

# **Aboriginal Perceptions of a Government Consultation Process: A Case Study of the Queensland Regional Forest Agreement Process**

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## **Abstract**

This paper examines the qualitative responses of indigenous informants, identified by the Queensland Environmental Protection Agency, as having been consulted as part of the South East Queensland Regional Forest Agreement Process, to their consultation experience, their aspirations and reflections on outcomes. Using the informants' own words the researchers suggest that informants felt they did not have sufficient capacity to participate effectively in western-based planning systems. We conclude that, despite best intentions, there is an important lack of provision for influence or power, including any legal or administrative institutional framework. We also conclude that there are important institutional and social processes of engagement still to be developed, including ways of engaging the community more widely that has conventionally been done. Suggestions as to more effective processes for community engagement are offered to assist government agencies in achieving a meaningful consultation process with Indigenous communities.

## **Keywords**

Consultation, Indigenous Australians, Regional Forest Agreement, community aspirations, qualitative research

## **Introduction**

This paper provides a case study that focuses on consultation processes and negotiations leading up to the establishment of a Regional Forest Agreement in southeast Queensland. The case study is based on the personal experiences of two senior Aboriginal community members, people who are recognised traditional owners, and thus identified by both their own community and the government as legitimate representatives of the Aboriginal community. We present this case study as a contribution to discussions concerning Aboriginal involvement in environmental management in Australia. While we note that there is a wide literature on the issue of inter-cultural negotiation and consultation in natural resource management (Libesman 1995; Birch 1996; Dermot Smyth 1996), there is little available literature dealing with Aboriginal involvement and forestry management in Australia. Our paper is an empirical contribution to that discussion.

## **Indigenous Australians and consultation**

The 1992 Australian High Court Mabo decision ruling that the Meriam people were entitled to the land of the Murray Islands (Cordell 1993) changed the perception and reality of Indigenous claims and access to land in Australia. This, followed by the 1996 Australian High Court Wik decision, led to

Commonwealth and State governments recognising the need to incorporate native title rights into land ownership and management systems (Crodell 1993; Worboys 2001), resulting in Australian domestic and international laws, policies and recommendations that require natural resource planners and managers to consult with Aboriginal people, particularly if a decision has the capacity to extinguish rights of access (Bates 2002; QG 2002).

Many Australian Indigenous communities have been scattered since European arrival, extinguishing rights to claim areas through urban and rural development. For many communities, national parks and State forests are the only lands that can be claimed under current laws. However, while many communities have lived next to and used these areas, they have been rarely consulted on the decisions leading to gazettal and subsequent management regimes. Participation mechanisms for Indigenous involvement in the management of the wet tropics of North Queensland, for example, are under-utilised and largely unsuccessful (TRSC 1998). Furthermore, Indigenous people often do not have sufficient capacity to participate effectively in western-based planning systems (Lane 1997b; Norrie 2002). This can largely be attributed to the differing worldviews, or schema, of management agencies and communities. Much of the problem is not created with malicious intent, but as a natural consequence of cultural difference.

Despite the recognition of ethical and legal rights, Aboriginal peoples' aspirations have not been served well by many consultative processes (Wolf 1996; TRSC 1998): "there has been much consultation and research on the needs of indigenous people, yet the many consultation processes undertaken have achieved little for communities" (Wolf 1996). Decision-makers tend to overlook, ignore or misinterpret Aboriginal perspectives (Lane 1997a) through the inadequacy of consultative frameworks to represent and incorporate Traditional Owners at a true level of participation and decision-making (Gillespie and Cooke 1998; Lane 1999). The Wet Tropics Review Steering Committee, reporting in 1998, echoed this: "In simple terms, most of the relevant legislation does not allow for Aboriginal people to exert an influence over a management decision above that level of influence that is also available to other interests" (TRSC 1998). The Aboriginal owner's ability to influence decision-makers is central to their aspirations (Lane 1999). Lack of institutional opportunity, however, is only one of many barriers. Indigenous people may have a reduced capacity due to a lack of western-based education, unfamiliarity of the western-based management structures, lack of financial resources and time, and geographical isolation (Gillespie and Cooke 1998; Lane 1999). This can be further compounded by the participation mechanism's inability to accommodate variable indigenous interests, language differences, and alternative social structures (Lane 1997a, 1999; Gillespie and Cooke 1998). It is important to highlight that not all decision-making and consultative processes are unsuccessful; Kakadu is widely regarded as one of the best examples of co-operative management (Lane 1999).

To examine this situation, this case study of the consultation processes prior to and following the establishment of the South East Queensland Forests Agreement, examines the intentions of agency staff charged with consultation and the reactions of participant community members. This case study is based in examination of consultation process documents and in-depth interviews with two key

Indigenous participants in the process. Such a case study falls into the rubrik of Bhabha's 1994 "interstices", the location between cultures in which cultural identity is created during interactions between people of different cultures (Bhabha 1994). Although Bhabha constructs a complex conceptual argument to theorise the nature of cultural identity, our case study provides a valuable practical example of the processes of inter-cultural communication where official bureaucratic and legalistic Western culture interacts, albeit with good intentions, with a dislocated and re-empowering Indigenous culture, on a matter of prime importance to both, relationships with land and country. Bhabha described in great detail the complexity of such an interaction, especially from the perspective of the various parties' construction and expression of identities and aspirations, notably from the perspective of the ways in which emerging redefinitions of identity rely in part on the interactive processes. We will not dwell extensively on the conceptual nature of this complex of inter-cultural processes here, other than to place the following into a contextual basis. However, we will identify and describe the practical forms of cultural interaction, to illustrate the degree of miscommunication possible under such circumstances, and identify possible cultural and social processes that may alleviate this in the future.

### **Methodology**

Primary data collection was via discourse analysis utilising semi-structured interviews (Brenner et al. 1985), with the key informants representing government agencies and traditional owners involved on both sides of the Regional Forest Agreement consultative processes; this was supplemented by a review of the literature and reports related to the Agreement process, specifically to examine alignment between rhetoric and the reality of the client groups aspirations (Arksey and Knight 1999). Two key informants for these interviews were approached with assistance from Queensland Environmental Protection Agency's Planning Actions Branch. This allowed identification of Traditional Owners who, first, participated in the South East Queensland Regional Forest Agreement consultation processes and, secondly, could provide good representation of Traditional Owner perspectives on the consultation process. The key informants, a female (participant one) and a male (participant two), were both in their sixties and are recognised as both elders and traditional owners by their respective communities. This approach is suited to the limited scope of this study, obtaining community perceptions efficiently (Hall 1996). An interview guide was developed (Foddy 1993; Maykut 1994), and participants were sent an information letter outlining the focus of the study and the reasoning for their participation. Interviews were recorded by audio recording and note-taking, and ideas, inferences, insights, hunches and questions were noted to assist the interview, transcription and data analysis (Hall 1996, Maykut 1994). Data analysis was by the constant comparative method (Maykut 1994), using the N6 qualitative data analysis program.

The South East Queensland Regional Forest Agreement Process was chosen as a case study because it was considered by the respective agencies as an exemplar of 'Best Practise' due to the human and fiscal resources and the high political capital invested in the process at the time. The South East Queensland Regional Forest Agreement was developed following a three-year bioregional planning process intended to resolve competing biodiversity, timber industry and other social and cultural uses in the forests of South East Queensland (Brown 2001). Indigenous people have a strong

interest in the this area, with approximately 25 Native Title claims over the study area (RFA SC 1999b) largely over the Southeast Queensland forest crown estates (RFA SC 1999d). The South East Queensland Regional Forest Agreement Process was chosen as it had been promoted by senior Queensland government officers to be one of the most comprehensive Australian public consultation processes: “an extensive consultation framework was established ... Stakeholders have actively participated and have had input into the process design and methods” (RFA SC 1999d).

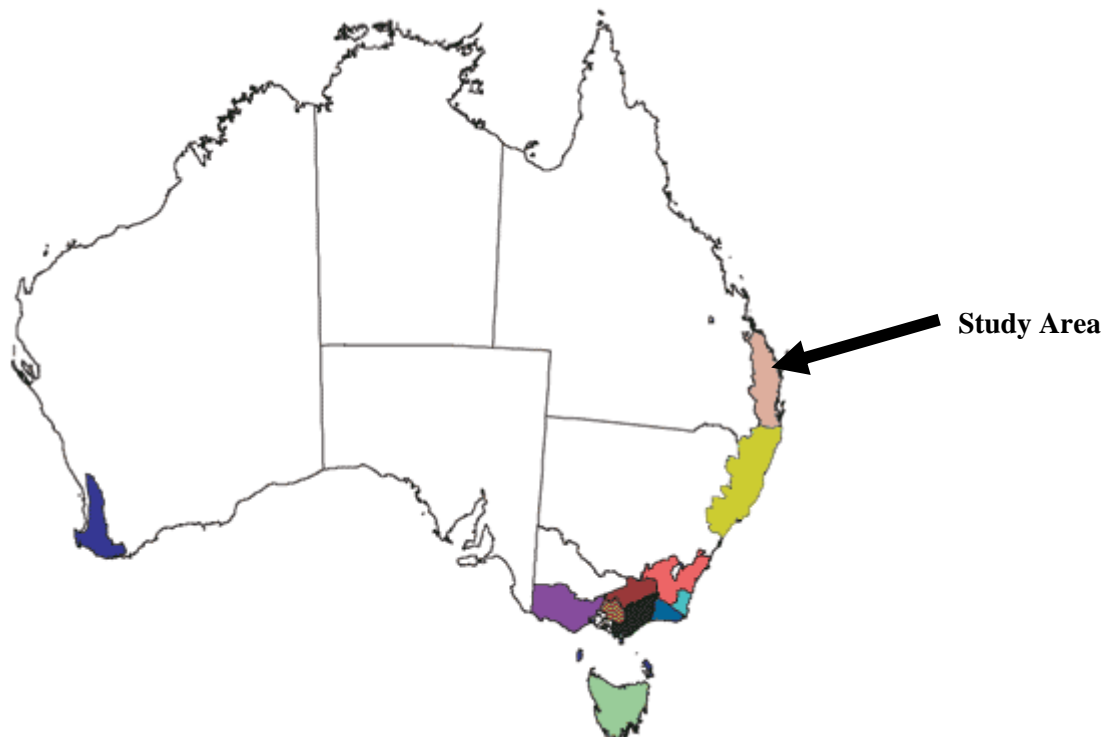
Indigenous people were included in this public consultation process; the Scoping Agreement states that both State and federal governments undertook “to fully consult with Indigenous communities on all aspects of the RFAs consistent with the requirements of State and Commonwealth legislation” (RFA SC 1999b, clause 21). Furthermore, an objective of the Indigenous Social Profile Report for Southeast Queensland prepared as part of the pre- South East Queensland Regional Forest Agreement consultative process was to “identify key issues of concern and interest of six Indigenous communities that have association with forests in the South East Queensland ... Information gathered from this project will be incorporated into the final deliberations on the topic of the development of the options for future forestry operations in SEQ” (Crisp 1999). In Queensland, obligations for Aboriginal involvement range from “having regard for the interests of Indigenous people” to “provisions for joint management”. These obligations are set down in the Nature Conservation Act (1992), the Native Title Act (1993) and the Aboriginal Land Act (1991) (Crisp 1999). Many statutes and policies related to natural resource management contain specific requirements to consult with Aboriginal and Torres Strait Islander people in planning and management processes (QG 2002). Currently the most common form of consultation is through advisory committees.

### **Overview of the South East Queensland Forests Agreement planning process**

The process that led to the development of the South East Queensland Regional Forest Agreement is part of the national planning program known as the Regional Forest Agreement process. While it was intended that an RFA would be signed for South East Queensland (Figure 1), a State-level agreement known as the South East Queensland Regional Forest Agreement was signed as Queensland withdrew from the federal process.

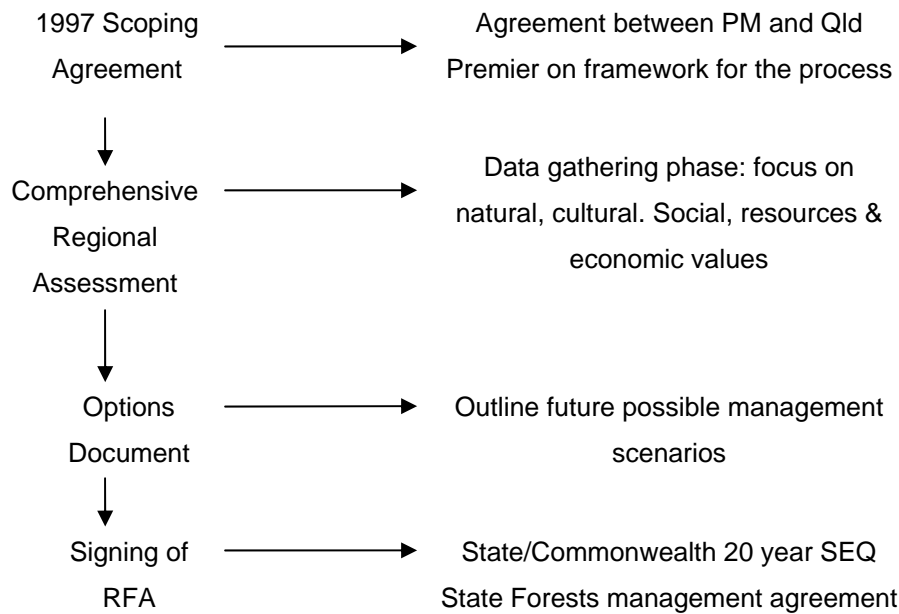
The Regional Forest Agreement process was instigated in 1992, under Australia’s National Forest Policy Statement, as a policy agreement between the Commonwealth, State and Territory Governments aimed at achieving ecological sustainable development and fulfilling Australia’s obligations under the 1992 Rio Convention on Biological Diversity (Brown 2001). Key to the Policy Statement approach are 20-year intergovernmental Regional Forest Agreements between the Commonwealth and State governments (RFA SC 1999d), aimed to balance conservation and enduring use for economic production and recreation (DAFF 2003). In 1997, the Prime Minister and the Premier of Queensland signed a Scoping Agreement (RFA SC 1999c), identifying a framework for the development of the Forest Agreements (Figure 2). The first stage was a Comprehensive Regional Assessment focusing on the social, economic and environmental values of the area (RFA SC 1999c). The assessment comprised over thirty projects to develop an options document and subsequent negotiations (RFA SC 1999c). In May 1999, an options document, *Towards a South East Queensland*

*Regional Forest Agreement: Directions Report*, outlined possible forest management scenarios for community debate and public comment.



**Figure 1. Regional Forest Agreement Areas indicating the study area study area**

If the process had followed its intended path (Figure 2), the Commonwealth and Queensland governments would have negotiated an intergovernmental agreement (RFA SC 1999d). However, approximately half way through negotiations, environmental non-government organisations and the timber lobby presented the Queensland government with the basis of an agreement that subsequently became the State Government's position (Brown 2001). In February 2000 the (Commonwealth) Prime Minister informed the State Premier that this agreement was fundamentally inconsistent with the national policy, and the Commonwealth refused to sign (Brown 2001), resulting in a State-level conservation–industry–government agreement signed on 16 September 1999, known as the South East Queensland Forests Agreement (Brown 2001). Under this agreement, the timber industry opted to vacate public native forests over 25 years, and expand the use of existing and future timber plantations (Brown 2001). No reference was made to Aboriginal interests or aspirations within this agreement.



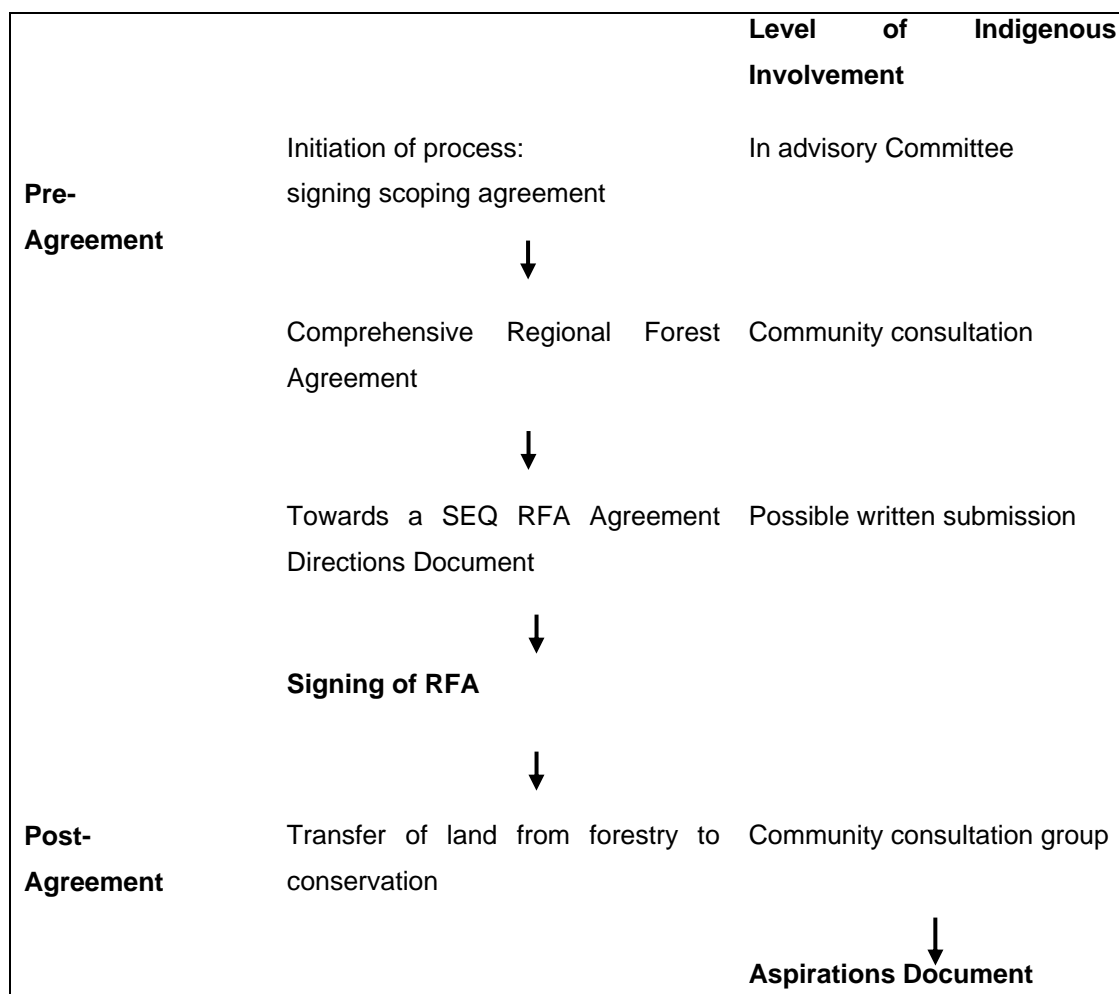
**Figure 2. The intended path of the South East Queensland Regional forest Agreement (adapted from Crisp and Talbot 1999)**

### **Indigenous consultation associated with the South East Queensland Regional Forest Agreement**

The South East Queensland Regional Forest Agreement planning process provided a significant opportunity to meet social justice obligations and address the disadvantages caused by past policies of dispossession and exclusion. Indigenous people of Southeast Queensland are socio-economically disadvantaged, having a lower income, higher rates of unemployment and lower levels of education when compared with the total population (Crisp 1999). Pre-Agreement consultation involved Indigenous interests by Native Title representative bodies participating on various advisory committees; Indigenous communities consulting through two Comprehensive Regional Assessment projects; and written responses being received for the options document. The Native Title representative bodies negotiated and received funding in mid-1998 to undertake cultural heritage and social profile projects as part of the Comprehensive Regional Assessment (RFA SC 1999b). Two projects involved consultation with the Indigenous community, the South East Queensland Indigenous Cultural Heritage Management Guidelines Project, and the Indigenous Communities Issues and Social Profile Case Studies Project. The information from these studies was to be incorporated into the deliberations for the options document and the subsequent SEQ RFA agreement (Crisp 1999).

The main outcome of the Indigenous Cultural Heritage Management Guidelines project comprised practical conservation principles and guidelines for improving the protection and management of Indigenous cultural heritage places and values (RFA SC 1999a). Guided by the Cultural Heritage Steering Committee and overseen by the Environmental and Heritage Technical Committee (RFA SC 1999a), this study developed these guidelines through two rounds of community consultation seminars at twelve locations, facilitated by government officials and Native Title Representative Bodies contracted sub-consultants (RFA SC 1999a). Attendees and Native Title Representative

Bodies representatives included Traditional Owners and other Community members with historical or social connections with the land (RFA SC 1999a). The first round of seminars discussed consultative protocols and identified concerns about future forest management (RFA SC 1999a); concerns and protocols were developed in the second round into guiding principles (RFA SC 1999a).



**Figure 3. The consultation process associated with the South East Queensland Regional Forest Agreement**

Despite the intentions, the Traditional Owners seem to have had little knowledge or understanding of the pre-South East Queensland Regional Forest Agreement consultative process. In reference to whether they could remember the consultation, Participants One and Two commented, respectively, that (participant one) "... we did not know about that until we went up there and everybody was totally stunned, and said 'what are you talking about'. Then we saw the agreement, with the minister and ... the premiers ....I don't know really what the purpose of the thing was"; and (participant two) "I don't know, I have never seen the agreement, ...., I know that something was put up". It is interesting to note that Participant Two was identified as participating in the process in the Indigenous Social Profile Report for the Forest Agreement (Crisp 1999). It is possible that Participant Two was involved in this consultation process, or spoken to in passing, without actually knowing or understanding its purpose or the context of the conversation or meetings held.

The Indigenous Community Issues and Social Profile Case Studies project did, however, provide a baseline assessment, identifying potential social impacts on South East Queensland Indigenous communities from the RFA process. A case-study approach was adopted, and six townships/areas (Woorabinda; Cherbourg; Hervey Bay; Glasshouse Mountains; Githabul traditional lands; and Beaudesert) were selected by the NTRB (Crisp 1999). Data collection included consultation with Indigenous people from these communities using local community forums, face-to-face interviews, phone discussions, and community meetings (Crisp 1999). There was additional opportunity for Indigenous involvement through the release of the *Towards a South East Queensland Regional Forest Agreement: Directions Report* (RFA SC 1999b); this report sought public feedback via written submissions (Brown 2001).

The meeting of Indigenous aspirations, through increased involvement in conservation and forest decision-making, has been noted as a means of addressing this disadvantage (Lane 1999; QG 2002); the Indigenous Social Profile Report also states that increased involvement is a mechanism to help improve the lives of Indigenous people in South East Queensland (Crisp 1999). This did not happen as the pre-Agreement consultation process failed to meet the aspirations of Traditional Owners: it contained no reference to the rights, aspirations and interests of Indigenous people. To illustrate this point, Recommendation 1 of the Indigenous Social Profile Report states that “The Queensland and Federal Governments provide an institutional role for Aboriginal people in forested area. A legally binding Process Agreement between the Queensland Government and the NTRBs which outlines a process for local negotiations about both tenure and management ...”.

With the withdrawal of the Federal government, the State Government’s responsibility to consider Indigenous rights and interests are not diminished. Indigenous aspirations were documented and available to the government as part of the process where Indigenous people’s opinions were sought through representatives from the NTRB participating on advisory committees and community consultation as part of the Comprehensive Regional Assessment projects. Nevertheless, there was still no power given to Indigenous people in decision-making that would have assured the meeting of their aspirations.

### **Post-Agreement consultation**

Post-Agreement consultation was undertaken because the signing of the South East Queensland Regional Forest Agreement resulted in the immediate conversion of an estimated 425,000 ha of State Forest, Timber and Land Act Reserves to conservation reserves, now managed by Queensland Parks and Wildlife Service (EPA 2003). As part of the process in determining suitable land tenure, non-commercial interests and user groups, including Indigenous people, were consulted through Community Consultation Groups (Cate Melzer 2003, pers. comm.). Parallel consultation specifically for Indigenous people addressed issues considered either too sensitive or too broad in scope for the Community Consultation Group meetings, and Indigenous working groups were established to document the Aboriginal community’s aspirations (Fiona Norrie 2003, pers. comm.).

Twenty-two Community Consultation Groups, focussing on single or group forest reserves (EPA 2003), had three roles: a predominately advisory role to the Minister on future protection status of reserves; input to future management; and as a forum for interest and user groups to share perspectives and establish relationships (Cate Melzer 2003, pers. comm.). The Indigenous consultation within this process was somewhat flexible; Traditional Owner Groups could participate within these Community Consultation Groups through representatives, in a Traditional Owner Forum open to all Indigenous people, and/or by other methods that met their needs (Cate Melzer 2003, pers. comm.). Participant One felt that the Community Consultation Groups allowed sharing of information, development of networks with community and government, and opportunity to learn about governments and negotiation: "We got to get a list of names to the EPA mob in Maroochydore, cause they said they'd have jobs there. Might not be full time but there's all different jobs that will be going, and they would like to see the Traditional Owners involved."

Our interviews highlighted that Indigenous participants on these committees believe their motivations may not be fully understood or may be confused by non-Indigenous members, driven by a fear of loss of land through a misinterpretation of native title provisions. These misunderstandings were not restricted to Traditional Owners. Participant One noted:

"Like I said before, it is not just the community, its people in government ... They think you know, as soon as they hear Traditional Owners or anything, they think, 'what do they want'. ... But, um, it was a learning curve for all of us and the non-Indigenous users, they were finally pleased to, sort of sit down, and talk to the Traditional Owners, .... Like I said, as soon as you mention native title, people sort of say, 'ah yes, they're coming to take over my land', but it is not you know. It is just being recognised as the Traditional Owners of that country."

Furthermore Participant One felt that the groups built up a working relationship with the community and governments that helped overcome misconceptions and possibly assist her group in promoting their aspirations. This view was not shared by Participant Two:

"We had pretty good consultation with... the community groups. ... To start with they were sort of thinking, oh you know, we got to meet with these people (Mick Alderson). I don't think in racist sort of way, but they sort of thought ah what was going to happen here, are they going to stop us using it all together. ... We learnt from them and they learnt from us, hopefully. ... They see us now not as a threat, but as people they can work with. So that's helped a lot in the community."

In response to a question asking what the participants got out of the process, Participant One commented:

"We made contact. If we want to do something we know that, well we can go this one and say look we are hoping to do this what do you think? And stuff like that. Got to know people better, we felt good that, my family felt good, we rather sit there and talk and do this management plan, we thought this is real break-through. Not just for us, but for the community as well, and yeah we learnt a lot I think, we learnt a lot. They learn from us. ... We build up a working relationship with the different Shires..."

This participant also highlighted that there was not a similar feeling at all the meetings, commenting, “No, the Noosa one, we did not feel welcome at all, we felt really out of it there. ... we had a couple of rough necks there”. She also thought the people from government were helpful and listened to the Traditional Owners, with one exception: “All of them, yeah, I reckon that they were good, except one little woman there, but we straightened her out. She basically came in from National Parks and said you are going to do this ...”. Participant One was also positive regarding outcomes achieved by the meetings, but highlighted the need for follow up:

“Um, I felt the outcomes that we got we really need to do a follow up, we really need to do that, and just to see how everybody is going and if everybody is in the same frame of mind and let ‘em know about this document [the *Aspirations Document*, discussed below], you know. We are looking at possibly setting up another meeting with the community just so we can touch base with them.”

Participant Two, in contrast, had a significant distrust and cynicism towards the government and a lack of confidence in the process and its outcomes:

“Mate, they haven't listened to us since they arrived here. The only thing us black fellas never did, we didn't take out a policy on boat people back in, 1778. If we had of, we wouldn't have been in the problem we are in today. ... See governments are structured to give you the run around. I've been in the army; I have been buggerised around by bloody professionals. But I tell you what, the State Government, you can take your hat off to them. They do better than the army.”

A question on how Participant Two found the meetings elicited a concern that even though all groups may agree, and the government supports this decision at the time, such decisions may not have durability:

”Ah, I thought they were all right, for the people at the time who needed to know something with the forestry. But you see the hidden agenda is this. If they get and sit down and let all these people, motorbike riders, backpackers, all of these people, make a decision, sit down and agree to it. Then the government goes back and says we've got all their support. So we can go ahead. ... And see that's what's happened with the forestry. ... no government guarantee to say that this is how it's going to be for a 100 years.”

Participant Two was also significantly concerned about what he termed the hidden agenda; the Regional Forest Agreement extinguishing native title rights of Traditional Owners:

“I can see again, there's a hidden agenda in these things when it comes to land. See some of this forestry... should be held till the leases run out, we shouldn't be putting tenures on them now. Because a lot of this land is crown land... Crown land is supposed to come back to native title. ... I think again, you know black people are being led up the garden path... crown land according to the rules and regulations that was made by the people in government in Canberra, said that any crown land, would become under native title. So what their doing is that they're taking this crown land away from us.”

A parallel consultation process associated with the development of *Aspiration Documents*, aimed to identify and capture detailed issues raised in the Community Consultation Groups (Fiona Norrie 2003, pers. comm.). Representatives from relevant Land Councils and a small team of Environment Protection Authority and Queensland Parks and Wildlife Service staff assisted. The central concept was that Traditional Owners have ownership and control over the process and distribution of the product: the documents were produced by Traditional Owners, for Traditional Owners. The development of the Aspirations Document was considered by the Participants to be a positive thing, with both optimistic about its outcomes:

“We’ve got a good chance of seeing some of this stuff come to light, you know, but we’ve got to put a lot of work into it, as Traditional Owners.” (Participant 1)

“I think a lot of stuff is going to come out of it. ... This thing here [the Aspirations Document] was a good thing because they actually came down to the people, not asking people who working in there, saying yes sir, no sir. They spoke to the Traditional Owners” (Participant 2)

The consultation consisted of three to four meetings with five working groups, open to all Indigenous people with an interest in the area under discussion. Consultation topics were not limited to Queensland Parks and Wildlife Service business, and Traditional Owners were free to guide discussions. A draft document summarised the first meeting, and discussed and finalised in subsequent meetings. Despite the breadth of discussions, there was a feeling that the consultation could be better targeted and not fall onto only a few individuals; Participant Two felt that the Elders are over-consulted, and this placed burden on them: “We just got tired of people asking us the same questions. ... But we do a lot of that in the consultation stuff. We spent a lot of time and our own resources”. The representatives appeared to be confused regarding the role of the consultation and decision-making frameworks; the Community Consultation Groups were, for example, perceived to be for development of management plans. This is a significant confusion as the actual role of the Community Consultation Groups was to advise on land tenure allocation which had the potential to impact on Native Title.

“And we actually meet with the community, the community that uses the parks now, like the bike riders, the bushwalkers, the bird watchers, the beekeepers and that. So we were meeting with them and we came up with a management plan.” (Participant 1)

The Indigenous aspirations identified through the Agreement consultative processes can be summarised as in the following list.

- A legally-binding agreement such as an Indigenous Land Use Agreement, with governments and other parties, as a means of strengthening social and economic position (RFA SC 1999d)
- Greater involvement by people from country in forest and conservation management decision-making bodies, to ensure protection of country (RFA SC 1999a; ATO 2003)
- Long-term employment and training for Traditional Owners in forest and conservation management (RFA SC 1999a); ATO (2003)

- Protection of cultural places on private and public land, including the protection of cultural information and the rights of the people who hold that information (RFA SC 1999a)
- Guaranteed access for appropriate people and Aboriginal control of these access policies (e.g. hunting and cultural purposes) (RFA SC 1999a).

While the consultation process engaged key individuals within communities, such as our key informants, it was felt that consultation within communities failed to empowered key sub-groups. Both key informants interviewed in our work expressed concern about the need for engagement with young people, which demonstrates the complexities associated with Indigenous consultation. They felt their young people had lost culture and that their views are being ignored. When consulting with older people, the process effectively excludes a significant portion of the population. Indigenous communities are characterized by a high proportion of young people, and conversely, a small proportion of older people (Crisp 1999). Involvement in consultation processes such as the South East Queensland Regional Forest Agreement, as Participant One suggested, may ensure that all Indigenous perspectives are included and be a way of bringing young people back to their culture:

“Our young people need to learn to go back to their culture, they've lost a lot of it. We need to, and this might be way of doing it, taking them back to country and saying, you know, this is what it is all about. ... I would get some of the youth involved in a meeting like we had, and get their views, I mean they may have totally different views to their elders, or to me, or you know to the ones who did the Aspirations Document.”

## **Conclusion**

“This thing here [the Aspirations Document] was a good thing because they actually came down to the people, not asking people who working in there, saying yes sir, no sir. They spoke to the Traditional Owners.” (Participant 2)

Despite the positive views expressed by the Traditional Owners, both the Community Consultation Groups and the Aspiration Documents are, in reality, no closer to fulfilling aspirations for engagement than the pre-Agreement consultation process was. In both cases, the opinions and aspirations are expressed and documented. However, there was, importantly, no provision for any real influence or power that would ensure that Indigenous aspirations could be met.

In the instance of the Community Consultation Groups, the decision-makers, as in the pre-Agreement consultation process, could only consider Indigenous aspirations regarding the determination of land allocation and possible future management. Although quite different, the same issue still exists for the Aspirations document, where decisions-makers will only use the document as a guide, considering Traditional Owners views along with many other (non-Indigenous) stakeholders in the natural resource allocation debate. While Indigenous aspirations may be incorporated, this relies on the good will of those in power. There is no legal or administrative institutional framework established to guarantee the implementation of these aspirations: Sean Sandow (cited in Crisp and Talbot 1999) commented that “we are annoyed at constantly having to deal with junior staff ... We would like to be taken seriously by decision-makers.”

The Indigenous Social Profile Report for the Regional Forest Agreement states that “there are still major institutional impediments for Aboriginal people to have effective input in managing traditional forested lands, even though laws have been established which recognise customary rights to own and manage land” (Crisp 1999). This failing is consistent with issues highlighted in the literature (Lane 1999; TRSC 1998), which, when combined with the interviews, illustrate that the western-based institutional structures are not the only impediments to effective participation and meeting of aspirations. The interviews also supported literature that indicates that the effectiveness of Traditional Owner participation is hindered by a lack of resources and understanding of management and decision-making structures (Gillespie and Cooke 1998; Lane 1997b, 1999).

One important conclusion to arise from this work is that Traditional Owners need a legal or administrative mechanism to either negotiate or control the implementation of their aspirations. Without this mechanism of power, Indigenous aspirations will be lost in the many other influences placed on decision-makers. The Indigenous Social Profile report for Regional Forest Agreement suggests one possible model (Crisp 1999):

“A process Agreement between the NTRBs (Native Title Representative Bodies)(Cordell 1993) and governments is possible through NTA (Native Title Act). Such a process would give institutional recognition to Aboriginal people and enable local Aboriginal people to negotiate legally binding agreements for effective input into managing forestry activities and protected areas.“

Key processes could, in particular, be the Aboriginal majority Board of Management’s ability to influence decision-makers, the inalienable freehold title recognising Traditional Ownership, and the lease agreement, which provides power to the Traditional Owners. It is important that this is where further studies and resources are directed, and it seems that developing and putting in place politically and culturally appropriate institutional models has the best opportunity to better meet Indigenous aspirations in such areas as South East Queensland.

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