Native Title, ILUAs & Indigenous Development Opportunities in National Parks

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Mid Career Research Fellow, ACSBD

17th Annual Native Title & Cultural Heritage 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* – 931,229km² (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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Legend:
- Native title found to exist in the entire or part of the determination area
- Native title not found to exist in the determination area
- Areas not within the determination where native title not found to exist - s193(3)

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

Summary Determination Geometrics in SqKm**

<table>
<thead>
<tr>
<th>Category</th>
<th>ACT</th>
<th>NSW</th>
<th>NT</th>
<th>QLD</th>
<th>SA</th>
<th>TAS</th>
<th>VIC</th>
<th>WA</th>
<th>Cth</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native title found to exist in entire or part of determination area</td>
<td>-</td>
<td>1,120</td>
<td>24,737</td>
<td>53,749</td>
<td>69,239</td>
<td>-</td>
<td>1,720</td>
<td>835,509</td>
<td>17,095</td>
<td>1,003,169</td>
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<tr>
<td>Native title not found to exist in determination area</td>
<td>-</td>
<td>867</td>
<td>323</td>
<td>2,912</td>
<td>-</td>
<td>28</td>
<td>-</td>
<td>10,576</td>
<td>16,815</td>
<td>14,348</td>
</tr>
<tr>
<td>Categories total</td>
<td>-</td>
<td>1,987</td>
<td>25,060</td>
<td>56,661</td>
<td>69,267</td>
<td>12,296</td>
<td>854,324</td>
<td>31,443</td>
<td>1,051,038</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
** 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 Register, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accepts liability and gives no warranties, guarantees or indemnities concerning the accuracy, completeness or fitness for purpose of the information provided. In return, you indemnify the Commonwealth and third parties 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.

Produced by Geospatial Services, NNTT, 28 October 2010.
Indigenous Land Use Agreements (ILUAs)

- 471 negotiated Indigenous Land Use Agreements (17 Nov. 2010)
- Registered ILUAs cover 1,115,776 km² (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

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 – 6,000km²
- **Gunditjmara**, 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)
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 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)
- **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, Purnuluulu, 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:
- 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

<table>
<thead>
<tr>
<th>National Park</th>
<th>Lease provisions</th>
<th>Aboriginal tourism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kakadu, NT (1984)</td>
<td>99-year lease to Cwth</td>
<td>Yellow Water Cruises</td>
</tr>
<tr>
<td></td>
<td>Annual rent ($150,000-1991)</td>
<td>Guluyambi Cruise</td>
</tr>
<tr>
<td></td>
<td>25% park entry fees</td>
<td>Gagadju Lodge, Crocodile Hotel</td>
</tr>
<tr>
<td></td>
<td>50-60% Ab. staff</td>
<td>Warradjan Cultural Centre</td>
</tr>
<tr>
<td></td>
<td>Kakadu Cultural Camp, Murdudjurl Tours, Mardugal Walking Tour</td>
<td></td>
</tr>
<tr>
<td>Uluru-Kata Tjuta, NT (1985)</td>
<td>99-year lease to Cwth</td>
<td>Anangu Tours</td>
</tr>
<tr>
<td></td>
<td>Annual rent ($150,000)</td>
<td>Maruku Arts &amp; Crafts</td>
</tr>
<tr>
<td></td>
<td>25% park entry fees</td>
<td>Ayers Rock Resort, Yulara</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Booderee, ACT (1995)</td>
<td>99-year lease to Cwth</td>
<td>Bush tucker tour</td>
</tr>
<tr>
<td></td>
<td>Annual rental fee</td>
<td>Koori holiday activities</td>
</tr>
<tr>
<td></td>
<td>% of park entry/use fees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Park service contracts</td>
<td></td>
</tr>
<tr>
<td>Garig Gunak Barlu, NT (1981)</td>
<td>Perpetual lease to NT govt.</td>
<td>Safari hunting royalties</td>
</tr>
<tr>
<td></td>
<td>Annual rent $20,000 (1981)</td>
<td>Resort rental payments</td>
</tr>
<tr>
<td></td>
<td>Park entry fees</td>
<td></td>
</tr>
<tr>
<td>Nitmiluk, NT (1989)</td>
<td>99-year lease to NT govt.</td>
<td>Nitmiluk Tours (100%)</td>
</tr>
<tr>
<td></td>
<td>Annual rent $100,000</td>
<td>(boat cruise, kayaks, campground</td>
</tr>
<tr>
<td></td>
<td>50% of park revenue</td>
<td></td>
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</table>
## Joint Management Leases for National Parks

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<thead>
<tr>
<th>National Park</th>
<th>Lease provisions</th>
<th>Aboriginal tourism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Witjira, SA</td>
<td>99-year lease to Irrwanyere Aboriginal Corporation</td>
<td>exclusive park commercial tours</td>
</tr>
<tr>
<td>(1995; ILUA 2008)</td>
<td></td>
<td>cultural guides for all tours</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Aboriginal tourism</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mutawintji Heritage Tours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NPWS Discovery rangers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mutawintji Culture Centre</td>
</tr>
<tr>
<td>Mutawintji, NSW</td>
<td>30-year lease to NSW govt.</td>
<td><strong>Aboriginal tourism</strong></td>
</tr>
<tr>
<td>(1998)</td>
<td>Annual rent $275,000</td>
<td>Mutawintji Heritage Tours</td>
</tr>
<tr>
<td></td>
<td>(must be spent in park)</td>
<td>NPWS Discovery rangers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mutawintji Culture Centre</td>
</tr>
<tr>
<td>Gulaga, NSW</td>
<td>30-year lease to NSW govt.</td>
<td><strong>Aboriginal tourism</strong></td>
</tr>
<tr>
<td>(2006)</td>
<td>Annual rent $210,000</td>
<td>Umbarra Cultural Tours</td>
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<tr>
<td></td>
<td></td>
<td>Umbarra Cultural Centre</td>
</tr>
<tr>
<td>Arakwal ILUA, NSW</td>
<td>3 Aboriginal park positions</td>
<td><strong>Aboriginal tourism</strong></td>
</tr>
<tr>
<td>(2001 &amp; 2008)</td>
<td>$150,000 for traineeships</td>
<td>Karijini Eco Retreat</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Savannah Campground (Gumala Ab. Corporation)</td>
</tr>
<tr>
<td>Githabul ILUA, NSW</td>
<td>4 Aboriginal park positions</td>
<td><strong>Aboriginal tourism</strong></td>
</tr>
<tr>
<td>(includes 8 NPs)</td>
<td>Payments indexed to Sydney CPI</td>
<td>Karijini Eco Retreat</td>
</tr>
<tr>
<td>(2007)</td>
<td></td>
<td>Savannah Campground (Gumala Ab. Corporation)</td>
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</tbody>
</table>
Queensland National Parks & Indigenous Peoples

- Queensland Parks Service (QPWS) now recognises Native Title rights & Indigenous interests in National Parks (75% under claim)
- Indigenous cultural obligations & custodianship rights in National Parks
- 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
- 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


- 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 Ungkunytja 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

• 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

• 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

Tess Atie, owner of NT Indigenous Tours
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
Ecotourism on Indigenous Protected Areas

- 39 declared IPAs cover over 23.5 million ha (1km$^2$-98,000km$^2$) – 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
# Framework for Indigenous Ecotourism

<table>
<thead>
<tr>
<th>Environmental</th>
<th>Economic</th>
</tr>
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<tbody>
<tr>
<td>+ Indigenous environmental stewardship</td>
<td>* Limited capital &amp; equity in tribal areas</td>
</tr>
<tr>
<td>+ Cultural &amp; spiritual values of biodiversity</td>
<td>* Lack of reserve infrastructure &amp; services</td>
</tr>
<tr>
<td>* Preserving environment from harmful use</td>
<td>* Tax status &amp; public funding schemes</td>
</tr>
<tr>
<td>* Subsistence uses of the environment</td>
<td>* NGO funding for ecotourism ventures (e.g. Bama SX, North Qld)</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Cultural/Social</th>
<th>Political</th>
</tr>
</thead>
<tbody>
<tr>
<td>+ Diversity of Indigenous cultures</td>
<td>* Indigenous land rights &amp; resource rights</td>
</tr>
<tr>
<td>+ ‘Traditional’ culture &amp; authenticity</td>
<td>+ * Indigenous councils &amp; organisations</td>
</tr>
<tr>
<td>+ * Intellectual &amp; cultural property rights</td>
<td>+ Indigenous elders, kinship, local leaders</td>
</tr>
<tr>
<td>* Poverty &amp; social issues on tribal reserves</td>
<td>* Access to Indigenous territories (‘title’)</td>
</tr>
</tbody>
</table>

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

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
- Wet Tropics Nature Based Tourism Strategy, QLD, 2000
- Wet Tropics Walking Strategy, QLD, 2001

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

<table>
<thead>
<tr>
<th>Environmental</th>
<th>Economic</th>
</tr>
</thead>
</table>
| *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 | *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 |

<table>
<thead>
<tr>
<th>Cultural/Social</th>
<th>Political</th>
</tr>
</thead>
</table>
| *Recognise ATSI intellectual property rights  
  *Minimise impacts on ATSI cultural sites  
  *Aboriginal products, heritage sites, consultation  
  *Aboriginal heritage & cultural interpretation | *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 |

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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

  - 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 (362km²) & Yawuru Prescribed Body Corporate ILUA 2010 (616km²)
• $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
References


References


