboriginal people and connection to land and *Country* are determined by ancestral beings who oversee our land and protect our people; know our land, culture and *Country*. Those whom destroy their *Country* ultimately destroy themselves.

The relationship that land *Country* and sky *Country* have with us is that we must be able to access, protect and revitalise *Country's*, sites and objects. To Aboriginal people, “land and sea *Country*” means land, water, sky and air. Such is a ‘nourishing terrain’, giving and receiving life. It is not just imagined or represented; it is lived in and lived with: Around much of the coast of Australia, Aboriginal people ‘own’ (according to their own law) both the land and the surrounding waters. The creative beings traverse the whole area – land, sea, beach, reef, sea grass bed, sky, and fresh water sources. The law of the land is also the law of the sea, and the sea, like land, is *Country* that is known, named, sung, danced, loved, harvested and cared for (Rose 1996:7-8).

2 Country and Planning Methodology

2.1 Planning Country

As Aboriginal and Torres Strait Islander people we currently manage approximately 25% of Australia's land mass, it is critical that we have a central and appropriate stake

within current planning process that will impact and affect our land and waters. As a terrestrial land mass, the Australian continent consists of 7.7 million km², excluding seas. Of this terrestrial land mass, in 2010, land claimed or automatically scheduled under Native Title law comprised an estimated 969,000 km²; an additional 92 native title determinations of exclusive possession under native title law totalling 752,000 km²; and an additional 142 determinations of non-exclusive possession under native title law totalling 825,000 km². The latter often comprises informal property rights often shared with other interests, most commonly commercial rangeland pastoralism or nature conservation. These 3 categories total 2.5 million km² or roughly 33% of terrestrial Australia (Altman *et al.* 2010).

The need to care and look after land management and land use planning is imperative, traditional owners across Australia always will preserve a special connection with the responsibility for our land and seas (Rose 1996). The practice of management and use planning can be viewed as a form of storytelling about the past, current and future. As professional planners, we should acquire an ethical accountability thus ensuring that past wrong doings are not and will not be repeated. Any future land use decisions must not rationalise nor legitimise the term *terra nullius*.

Future land use planning and land management requirements will need to have a comprehensive understanding of the contextual history of Aboriginal and Torres Strait Islander people and our communities in which they are located and working in, as there is no, one mould that fits all (Rose, 1996). The notion of effective engagement that is constructive and meaningful to Aboriginal and Torres Strait Islander people necessary. From an Aboriginal perspective, the process of involvement, collaboration and inclusion is far more important than the final product. There is strength and meaning within Aboriginal planning processes that allows for a symbolic and powerful act of participation. In the same way, other people are able to contribute collaboratively within the planning processes, which for us, is more significant than any end result.

Planning and management overall acknowledges ones relationships and connection to land and other natural resources. Planners need to recognise and accommodate a multi-layered interest, not just those of social, economic, environmental or cultural aspects, but also those related to our physical, spatial and spiritual relation to *Country*. This will also lead to suitable and meaningful consultation with Aboriginal and Torres Strait Islander peoples (Martin, 2013). This acknowledgement validates a reciprocal dynamic that coexists between people and *Country*. This act further demonstrates a culture that is far from being static. It produces a role for Aboriginal and non-Aboriginal people that allows them to constantly bring forward the basis and premise of our culture through *Country*.

2.2 Country Planners

The Planning Institute of Australia (PIA) is the national body representing the land use planning profession in Australia. Through education, communication and professional development, PIA seeks to lead “effective planning for people and places” (www.planning.org.au). While PIA has a raft of various policies, it is responsible for scaffolding the future generation of land use planners through its Education Policy that underpins professional accreditation for all land use planning courses in Australia. Over the last 15 years PIA has entertained 3 different Education Policies together with a major internal Indigenous Planning Working Group that investigated avenues for “Improving Planners’ Understanding of Aboriginal and Torres Strait Islander Australians” (PIA 2010), and has little realised a Reconciliation Action Plan.

Following the Australian High Court’s decision in the *Mabo* case in 1992, it is now instrumental for land use planners to be educated and skilled in Aboriginal and Torres Strait Islander people’s rights, interests, needs and aspirations in conventional and contemporary land use planning processes to ensure inclusivity within Australian culture and its structures. As an applied science discipline, these imperatives include formally recognising Aboriginal and Torres Strait Islander peoples’ long connections with *Country*, acceptance of the High Court’s rejection of the doctrine of *terra nullius*, recognition that Aboriginal and Torres Strait Islander people will always retain their special relationship with and responsibility for land and sea *Country*, but more importantly incorporating Indigenous land planning values into extant Western land use planning instruments (ALGA 1999: 225).

3 Land Use Planning Courses and PIA Professional Accreditation

Planning courses in Australia are subject to annual external peer assessments to ensure that the exit-point knowledge and skills of graduates satisfy and address their respective professional accreditation policies and criteria. PIA tacitly expects, via their education policies, that Indigenous knowledge and protocols are integrated within the curricula of the courses they accredit. For a graduate, satisfactory completion of an accredited course meets the educational requirements for corporate membership of the Institute, and thereupon a secure pathway for registration to practice as a planner.

Planning professionals must be able to plan and design with regard to cultural issues relating to stakeholders from diverse backgrounds. Increasingly planning practitioners are required to design and plan projects in direct consultation with Indigenous communities and their proponents about projects, including inserting Indigenous layers into planning schemes, including Indigenous protocols and aspirations in policy statements, drafting cultural tourism strategies and devising cross-cultural land management plans

that necessitate having Indigenous representatives on design or planning teams. This entails working with Indigenous communities as stakeholders in community engagement, consultation, and planning processes.

Recent investigations have concluded a deference to Indigenous respect protocols and despite the invaluable environmental and cultural knowledge of these communities may hold that can inform development, and withstand change and adaptation supporting sustainable harvesting and cultural capital (Low Choy *et al.* 2010, 2011a, 2011b; Wensing 2007, 2011; Wensing & Small 2012).

Within the planning literature, there is also clear lack of discourse about the nexus between planning professionals and Indigenous protocols and knowledge systems. In contrast there is considerable rhetoric about desires but it has not generally been translated into tertiary-level execution other than in fragmented instances. Gurrans & Phibbs (2003, 2004) concluded that Indigenous knowledge systems and land management concepts were markedly lacking in planning education in Australia, and Wensing (2011) has expressed that there is a major deficiency in the tuition and grounding of future planners. Low Choy *et al.* (2010, 2011a, 2011b) have reinforced both conclusions demonstrating the unique and valuable insights that Indigenous knowledge systems and their stakeholders can offer to conventional planning practice.

PIA's *Education Policy...* (2002: 9), explicitly expected 'Core Curriculum' comprising "Knowledge of... Indigenous Australian cultures, including relationships between their physical environment and associated social and economic systems" but PIA's current *Accreditation Policy...* (2012) is wanting on this topic. It expects that graduates:

... operate in a manner that recognises cultural diversity, the need for equity in outcomes and the knowledge of and implementation of high ethical standards [... and have a] Knowledge of the diversity of populations served, including Indigenous cultures, minority and special needs groups, and different age groups including children and older people, and a capacity to engage meaningfully with diverse groups, including "hard to reach" populations (PIA 2012: 10).

Thus, shallowly continuing and identifying Indigenous culture as 'a cultural minority' having no contribution to Australia's land use planning and management regimes, and its property law system. A draft *Accreditation Policy...* (PIA 2016) resulted in an outcry (Porter 2016; Wensing 2016) in academic planning discourses:

... PIA simply requires Indigenous content in the planning curriculum with no consideration of Indigenous perspectives on that content, no involvement of Aboriginal and Torres Strait Islander experts in its development, and no building of capacity and cross-cultural awareness within the sector, the risk is the development of courses that are culturally unsafe, inappropriate, potentially offensive to Indigenous people and that perpetuate misunderstanding and racism (Porter 2016: 1).

This outcry caused a re-drafting of the competencies in the draft *Accreditation Policy* (2016) to ensure that Programs demonstrate that students have acquired a range of abilities to "... Operate in a manner that recognises cultural diversity and in particular

the position of Aboriginal and Torres Strait Islander peoples, the need to pursue equity in outcomes and knowledge of and implementation of high ethical standards” expecting that “Planners are aware of the content and significance of Indigenous rights and perspectives when practicing as planners and of possible tensions with non-Indigenous professional traditional and expectations” (PIA 2016: 11-12, 24).

Over the same period (2013–2016), the Commonwealth’s Office of Learning & Teaching funded ‘Re-casting *Terra Nullius* Blindness’ (Jones *et al.* 2016) that investigated the position of Indigenous knowledge systems in Australian architecture, planning and landscape architecture tertiary courses, and to develop resources that aimed to:

- Involve Indigenous academics and communities in university learning and research in the built environment;
- Expose students and educators in the built environment professions to Australian Indigenous Knowledge and cultural systems and the protocols for engaging with Indigenous Australians about their rights, interests, needs and aspirations; and
- Enhance student and academic comprehension, appreciation and respect for Indigenous protocols and processes.

In terms of planning, and planning practitioner and student perceptions, the findings by Jones *et al.* (2016) were quite damning in terms of Indigenous knowledge systems and engagement occurring (or not occurring) inside PIA accredited planning courses in Australia. These can be summarised as:

- nearly all undergraduate planning courses lack specific mandatory content in Indigenous Knowledge Systems;
- nearly all postgraduate planning courses lack specific mandatory content about Indigenous Knowledge Systems;
- there is little connectivity in academic content and agenda between these undergraduate and postgraduate planning course levels, and any execution and engagement is opportunistically driven by academic staff interests.

4 Summary and Conclusion

In addressing Indigenous knowledge systems, and in keeping pace with legal precedents as to Native Title determinations and allied national and international obligations and laws, PIA has been exceedingly conservative and reticent in acting. This conclusion is pertinent to both PIA’s general policy approach to Indigenous Australians, but more significantly its failure to ensure that future planning graduates are adequately equipped to respect, comprehend and work in partnership with Aboriginal and Torres Strait Islander peoples in planning and managing Australia’s lands and waters.

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