

Notre Dame

# Nulungu Talking Heads Seminar Series



*A New Partnership, William Roe, 1994*

## Changing Planning's Policy and Practice toward Indigenous Australians: How can it be done?

**Ed Wensing**

**Monday 11 September 2017**

**12:30pm to 1:30pm**

Land administration land use and environmental planning in Australia are public functions. Each State and Territory has their own unique sets of laws for administering land tenures and regulating the use and enjoyment of land for present and future generations (Bates 1995: 10). The Australian approach is firmly rooted in statute law which controls the Crown's power to grant interests in land and to regulate and change those rights and interests. Conceptually at least, the system is designed to balance public and private interests as well as the interests of present and future generations. Although the degree to which these ideals are achieved in practice is highly debatable.

While other disciplines such as anthropology and law have been dealing with the interactions between Indigenous peoples and their fundamental human rights for a very long time, there has been very little cross-over to the discipline of land use and environmental planning. In an attempt to fill this gap, this presentation will explore planning's miserable failure with respect to Indigenous Australians and discuss how the landscape of land use and environmental planning is slowly changing to better recognise and incorporate Indigenous peoples' rights in planning. The discussion will focus on some recent developments in Queensland planning law which for the first time in the history of planning law in Australia sets Indigenous peoples rights at the front end of the planning system rather than as an afterthought and how this sets an example that other jurisdictions could follow.

Ed Wensing is an experienced urban and regional planner and policy analyst. Ed holds a Bachelor of Arts (Geography) with Honours (Political Science) from the ANU and technical qualifications from the Canberra Institute of Technology (cartography and land surveying and engineering). Over the last 20 years he has worked extensively with Aboriginal and Torres Strait Islander people and communities and local governments around Australia, principally on native title, land tenure, urban and regional and planning, natural and cultural resource management and heritage protection matters. Ed is currently a PhD Scholar at the National Centre for Indigenous Studies at the ANU, an Adjunct Associate Professor at James Cook University and a Visiting Fellow at the Australian Institute of Aboriginal and Torres Strait Islander Studies. His primary research interests are in land justice for Indigenous Australians and the linkages between Indigenous peoples' rights and contemporary land use and environmental planning systems.

### **Ed Wensing FPIA FHEA**

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**Nulungu**

Research Institute

The University of Notre Dame Australia

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