Crown and Country:
Negotiating the One Space

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The concept of ‘Country’ is central to Aboriginal culture and has sustained the Quandamooka Peoples (the Quandamooka) of South East Queensland (SEQ) for 40,000 years. On 4 July 2011, the Federal Court of Australia determined that 54,500ha of exclusive and non-exclusive Native Title rights over land and waters, occupied continuously and managed sustainably by the Quandamooka Peoples, be legally vested in these Peoples. This formal recognition, of tenure under Australian law, marked an important milestone for the Quandamooka, and offered the opportunity to re-assert Quandamooka lore, customs, culture and sovereignty, over these lands and water, which are pillars to the concept of ‘Country’. Today, two Indigenous Land Use Agreements (ILUAs) operate in Quandamooka lands and waters, assisting parties to negotiate future actions through a complex multi-layered planning system, all of which affect ‘Country’. Achieving these outcomes may require the incorporation of ‘Country’, as a traditional planning framework, into this Eurocentric planning system. Thus, embedding Quandamooka recognised title rights and interests into conventional local land use planning frameworks to align and maximise land use planning outcomes that benefits the local community, particularly Traditional Owner groups. In a narrative summary, this paper examines and reviews the major land title transitions of Quandamooka ‘Country’ and identifies a possible role that ‘Country’ can play in innovating a new way of addressing Indigenous values of ‘Country’ in the Australian planning system.

Keywords — Country; Quandamooka; land use planning.

INTRODUCTION

In Australia, the pan-Aboriginal philosophy for existence is a world away from Eurocentric mindsets and is understood through 'The Dreaming', which itself is a vague non-Aboriginal term that may diminish the core theme of a traditional based Aboriginal reality (Hume 2002). Under this philosophy, in the beginning, the spiritual ancestors created all landscapes, animals, Peoples and knowledges which are connected through a multi-layered network of reciprocal relationships. The Dreaming is holistic, forever in time and the land is part of the Peoples and Peoples are part of the land (Weir, Jstor et al. 2012), but it is not a generic term applied across Aboriginal Nations to describecreationism. The term, ‘Country’ is used by Aboriginal Peoples as an expression and identifier that embodies the relationship with ancestral homelands and the multi-layered relationships with mob, kin community, spirits, foods, language, animals, songs, stories and ceremonial places that belong to those homelands. Essentially, ‘Country’ links to everything that upholds Aboriginal Peoples and culture (Gammage 2012, New South Wales Government 2018). Aboriginal culture permits that ‘Country’ is to be loved, needed, nourished and nurtured in its central role to guide continuation of the Dreaming. In return, ‘Country’ loves, needs, nourishes and nurtures Aboriginal Peoples and communities and all other living things (Kwaymullina 2005).

Quandamooka ‘Country’ is located in South East Queensland (SEQ). It possesses traditional boundaries that extend from the mouth of the Brisbane River then north-east to Mulgumpin (Moreton Island), south past Minjerribah (Stradbroke Island) to Southport (Gold Coast) then north along the mainland coast to the mouth of the Brisbane River, taking all the southern bay islands and a small ribbon of coastal land. Since the beginning of Quandamooka Dreaming, the Quandamooka Peoples have understood their sovereignty, ancestral boundaries and practiced their distinct culture which is indelibly linked to an obligation to ‘Country’, which underpins a system of cultural knowledge and values to sustainably manage, adapt and exist in the environment (QYAC 2017), a blueprint for ‘Aboriginal community planning’. This blueprint pre-dates any modernised version of sustainability principles and has remained unchanged in the spirit and minds of the Quandamooka Peoples, who are the Nugihi of Mulgumpin and the Nunukul and Goenpul of Minjerribah (Peacock 2002).

Today, the three clans are attempting to continue to practice traditional culture and the management of lands and waters throughout the Quandamooka estate within the modern collaborative planning paradigm. However, current Quandamooka co-management of their lands and waters with various governments has come at considerable cost and at the behest of a Eurocentric land use planning system which is not yet fully appreciative of Aboriginal Peoples traditional obligations to ‘Country’ and cultural values systems (Cole-Hawthorne, Jones et al. 2015). Under representation of Aboriginal values systems in land use planning systems is exacerbated further when Aboriginal traditional owners (TOs) commence their navigations of the Australian planning systems with little knowledge or experience in the field and through under representation as a major stakeholder.

The ability for Aboriginal communities to participate in land use planning matters is again threatened by requests to surrender native title rights by extinguishment (even without an approved claim) and forego any longer term economic benefits (Sanders 2016) or by discriminatory policy which threatens to close down remote communities which are deemed by government intellect as merely a subsidised ‘lifestyle choice’, as described in 2015 by then Prime Minster Tony Abbott (Griffiths 2017).

This paper seeks to demarcate major transition periods in relation to Quandamooka Peoples rights to manage lands and waters and current efforts to restore those rights. Examples are given which demonstrate how the concept of ‘Country’ can be incorporated into land use planning and suggests future options to increase inclusion and appreciation of Aboriginal community planning values in the planning discipline.

METHODS

This research is part of an ARC Linkage project entitled ‘Being On Country, Off Country’ (LP150100379). The overarching aim of this project is to validate and value the relationships with ‘Country’ for unique urban and peri-urban Aboriginal populations. This research has a regional level focus on Aboriginal Peoples residing in the urban and peri-urban footprint of SEQ. In comparison to rural and remote Aboriginal communities, the SEQ region is chosen for its significant urban Aboriginal population in terms of the rapid growth and diverse contemporary Aboriginal mixed-resident community. As one of three Aboriginal TO groups with recognised native title rights in SEQ, the Quandamooka Peoples were chosen as a case study due to their unique geographic location and significant levels of land use planning activity and organisational ability of the Quandamooka Youoolburraa Aboriginal Corporation (QYAC), which is the Registered
Native Title Prescribed Body Corporate (RNTBC) of the Quandamooka Peoples. Recent participation observations at the QYAC Land and Sea Management Committee are included to supplement the narrative.

To demarcate major transition periods in relation to Quandamooka Peoples rights to manage traditional lands and waters, three images are provided to assist visualisation and understanding of the land use management associated with the three selected transition periods. As an attempt to complement Indigenous research methodologies and the need to maximise Aboriginal views in research about planning in Aboriginal communities, the first transition period literature derives only from Quandamooka oral history or scholarly publications by a Quandamooka descendant. The second and third transition periods incorporates both Aboriginal and non-Aboriginal literature.

The first transition period provides a very brief account of the original system of sustainable land use planning and management of the Quandamooka estate. The second transition period briefly describes the systematic removal of Quandamooka rights to lands and waters and the imposed Eurocentric and extraction focused land use planning and resource management objectives of the British. The third transition period summarises the Quandamooka Peoples successful native title claim, negotiation of two Indigenous Land Use Agreements (ILUAs), planning instruments developed by QYAC, relationships with government and new claims to expand native title rights within the traditional Quandamooka estate. To conclude, a brief set of suggestions is offered that may assist to guide increased understanding of the concept of ‘Country’ and how Aboriginal TOs, planning professionals and governments can approach and practice the incorporation of ‘Country’ into land use planning frameworks.

**Creation To 1802 – Quandamooka Sovereignty To Terra Nullius**

![Figure 1 - Quandamooka 'Country'. Image Source: (Google Images 2017)](image1)

In the beginning, the Dreaming’s of the creator spirits – Kabool (the carpet snake) and Buangan (the dolphin) – created the landscapes of Mulgumpin, Minjerribah, smaller scattered islands and southern Moreton Bay for the Quandamooka Peoples, comprising their land and sea estate (Martin and Mirraboopa 2003). Quandamooka ‘Country’ is illustrated using a satellite image at Figure 1 and sketch at Figure 2.

After creation, the famous Quandamooka poet, Oodgeroo Noonuccal asserted,

“... he (the creator) then gave our ancestors knowledge to pass on through learned and natural expression the ways and means of existence without having to defeat his gifts.”

(Martin and Mirraboopa 2003)

This assertion grounds the existing values system and reciprocal relationship between Quandamooka, ‘Country’ and the Quandamooka Peoples and includes the laws to be adhered to within their traditional land boundaries. These laws include the long-term sustainability of resources for future generations of Quandamooka Peoples. Karen Martin, a Nunukul woman expands,

“... Country is not only the Land and Peoples, but is also the Entities of Waterways, Animals, Plants, Climates, Skies and Spirits. Within this, one Entity should not be raised above another, as these live in close relationship with one another. So, Peoples are no more or less important than the other Entities.”

(Martin and Mirraboopa 2003)

Early Quandamooka land use planning and management is evidenced through the personal histories provided by Nughi-Quandamooka Elders, Uncle Bob Anderson and other Quandamooka Elders, which were passed down by Elders before them through oral teachings and ceremony. According to Uncle Bob, the Quandamooka Peoples resided in homes constructed of natural materials and were designed to withstand harsh climatic events and seasonal weather patterns (Peacock 2002).

The homes were positioned above the beach areas to maximise casual surveillance of the pristine surrounds, access to shaded areas and at a desired elevation to permit intra and inter-island communication using fire beacons. In several small village clusters that were spaced at one or two kilometre intervals across Mulgumpin and Minjerribah, up to twenty TOs resided together per cluster according to clan, kin and the Jandai and Gowar language groups (Peacock 2002).

Uncle Bob speaks of the network of pathways which connected the cluster villages and islands to allow for regular visitations and trade between the Nughi, Goenpul and Numukal and nearby groups residing on the mainland. These same pathways connected to areas designated for agriculture, hunting, aquaculture, ceremonies, burials, manufacturing, gendered spaces and general recreation (Peacock 2002), as illustrated in parts, using a sketched traditional map of Quandamooka ‘Country’ at Figure 2.

Combining the values inherited from the creators and the evidence from Quandamooka Elders, it remains clear that the Quandamooka Peoples were practicing sophisticated and sustainable land use planning and resource management for thousands of years to achieve their vision of a planned utopia which sustained ‘Country’, until the arrival of the British.

**1803 To 1980S – Colonisation, Governments, And The Pathway To Native Title**

In 1803, the Quandamooka Peoples first encountered the British colonisers (Peacock 2002) when an expedition led by Mathew Flinders went ashore briefly on Minjerribah near Cylinder Beach in search of fresh water (Walker 1998, Peacock 2002).
In 1824, European land use activities commenced on Minjerribah when colonial Surveyor-General John Oxley visited Pulan Pulan (Amity Point). This place became the site for Moreton Bay’s first Pilot Station to enable the guidance of boats and ships through the heads and shoals of the Bay into the Brisbane River (Redland City Council 2006). Technically, the Pilot Station is the first British settlement on Minjerribah. In 1827, colonial Governor Darling renamed Minjerribah to Stradbroke Island in honour of the son of the Earl of Stradbroke in County Suffolk, England (Redland City Council 2006). At this point, it is fair to assert that the transition of rights to land and water for Quandamooka Peoples was now under the British doctrine of colonisation and lie of ‘terra nullius’.

Soon after, at the behest of a foreign land tenure system for the purposes of establishing and supporting the Moreton Bay penal colony (Brisbane), a series of intensive and invasive land use, fishing and extractive resource activities commenced which began to erode traditional and peaceful Quandamooka society and rights to the management of ‘Country’ (Redland City Council 2006).
Table 1 – British colonial land use in Quandamooka Country 1827 to 1950

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Likely Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>1827</td>
<td>Establishment of a settlement and causeway at Dunwich as a loading/unloading depot, which is still used by the Stradbroke ferries</td>
<td>Land resumption</td>
</tr>
<tr>
<td>1828 - 1829</td>
<td>Attempt to establish a cotton plantation at Moongalba (Myora)</td>
<td>Land resumption and intensive water use</td>
</tr>
<tr>
<td>1831</td>
<td>Dunwich settlement repurposed as a timber depot. A series of violent clashes between Quandamooka Peoples and Europeans at Dunwich</td>
<td>Timber extraction industry on Minjerribah</td>
</tr>
<tr>
<td>1840</td>
<td>Government completes land surveys of Stradbroke and Moreton Islands and the coast from Southport to the Brisbane River</td>
<td>Government intent to increase control over land</td>
</tr>
<tr>
<td>1843 - 1846</td>
<td>Passionist missionaries set up a mission at Dunwich to convert Aboriginals from practicing culture</td>
<td>Intent to limit Quandamooka Peoples from practicing culture</td>
</tr>
<tr>
<td>1847</td>
<td>After a pilot station was opened on Moreton Island, all Nugbi Peoples from Mulgumpin were moved to Minjerribah</td>
<td>Removal from lands for colonial purposes. Possible inter-clan issues from overcrowding.</td>
</tr>
<tr>
<td>1850</td>
<td>Dunwich became Moreton Bay’s quarantine station.</td>
<td>Public health threat for Quandamooka Peoples</td>
</tr>
<tr>
<td>1853</td>
<td>Dugong oil industry underway and employs Quandamooka Peoples</td>
<td>Over fishing of Dugong</td>
</tr>
<tr>
<td>1859</td>
<td>Construction of planned benevolent at Dunwich, which opened in 1866 and closed in 1946</td>
<td>Large scale land use and increase of non-Aboriginal population</td>
</tr>
<tr>
<td>1865</td>
<td>Quandamooka Peoples employed as labourers, domestics, nursing assistants and farm workers.</td>
<td>Limited time to care for Country, distracted from cultural access</td>
</tr>
<tr>
<td>1876</td>
<td>Moreton Bay Oyster farming commences</td>
<td>Disruption to Moreton Bay ecosystem</td>
</tr>
<tr>
<td>1886 - 1889</td>
<td>124 residential land allotments became available at Amity</td>
<td>Large scale residential impacts</td>
</tr>
<tr>
<td>1889</td>
<td>The Bribie Island Aboriginal Mission open and Quandamooka Peoples are forcibly moved to Bribie</td>
<td>Removal from Country</td>
</tr>
<tr>
<td>1889 - 1893</td>
<td>The Provisional School for Aboriginal Children opens at, Dunwich, is moved to Bribie Island and then returned to Minjerribah at the Myora Moongalba Mission</td>
<td>Aboriginal children learn European culture and less of Country and Culture</td>
</tr>
<tr>
<td>1893</td>
<td>50 acres gazetted for Myora Mission on Minjerribah. Bribie Islander mission closes, some Aboriginal Peoples returned to Minjerribah and others to Cherbourg.</td>
<td>Displacement and abuse of Quandamooka Peoples and many died from introduced illness</td>
</tr>
<tr>
<td>1897 - 1977</td>
<td>Aborigines Protection Act based on isolating Aborigines</td>
<td>Aboriginal Peoples locked up and displaced in missions across the State of Qld – destruction of many Aboriginal societies</td>
</tr>
</tbody>
</table>

Three very sizeable and modern townships developed over time on Minjerribah respectively at Dunwich, Amity and Point Lookout; the sites of earlier European land use activities (Walker 1998). Interestingly, the three communities are at distances of approximately 20km and developed in small clusters; a similar pattern to earlier Aboriginal communities on Minjerribah and modern roads throughout Redlands City evolved from traditional tracks of earlier Quandamooka Peoples (Walker 1998, Redland City Council 2018). Concurrently, the Myora Aboriginal Mission also grew and was largely dominated by the local Quandamooka Peoples. This was advantageous because unlike other Aboriginal missions in Queensland where TOs and their societies were decimated by the impact of European settlement, the Quandamooka Peoples were not overly displaced. A level of economic independence and community cohesion with links and residence on ‘Country’ was maintained. The Quandamooka Peoples maintained their unique identity and sustained their Dreaming and social values, despite being notionally second-class citizens on their own lands (Walker 1998).

In relation to local government statutory planning, divisional boundaries in Queensland came into effect under the Municipalities Act 1859 (OESR 2009) as modified under the Divisional Boards Act 1879. During this time, the Quandamooka estate came under the jurisdiction of the Tingleal Divisional Board (Redland City Council 2006). After a series of boundary re-alignments and name changes over successive decades, the Redland Shire Council and local government area was established in 1948. The Council in 1954 unsuccessfully attempted to relinquish the administration of Minjerribah to the Queensland Government, citing poor revenue and high expenditure and in 2008 the Shire was incorporated as the Redland City Council (Redland City Council 2018). In the 1980s, a group of Quandamooka Peoples began to meet regularly to discuss issues about the environmental damage occurring on Minjerribah by the mining industry and housing issues at One Mile, which were created by successive governments. They sought to raise these concerns with the Redland Shire Council and Queensland Government, with some success (Peacock 2002). In 1990, The Quandamooka Land Council Aboriginal Corporation (QLC) was established for the purposes of representing the views of Quandamooka TOs and participating in statutory planning processes covering land and sea management and mining operations across the Quandamooka estate, particularly land and sea management programs (Shain 2002). In December 1994, the QLC lodged a native title claim with the Commonwealth’s National Native Title
This claim action led to the establishment of the ‘Redland/Quandamooka Native Title Process Agreement’ in 1997 that recorded the interests of each party and to guide discussions on the matters towards reaching a successful native title decision. The parties convened a joint steering committee and developed the North Stradbroke Island (Minjerribah) Planning & Management Study, which was released in 2001 (Shain 2002). The Study combined a three-year planning and consultation process (1998-2001) in articulating a shared vision for Minjerribah, a statement of community core values, a suite of background planning studies and policies that embody the shared future land use planning and management intentions of both the Redland Shire Council and QLC (Shain 2002). One key intent of the Study was to address Aboriginal sovereignty of ‘Country’ and self-governance regarding management of the Quandamooka Estate through the Cooperative Management Policy (Shain 2002).

The Quandamooka Peoples historically had endured many years of dispossession and harsh treatment in relation to their rights and interests in ‘Country’. However, the combined efforts of the QLC, Redland Shire Council and the will of the Quandamooka Peoples have improved relations between the parties and proven a process for addressing native title rights and interests to support the outcomes of claims, which was ultimately successful.

On 4 July 2011, the Federal Court of Australia recognised the Quandamooka Peoples native title claim for rights and interest over lands and waters through two consent determinations. These determinations included exclusive native title and interests to support the outcomes of claims, which was ultimately successful. The determination areas are illustrated in Figure 3.

The Quandamooka/Redland City Council ILUA. The ILUAs set out the terms, processes and compliance frameworks that must be followed by each of the parties with respect to land use planning, environmental management and any compensations or benefits derived from the native title rights. The vested native title rights triggered the establishment of QYAC to manage the implementation of the ILUAs and to represent the interests of Quandamooka native title holders (NNTT 2011). However, the ILUAs do not consider the physical, mental and spiritual wellbeing or various relationships to ‘Country’ that the Quandamooka Peoples now may have due to the impacts of colonisation, the transition of their rights in interests in land and waters within the Quandamooka estate and the effects of development, rapid population growth and urbanism associated with their peri-urban location in SEQ. Quandamooka native title rights do not yet extend over the entire boundary, islands and waters of the traditional Quandamooka estate. The main beneficiaries of the claim to date are the Nunukul and Goenpul clans of Minjerribah. The Quandamooka Peoples are yet to achieve their native title aspirations over Mulgumpin and parts of the coastal mainland. As Quandamooka Elder Aunty Val Cooms asserts,

“...These are very interesting days. It’s a huge learning process for all involved. We have realised that to have your native title determined is not an end point, but a new starting point of a lot of hard work and responsibility.”

(Cooms and O’Rourke 2011)

QYAC has taken steps to incorporate ‘Country’ into several initiatives and strategies to address concerns about the health and well-being, access to traditional culture and nurturing relationships to ‘Country’ for all Quandamooka Peoples. A major component of their efforts is the establishment of the Quandamooka Land and Sea Management Agency, known as QALSMA. This important function of QYAC manages land use planning, environmental management and protection of the Quandamooka estate by practicing compliance with a suite of local, state and Commonwealth legislations and working with community organisations, industry stakeholders and academic interests with the objective of caring for ‘Country’ (QYAC 2017).

Now, QALSMA has approximately 30 Rangers that work ‘On Country’ on various projects for the maintenance of the island and its long-term sustainability, similar to earlier traditional times. QYAC’s Cultural Heritage Services (team), Business Development Fund and annual festival are also aimed at reconnecting Quandamooka Peoples to their culture and ‘Country’. However, not all Quandamooka Peoples can be ‘On Country’ for work or residence (QYAC 2017).

As part of the 2017 State Electoral Boundary redistribution, the Quandamooka Peoples successfully lobbied to have the Queensland State electoral boundary of Cleveland, which traverses Quandamooka ‘Country’, renamed to ‘Oodgeroo’, to commemorate the late Oodgeroo Noonuccal (Kath Walker) who is famed for her influential poetry (Green 2017). Other subtle changes include increased use of traditional Aboriginal place names on Quandamooka ‘Country’ (QYAC 2017) and joint partnership and implementation of the North Stradbroke Island with the Queensland Government and Redland City Council (Queensland Government 2016).

Still, there remains cumulative land use issues from the legacy of poor planning decisions by successive governments and from achieving Native Title, all of which require resolution as they are key to the Quandamooka Peoples re-asserting their sovereignty, raising the profile of Quandamooka ‘Country’ within planning frameworks and enhancing the future re-shaping of Brisbane and SEQ.
For example, Redland Shire Council’s 1974 town plan for Minjerribah which included a bridge connection to the mainland and a population of 30,000 residents. Both decision would have been disastrous for Quandamooka ‘Country’ had they been implemented. Unfortunately, a planning decision to pump water from underground springs on Minjerribah went ahead and maintains supplies for mainland residents of SEQ (Redland City Council 2006). This decision adversely affects Minjerribah’s ecosystem and is an economic loss for the Quandamooka Peoples as the decision permits population growth in SEQ and local government revenues.

Other important points to draw from the transition periods are that, in terms of western land use planning, Brisbane and parts of SEQ, including Quandamooka ‘Country’, only emerged as developments through sporadic responses to market conditions and industry booms. Up until the early 1990s, these responses were largely mis-managed by various machinations of local and state governments with minimal commitment to coordinated urban and regional planning and community input, particularly from Aboriginal TOs (Walter, Hinsley et al.).

In terms of re-making or re-shaping cities and regions, along with other Aboriginal TO groups, Quandamooka Peoples and Quandamooka ‘Country’ is now acknowledged in the SEQ regional statutory plan, named “Shaping SEQ” (Queensland Government 2017) and Aboriginal and Torres Strait Islander knowledge, culture and traditions are supported, valued, protected and promoted as stated in the Planning Act 2016 (Qld). A regional map which identifies ‘Country’ according to recognised Aboriginal TO groups of SEQ is illustrated at Figure 5.

Incorporating ‘Country’ into all land use planning, not just Aboriginal-led planning, may provide a necessary platform for Aboriginal Peoples to re-affirm their own vision, values, strategies and proposed actions which they feel are necessary for their respective ‘Country’, without the burden of often biased legislations which are based on old Eurocentric doctrines. Incorporating the concept of ‘Country’ as the foundation for any land use planning exercise and practices may provide an important and crucial step for improved engagement and consultations with Aboriginal Peoples and demonstrate opportunities for respectful and reciprocal collaborative planning approaches that link to improving the physical, spiritual and emotional well-being of Aboriginal Peoples and perhaps all Australians.

In this context, it is argued that future sustainable land use planning based on the concept and values of ‘Country’ is a simple and effective idea that can achieve significant outcomes for Indigenous Peoples and provide a platform for remaking cities by negotiating the one space and our shared Dreaming. The challenge now is for urban and regional planning professionals to collaborate with Aboriginal Peoples to re-design the land use systems that regulates development by incorporating and expanding on the concept of ‘Country’ to enhance the shaping of cities and urban areas.

References
