



Contemporary Management of
**Sea Country
Indigenous
Protected Areas**



**COUNTRY
NEEDS
PEOPLE**

Protecting nature,
transforming lives

ACKNOWLEDGEMENTS

Country Needs People thank and acknowledge the many Traditional Owners, Elders, Rangers and IPA Managers who continue to work for Sea Country.





Overview

Indigenous Australians have managed, cared for, and practised continuous living culture on Sea Country for over 65,000 years, and counting.

Pre-existing systems for traditional management of Sea Country have been severely disrupted, due to the imposition of non-Indigenous governance and law in the sea following colonisation. However, despite these profound impacts, Traditional Owners retain their connection to Sea Country.

In contemporary Australia many coastal peoples are seeking to actively reassert their connection, responsibilities, and rights to Sea Country through legal claims, management initiatives and other means. Through development of community-based management arrangements and legal avenues such as native title law and land rights legislation, Traditional Owners continue to pursue all avenues available to strengthen their connections with the sea.

Indigenous Protected Areas (IPAs) now make up over 50% of the entire Australian protected area estate on land. Sea Country has been part of Indigenous Protected Areas for a long time, however more recently governments have begun to fund Sea Country IPAs with a greater emphasis on marine management.

There is much consultation and planning in the development of a Sea Country IPA, with contemporary management by local Indigenous-led organisations guided by Elders and the wider Traditional Owner group, as well as consultation with government and other stakeholders. Once the IPA is established, Indigenous Ranger management of Sea Country is integral and keeps people, nature, and culture strong.

Understanding Sea Country

The marine environment of Australia is greater than our landmass. It covers 13.86 million square kilometres, making it the third largest jurisdiction in the world, of which 45% is protected. 33,000 species have been recorded in Australia's oceans, but it is believed there could be more than 250,000 organisms undiscovered in our waters.

Sea Country, or Saltwater Country, is a complex concept derived from Aboriginal and Torres Strait Islander custom, practice, use and occupation and traditional law. Although aspects of traditional law and practice vary from place to place, this essentially forms a system of rules and understandings that are held by local clans and language groups that explain how to relate to, and manage Sea Country, in its varied aspects.

Aboriginal and Torres Strait Islander peoples do not separate between land and sea, and hold traditional rights, responsibilities, and interests across the sea floor, islands, and the whole area of Sea Country. Likewise, plants and animals which hold significant cultural, environmental, and traditional importance can exist on sea and land. Many sacred sites exist on Sea Country, and there are ancestral connections to seabeds that were once dry land.

Front Cover: Tiwi Rangers Marbine Austral and Nikita Puruntatameri

Left: Maringa Rangers from Crocodile Island, Arnhem Land (NT). **Photo:** John Skuja





Sea Country IPAs

Sea Country IPAs have the same aims as land-based IPAs - to conserve and protect not just environmental values, but also cultural values, under the guidance of Traditional Owners. Indigenous Protected Areas are led and managed by Traditional Owners, and provide cultural, social, health and wellbeing and economic benefits to Indigenous communities. Only Traditional Owners can initiate the planning process for an IPA and to become operational the IPA must have their consent.

Sea Country IPAs are voluntary agreements over a designated area of sea and coastal land aligning with a set of priorities, agreed between Traditional Owners and the Federal Government. They are managed according to a management plan developed by Traditional Owners and agreed to with the Federal Government against a set of criteria that complies with the International Union for Conservation of Nature (IUCN) standards. They do not alter or change the legal tenure of land or sea, neither do

they change the legal or access arrangements pertaining to the area. In the consultation process for developing the IPA management plan other stakeholders and supporting organisations are typically consulted.

Management plans for Sea Country IPAs, as with other IPAs, guide management of cultural values, biodiversity, and other local community priorities. Upon completion of the management plan and agreement between the Traditional Owners and Federal Government, the plans are formalised and receive basic initial operational funding through a multi-year agreement. When operational, the IPA is governed by Traditional Owners but other groups may act in an advisory capacity if required.

A Short History of Sea Country IPAs

Designed as a framework for land and sea management, IPAs were developed through an Indigenous led and Federal Government co-design process in 1995, pilot projects were funded in 1996, with the first IPA (Nantawarrina, SA) operationalised in 1998 after many years of consultation, program development and on-ground planning.

While the first IPAs were predominantly on land, coastal Traditional Owners have consistently stated that their country occupies both land and sea. In 2001 the Dhimurru IPA was designated, which included Sea Country adjacent to the coastal land within the IPA boundary. Since that time other IPAs in coastal areas have incorporated into their boundaries and management plans.

In 2022 the Federal Government announced the funding of 10 new 'Sea Country IPAs' - covering a potential 6.2 million hectares of sea and over 200,000 hectares of land which will extend protective management over marine turtles, seabirds, dugongs, lagoons, islands, mangrove forests, reefs and cultural sites. From Iutruwita/Tasmania to the Top End, the Sea Country IPA projects include Ngijambandigay Gaagal (Coffs Harbour region NSW), Nanjit to Mallacoota Sea Country (VIC), tayaritja Sea Country (TAS), SE Arnhem (NT), Port Curtis Coral Coast Sea Country (QLD), Kurtijar Sea Country (QLD), Wardang Island (SA), Gunditjmara Sea Country (VIC) and Yamatji Sea Connection and Tukujana pa Karajarri Kura Jurrar in WA.

Sea country IPAs and other forms of co-management with Traditional Owners are growing. Recently the Bardi Jawi Gaara, Mayala and Maiyalam marine parks became the first co-designed marine parks in Australia.



“

We're saltwater freshwater people. Our IPA is in the consultation phase and includes lots of diverse landscape, including the Solitary Islands, which are all ecologically and culturally significant. We have lots of threatened species that live on Sea Country - Greenland sharks, southern right whales, humpback whales, beautiful corals.

Nathan Brennan, Ngilyambandigay
Wajaar Aboriginal Corporation



The Protection of Sea Country

Some notable milestones*

65,000 BC

Uninterrupted traditional use & management of Sea Country by Indigenous Australians.

1788

Traditional Owners continue to maintain their connection to Sea Country despite imposition of non-Indigenous law and policy

1975

Great Barrier Reef Marine Park created.

1992

Mabo Case - High Court recognises the land rights of the Meriam people, finding the existence of Native Title which overturns Terra Nullius.

1993

Native Title Act passed in Australian Federal Parliament.

1998

First Indigenous Protected Area (IPA) operational in Australia (Nantawarrina, SA).

2003 -2006

Sea Country plans developed incl. Dhimurru, Kooyang, Thuwathi/ Bujimulla, Ngarrindjeri Nation, & Yanyuwa.

2005

First Traditional Use of Marine Resources Agreements est. in Great Barrier Reef, utilising Native Title Act.

2013

62 IPAs. 5 cover over 3m ha of combined sea area.

(*not comprehensive)



1976

NT Aboriginal Land Rights Act enacted by Fed Govt, giving potential to claim unallocated land incl. under intertidal zone.

1981

Australia's first jointly managed national parks declared. Gurig National Park managed by NT Government, & Stage 1 of Kakadu National Park managed by Fed Govt, both in conjunction with traditional owners.

1985

Torres Strait Treaty recognises traditional fishing rights & a protected zone.

1999

Environmental Protection and Biodiversity Conservation Act passed, which emphasises role of Indigenous Australians in conservation & management.

2001

First IPA with significant amount of Sea Country including sacred site areas established (Dhimurru, NT).

2001

Croker Island sea claim case confirms Native Title exists in the sea.

2020

Australia's first confirmed ancient underwater archaeological sites from the continental shelf discovered, located off the Murujuga coastline (Pilbara, WA).

2022

- After years of work Bardi Jawi Gaara, Mayala and Maiyalam marine parks are developed as first marine parks co-designed with traditional owners.
- Funding for 10 new Sea Country IPAs announced by Federal Government.
- Total area of IPAs covering the sea is over 5m ha spread over 10 operating IPAs.

Indigenous Rangers and Sea Country

The community-based Indigenous Ranger program is overseen by local or regionally based Indigenous-led organisations and has grown in different forms in Australia over the last 40 years. In 2007 the Federal Government instituted the Working on Country Indigenous Rangers program which became the largest single program for funding Indigenous Ranger work nationally. Since that time some state and territory-based programs have also developed to support Indigenous Ranger work, particularly in Queensland, Northern Territory and Western Australia.

Indigenous Rangers address local and regional, cultural and environmental management priorities for their Indigenous-led organisations. They undertake complex work on IPAs, often in remote and difficult conditions. They care for plant and animal life, protect threatened species, manage fire, tackle the impacts of feral animals and invasive weeds, look after cultural sites, and are often called on to monitor and respond to biosecurity issues.

In Sea Country IPAs Indigenous Rangers have a variety of management, research, and monitoring tasks on land and sea, some of which require formal training.

Typically, Indigenous Rangers integrate a 'two-toolbox' approach, combining local and traditional knowledge with contemporary technical and scientific management techniques.

The work of Indigenous Rangers through Sea Country IPAs and other co-management models is a growing feature of marine and coastal management in Australia and is serving to reposition Traditional Owners as active participants and drivers in decision making and management of their Saltwater Country.

Top: Looking over the Budj Bim Cultural Landscape, Gunditjmara Country (VIC). **Photo:** Rodney Dekker

Bottom: Tiwi Rangers James Desantis and Chris Long. **Photo:** Annette Ruzicka

Right: Tiwi Rangers. **Photo:** Annette Ruzicka



“

The new marine IPA will help protect the songlines that run along the coast, and the sacred sites that run along that songline. It will also help keep the beach and the water clean to save all the turtles, dugong, fish and dolphins, and hopefully it will help stop illegal commercial fisherman.

Clive Nunggurgalu, Senior Numbulwar
Numburindi Ranger



Challenges

Sea Country IPAs are one pathway that can support Traditional Owners to take up their responsibilities and rights as managers of Sea Country once again, in a modern context. Challenges involved in managing Sea Country IPAs vary from place to place, but are always relevant to the local context. Managing Sea Country can place logistic and operational challenges on local organisations.

Sea Country IPAs may also overlap with other areas managed through national parks, coastal authorities, fisheries management arrangements and so-on. This process can also be time consuming and resource intensive, requiring much negotiation between Traditional Owners, state and federal governments, and other stakeholders. Indigenous organisations need to have an internal administrative capacity and governance framework to ensure credibility within the traditional owner group, as well as basic ability to administer funding, reporting, and other matters of compliance. The local ranger team or Traditional Owners tasked with active management may need training in basic skills such as coxswain certificates and safety requirements. If a boat is required for on-sea work, it must be surveyed for correct specifications.

Our contemporary marine environment faces many pressures, ranging from the changing conditions brought on by global warming, heavy fishing pressure in some areas, invasive species on land and sea, catchment-based pollution or degradation, and other industrial development impacts. There is much more to be done to understand the cultural values of the sea and how that is best managed from a Traditional Owner perspective. IPAs and Rangers need to maintain sufficient operational resources to be able to deal with these and other management needs.

It is not a small undertaking to establish and run a successful IPA on land or sea, but if done well delivers strong benefits to Aboriginal and Torres Strait Islander people.

Aspirations

Sea Country IPAs provide a means for Traditional Owners to both envision, and then start rebuilding, an active management presence in marine and coastal areas in contemporary Australia, that respects their millennia old connection with the sea.

Sea Country IPAs offer the prospect of blending local priorities, cultural governance and two-toolbox management combining local and traditional knowledge and science for better sea management overall. They offer a platform for supportive partners and stakeholders to work constructively with Traditional Owners to reach a shared vision for better sea and coastal management that will benefit all Australians.

Aboriginal and Torres Strait Islanders are regaining their role as traditional custodians - protecting biodiversity, stewarding cultural heritage, and caring for Country. In a changing climate it is vital that we ensure Indigenous land and sea managers get the support they need, to look after sea and land Country long into the future.

Right: Captain Billy's seascape, Wuthathi Country (WA).

Photo: Kerry Trapnell

Below: Seagrass monitoring on Wuthathi Country.
Courtesy: Wuthathi Aboriginal Corporation.





Mayala country is Saltwater Country made up of islands and Sea Country. We're just starting to look at what our ranger program would look like and how to establish the IPA. Creating the maps to identify cultural values in our Country was very valuable, and all the planning process on what areas really needed to be protected was a big step for Mayala in itself.

Janella Isaac,
Mayala Traditional Owner

Contact us for more information:

Tel: 1300 505 274

Email: gday@countryneedspeople.org.au

Postal: GPO Box 969 Canberra City ACT 2601



**COUNTRY
NEEDS
PEOPLE**

Protecting nature,
transforming lives

www.countryneedspeople.org.au



Published in May 2023