

REFLECTIONS on Country-Based Planning

Dermot Smyth

June 2019

“Well Anyway” Planning

Over many years, in many locations across Australia, I facilitated the engagement of Aboriginal and Torres Strait Islander people in the development of plans for conservation areas, such as world heritage areas, national parks and marine parks, or for particular issues such as turtle and dugong hunting or Indigenous fisheries. During these planning processes Traditional Owners invariably explained to me that they could only speak for their own Country, which frequently meant that several different Traditional Owner groups were involved in developing the plan at hand, and also that parts of their country not included within the plan boundaries received little or no attention during the planning process. Another characteristic of this approach was that planning was typically initiated and led by a single government entity, such as a world heritage, national park or marine park management agency, which limited potential ongoing partnerships with Traditional Owners to that one agency.

Looking back, I was slow to fully appreciate the limitations of this government-led planning approach, which I now refer to as “Well anyway” planning. Which means you engage with Indigenous people who tell you they can only speak for their Country and then you say, “Well anyway, we’re going ahead with planning the pre-determined area (national park, marine park, world heritage areas etc.).

Eventually it became clear to me that while government agencies get (or think they get) what they want from this approach to planning, Traditional Owners are left short-changed, marginalised and disadvantaged by the process. At the end of the process the government agency has a plan for their predetermined area and have engaged with Traditional Owners and other parties of interest to them. Traditional Owners, on the other hand, often having shared their traditional knowledge and expertise, come away with very little: their interests are lumped in with those of other “stakeholders” (including other Traditional Owner groups), parts of their Country lying outside the planning area remain unplanned, and, at best, a single relationship with the planning agency has been established. Furthermore, responsibility (and usually also funding) for implementing the plan lies with the management agency, further disempowering Traditional Owners.

Of course, Traditional Owners have been thinking about, using and planning their respective land and sea estates (Country) for millennia. However, when formal planning processes were developed by governments in the post-colonial era, often in the context of land use or conservation legislation, the geographical and cultural scale of Country was omitted and was rapidly overlaid by other scales such as state and territory boundaries, land tenure boundaries, national parks, fisheries management areas, marine parks etc.

Sea Country Planning

In 2001 I prepared a desktop consultancy report (***Indigenous people and the sea in the South-east Marine Region***) for the Australian Government's National Oceans Office as part of their development of the ***South-east Regional Marine Plan***. My report, and a companion report (***Indigenous Uses and Values in the South-east Marine Region***) prepared by consultants Resource Policy and Management documenting consultations with coastal Indigenous communities and groups along the South-eastern Australia coast, were guided by an Indigenous Working Group comprising members from Sea Country Indigenous peoples from the Region.

I was subsequently invited to provide advice to the National Oceans Office on how best to address issues raised in these reports to be included in the *South-east Regional Marine Plan*. On a flight from Cairns to Hobart, where the National Oceans Office was located, I mapped out a proposal for the development of "Sea Country Management Plans" to be developed by saltwater Indigenous people for coastal and marine areas over which they have cultural responsibility, whether or not their traditional ownership of these areas are legally recognised. Discussions next day with National Oceans Office staff led to a request to develop this idea into a [Discussion Paper](#), to be explored further at a Workshop in Canberra on 22 August 2003. As a result of that Workshop, the National Oceans Office funded the development of two pilot Sea Country Plans – one in Victoria and one in South Australia, with coastal Indigenous group selected on the advice of the Indigenous Working group.

The change in terminology from "Sea Country Management Plan" to "Sea Country Plan" reflect the emphasis on developing a strategic level plan summarising key values, objectives, threats, proposed actions and partnerships, rather than a detailed in ground or on water management plan.

By the time the *South-east Regional Marine Plan* was released in 2004, the [Kooyang Sea Country Plan](#) had been developed by members of the Framlingham Aboriginal Trust and Winda Mara Aboriginal Corporation in South-west Victoria, and the [Ngarrindjeri Nation Yaruwar-Ruwe Plan](#) had commenced in the Coorong region of South Australia – both facilitated by me and my friend and colleague Steve Szabo¹.

The *South-east Regional Marine Plan* concluded that the completion of the South-west Victorian Pilot Sea Country Plan has already demonstrated that such Plans can:

- *Meet the Australia's Oceans Policy commitment to engaging Indigenous people in marine planning at an appropriate geographic scale and across a spectrum of cultural, ecological and economic issues.*

¹ Steve Szabo began his career as a teacher in Western Australia where he worked in several remote Aboriginal communities. He was involved in the early Aboriginal ranger training programs in WA and Kakadu National Park (where he subsequently became Park Manager). While working for the Australian Government's Environment Department in Canberra, Steve was closely involved in the development of the Indigenous Protected Area Program from the mid-1990s. When Steve took leave from the Environment Department to work as a private consultant, he and I enjoyed working together on the two pilot Sea Country Plans and had been looking forward to many years of future collaboration when sadly he passed away aged 49 after a brief illness on the day the *Kooyang Sea Country Plan* was published in 2004.

- *Assist government agencies and other stakeholders to better understand Indigenous people's interests and responsibilities with respect to their Sea Country.*
- *Provide a framework for constructive negotiations between coastal Indigenous groups, government agencies and other marine stakeholders on future use, management and equitable benefit-sharing of marine environments and resources.*
- *Build a more integrated and cooperative approach to marine resource management*

The *South-east Regional Marine Plan* recommended that support for further Sea Country planning should be provided by the National Oceans Office. Further information on Sea Country planning is provided [here](#).

From Sea Country Plans to Country-based Plans

The six pilot Sea Country Plans had all the key features of what I subsequently referred to as Country-Based Plans in my [Guidelines for Country-based Planning](#) of a Sea Country Plan is simply a coastal/marine example of a Country-Based Plan that is initiated and led by one or more Indigenous groups, over an area of land and/or sea for which the group(s) have traditional cultural authority, whether or not their cultural authority is legally recognised. The scope of the Plan is determined by the Indigenous groups themselves, as is the extent (if any) to which government agencies, land holders and other parties are involved in the planning and implementation processes. Experience to date has shown that involvement of these non-Indigenous parties at some stage during the development of the Plan can facilitate productive partnerships that assist with the process of Plan implementation.

“Are we allowed to think like that?”

In my experience one of the biggest challenges in Country-Based Planning can be the development of confidence among the Traditional Owner group that this approach to planning will lead to good outcomes, particularly when most groups have had numerous negative experiences in working with government agencies and others in the past. A degree of confidence is required to embark on what is both a simple and radical approach to planning. Simple because it simply envisages a Traditional Owner group making a plan for their own Country. Radical because it turns on its head decades of Indigenous peoples' experience of being engaged with or consulted during planning initiated and led by government agencies. Country-based Planning is also radical because it often involves developing aspirations, strategies and actions over culturally significant land and/or sea areas for which no legal recognition has been achieved.

During a preliminary meeting in South Australia when I suggested that Traditional Owners could initiate and lead planning on traditional Country they didn't own, one participant asked me *“Are we allowed to think like that?”* It was such a powerful and shocking question, because it revealed both the desire to re-establish an Indigenous voice over Country as well as the constraining colonising of the mind that history and personal experience had delivered. It was also a personal challenge to me: *“Will we bring trouble on ourselves if we follow this path?”* While I couldn't guarantee positive outcomes, I knew that the conventional, government-led approaches to planning generally had not delivered for Traditional Owners, so I felt it was worth taking the risk. My response to the questions was:

“Try and see what it feels like”. Once the planning got underway, the feedback was that it felt good!

Of course, it’s important to understand that there are limits to what the process can achieve. Country-Based Planning doesn’t magically reverse the layers of legislation and tenures that have descended on Country since colonisation. At some point during planning those legal layers and the rights they have bestowed on others have to be brought into the process. However, to envision a future in which Traditional Owners have a voice in and benefit from the use and management of Country it is extremely helpful to psychologically peel back those colonial layers to liberate the imagination of Traditional Owners to “see” how their future on their Country could be.

Comparison with Healthy Country Planning

There are several other non-legislated approaches that seek to place Indigenous people’s rights and interests at the forefront of planning, the most popular of which in recent years has been [Healthy Country Planning](#) (HCP). HCP is a modified form of Conservation Action Planning, introduced to Australia by The Nature Conservancy about a decade ago. HCP has been used extensively to support Traditional Owner governance and management of Country across northern and central Australia, including within the context of Indigenous Protected Areas. While HCP has much in common with Country-Based Planning, my impression is that HCP places greater emphasis on documenting the conservation and biodiversity values of Country, and less emphasis on partnership building, collaborative governance and implementation – which are key features of successful Country-Based Planning. While HCP in coastal areas can include Sea Country, this approach to planning has generally been practiced on areas of Indigenous-owned land, and typically does not include the multi-tenure, whole-of-Country approach used in Country-Based Planning. It would be very valuable to compare the methodologies and outcomes of these two planning approaches, but to my knowledge no such comparison has yet been undertaken.