



Cumberland Plain Conservation Plan

Aboriginal Community Consultation

Final Report – Marcia Ella Consulting

Acknowledgement

We would like to pay our respect and acknowledge Aboriginal and Torres Strait Islander Peoples as the Traditional Custodians of the Land, Rivers and Sea. We acknowledge and pay our respect to the Elders, both past and present of all Nations.

We would like to acknowledge the wisdom and passion of the people who spoke for country and community. Thank you for your time and willingness to share.



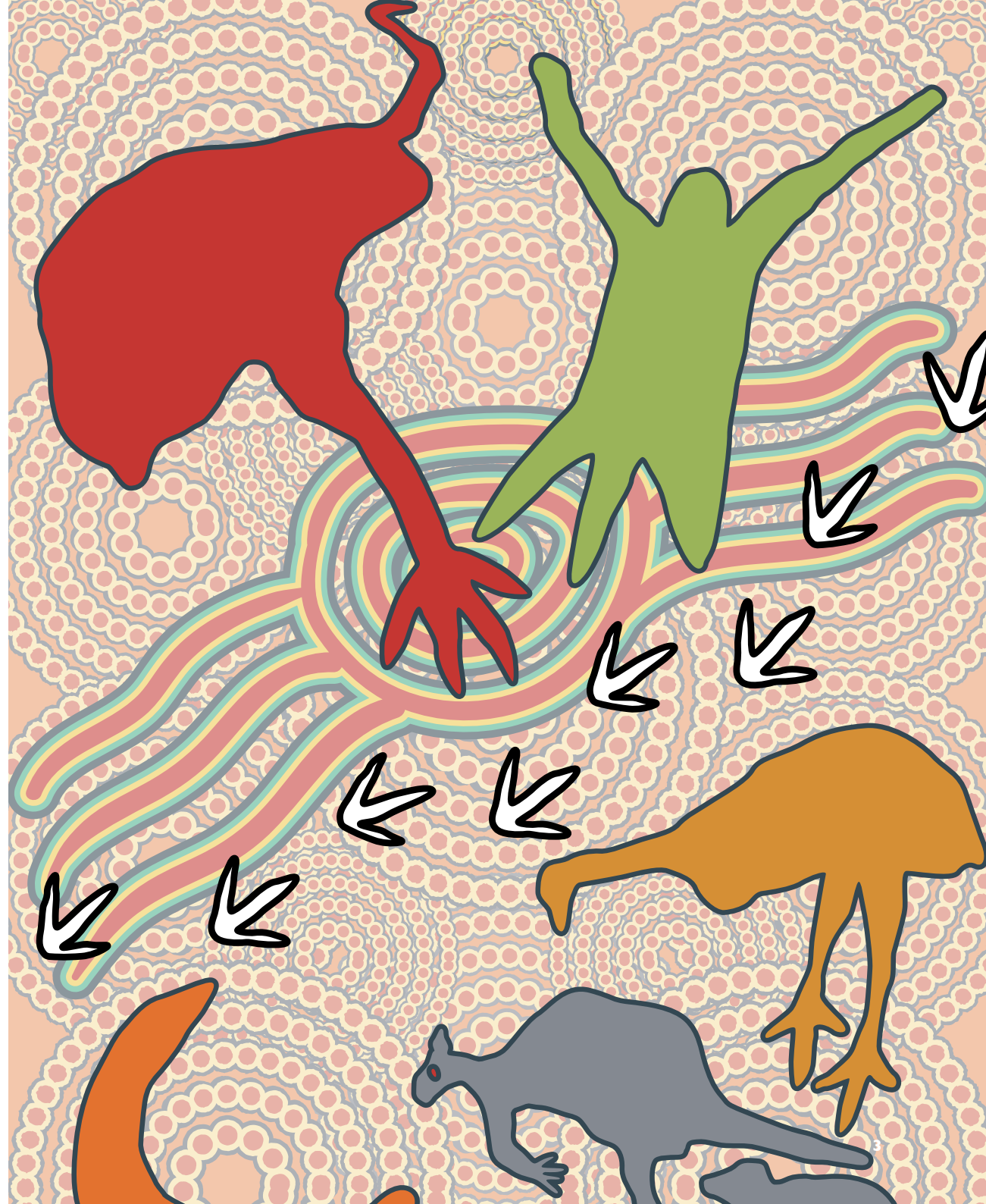


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Executive Summary

Background

The NSW Government has committed to a vision of Greater Sydney as a metropolis of three cities, comprising the Eastern Harbour City (CBD), the Central River City (Parramatta) and the Western Parkland City (Western Sydney). The development of the Western Parkland City is intended to accommodate the predicted population growth in Western Sydney from 740,000 in 2016, to 1.5 million by 2056. It includes the construction of the Western Sydney International Airport and development of significant housing, transport corridors, utilities and other civil infrastructure assets across approximately 200,000 hectares of land.¹

The Cumberland Plain Conservation Plan

To ensure that Western Parkland City is a thriving, healthy, liveable city, the NSW Government has committed to providing an abundance of publicly accessible open and green spaces for local communities. The retention and protection of biodiversity and environmental assets in Western Sydney is a critical part of realising this vision.

To this end, the NSW Department of Planning, Industry and Environment (the Department) is taking a landscape-scale approach to strategic conservation planning in Western Sydney through the development of the Cumberland Plain Conservation Plan (the Plan). Here, strategic conservation planning refers to the requirements of both NSW strategic biodiversity certification under the NSW *Biodiversity Conservation Act 2016* (BC Act) and strategic assessment under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Plan will address the impacts on biodiversity from the anticipated development in nominated areas and infrastructure expansion in the Plan Area, which extends from Wilton in the south to Hawkesbury in the north, and east-to-west from Campbelltown to Wollondilly. The intent of the Plan is to protect and preserve the invaluable biodiversity, landscapes and natural ecosystems, while supporting Aboriginal cultural heritage in the Plan Area.

Aboriginal community engagement

To assist in the development of the Plan, in 2019, the Department conducted a comprehensive community engagement program over six months from July to December. Significantly, this community engagement program was undertaken *prior* to the drafting of the Plan, in order to inform community and other stakeholders about the Plan, and enable the Department to better understand and address the community's interests, aspirations and concerns in relation to biodiversity and conservation in Western Sydney.

With over 33,600 Indigenous people living in Local Government Areas that fall within the Plan Area², the Plan directly impacts approximately 13% of the Indigenous population of NSW. This large and diverse Aboriginal community includes people with a cultural

association with lands within the Plan Area; as well as those with a cultural association with lands outside the Plan Area. Described by one Aboriginal resident as “the UN of Aboriginal Australia”, the Indigenous community living in Western Sydney is highly diverse, and with this diversity comes differing levels of *cultural authority* – that is, the authority to speak on behalf of Country³.

Many Aboriginal organisations in Western Sydney, including Local Aboriginal Land Councils (LALCs) and other, less formal, networks have a strong interest in Country which sits alongside their specific service provision or statutory responsibilities. LALCs are key stakeholders in any Aboriginal community engagement process conducted in NSW. They are autonomous, member based, community-controlled statutory bodies with responsibility for delivering social, cultural and economic benefit for the Aboriginal community. There are three LALCs whose lands fall within the Plan Area: Gandangara LALC, Tharawal LALC and Deerubbin LALC.

To ensure that the issues and concerns of Aboriginal people are understood and, where possible, addressed prior to public exhibition of the draft Plan, a range of targeted engagement activities was undertaken with these three LALCs, as well as the NSW Aboriginal Land Council (NSWALC) and the Aboriginal community of Western Sydney more broadly.

Summary of feedback from the Aboriginal community

Broad feedback from the Aboriginal community was that the Plan presents an opportunity to deepen the connection to Country for Aboriginal and non-Aboriginal communities in Western Sydney, and beyond. This deeper connection to Country can be achieved through:

- a) biodiversity conservation mechanisms articulated in the Plan, such as Biodiversity Stewardship Agreements (BSAs), and
- b) promoting an understanding and appreciation of Aboriginal cultural heritage values and practices in relation to conservation and land management.

In addition, the community voiced strong support for a range of other opportunities presented through the Plan, including employment, economic, educational, social and health outcomes.

A consistent view expressed was the opportunity to build shared pride in Aboriginal cultural heritage across the whole community by promoting cultural values and supporting cultural tourism and education on conservation lands. To achieve this, the community believes that land owners should be encouraged and supported to work in collaboration with cultural knowledge holders to assess lands for cultural values and agree on how cultural information could be appropriately shared and promoted.

Executive Summary *(Continued)*

Similarly, land owners, cultural knowledge holders and Aboriginal organisations could work together to explore opportunities to incorporate access to conservation lands for cultural practice and tourism operations. LALCs and private tour operators in the area are currently planning to maximise commercial opportunities flowing from the Western Sydney International Airport and anticipated increased visitation to Western Sydney.

Aboriginal people in Western Sydney welcome the prospect of employment and business enterprise opportunities in conservation land management in line with Aboriginal people's deep connection to Country and ongoing cultural responsibilities. There is existing land management and cultural heritage capacity in Aboriginal businesses and LALCs, although capacity varies significantly across the Plan Area. There is opportunity for existing businesses to expand (such as seed supply and cultural heritage assessment), and for new businesses to emerge (such as land rehabilitation and species monitoring).

The community expressed a strong desire to continue to work with Government to achieve multiple benefits for the community. LALCs have strategic community land business plans that present an opportunity for collaboration with the Department to achieve conservation outcomes in the Plan Area. This will require commitment to work in partnership with the Aboriginal community, NSWALC and LALCs at the local level and strategically. A separate Engagement Framework for developing the partnership between the Department and the Aboriginal community in Western Sydney, informed by feedback from this consultation process, was commissioned by the Department.

This report provides a detailed overview of the context and purpose of the Aboriginal community consultation about the Plan. It reports on feedback gained through a variety of open community forums as well as closed workshops with NSWALC and LALCs, around the issues of cultural heritage, land and environment, and social and economic outcomes of the Plan.



Introduction

The population of Western Sydney is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056. New city-shaping transport links and the Western Sydney International (Nancy-Bird Walton) Airport are being developed to substantially improve Western Sydney's connections to other parts of Sydney, wider Australia and beyond.

A thriving, liveable Western Sydney needs to include areas for the many native plants and animals in the region, and publicly accessible, open and green spaces for local communities.

The Department is currently preparing the Plan to inform strategic conservation planning in Western Sydney as it mobilises to deliver Western Parkland City by 2056.

The Plan's vision is to 'Support Western Sydney's Biodiversity and Growth'. This means it will support strategic delivery of infrastructure, housing and jobs for Western Sydney that protect and maintain important remaining biodiversity. This includes protecting, among others, the largest koala population in Sydney, the Cumberland Plain Land Snail, foraging habitat for the Swift Parrot and significant plants like the Nodding Geebung and Spiked Rice-flower.

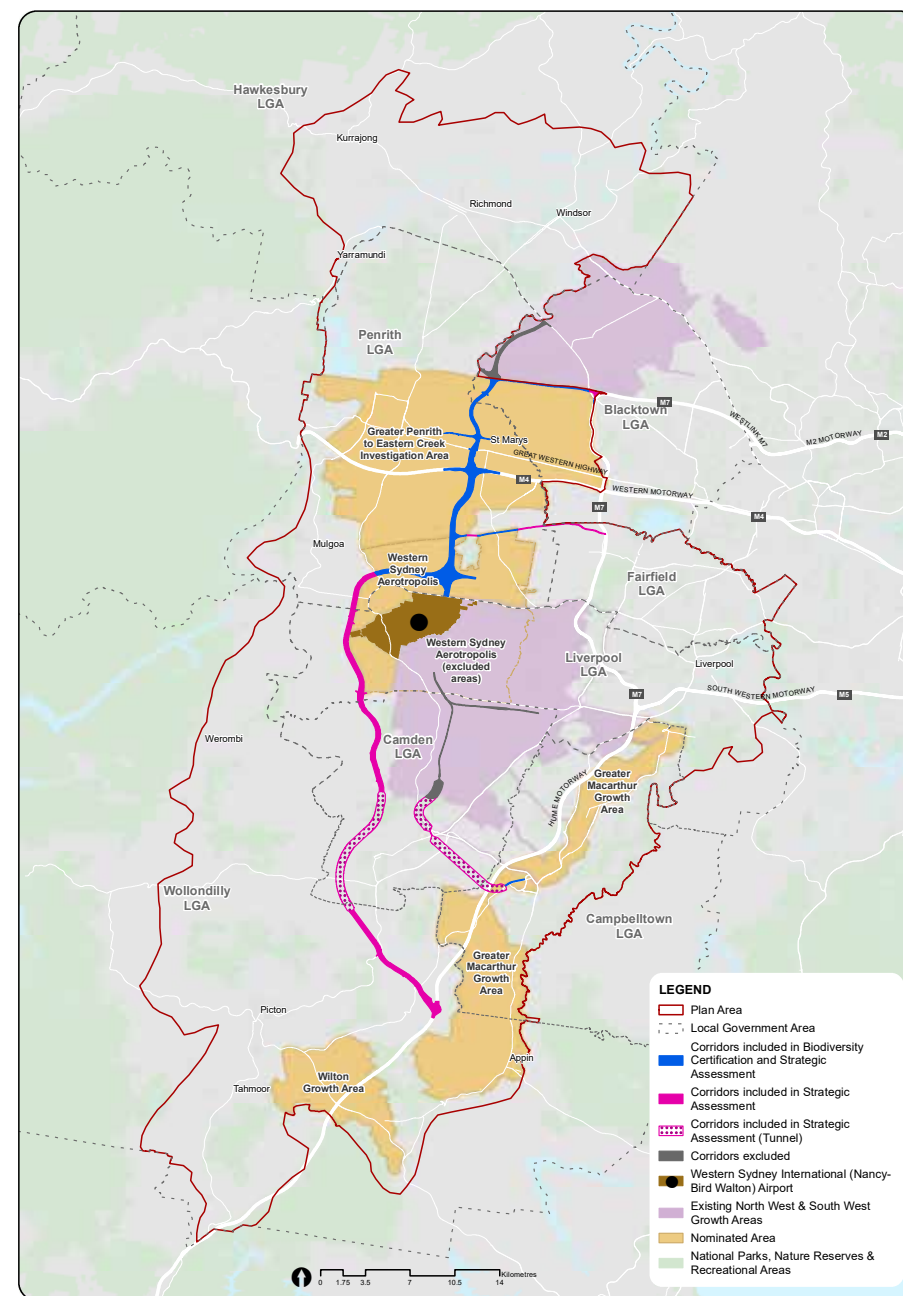
The area covered by the Plan (Plan Area) encompasses around 200,000 hectares of the Cumberland Plain, with the future Western Sydney International Airport at its centre. It encompasses the boundaries of eight Local Government Areas and land owned by three LALCs: Gandangara LALC, Tharawal LALC and Deerubbin LALC.

Against this backdrop, strategic conservation planning is underway, governed by the requirements of both the NSW strategic biodiversity certification under the NSW *Biodiversity Conservation Act 2016* (BC Act), and strategic assessment under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Plan will facilitate several conservation mechanisms to protect and preserve land of high biodiversity value, including but not limited to:

- Establishing new, and expanding existing, national parks and reserves managed by National Parks and Wildlife Service, local councils, and community organisations; and
- Biodiversity Stewardship Sites, managed by private and public landholders who enter into a Biodiversity Stewardship Agreement (BSA).

There are significant opportunities for Western Sydney's LALCs, Aboriginal organisations and businesses to benefit from the Plan while contributing to the Plan's outcomes. For example, benefits from conservation and revenue generation through BSAs; land management employment and business development opportunities; and opportunities around cultural heritage education and tourism in conservation areas. These opportunities will be promoted throughout the design and implementation of the Plan.

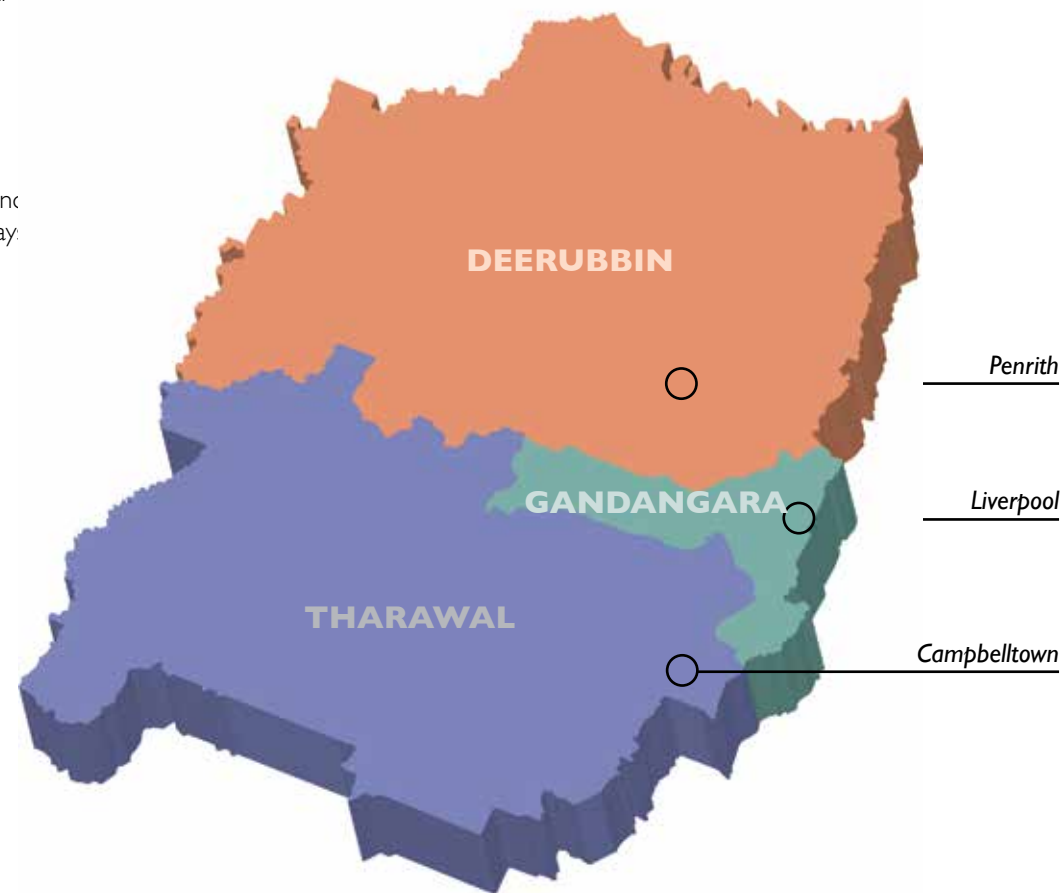
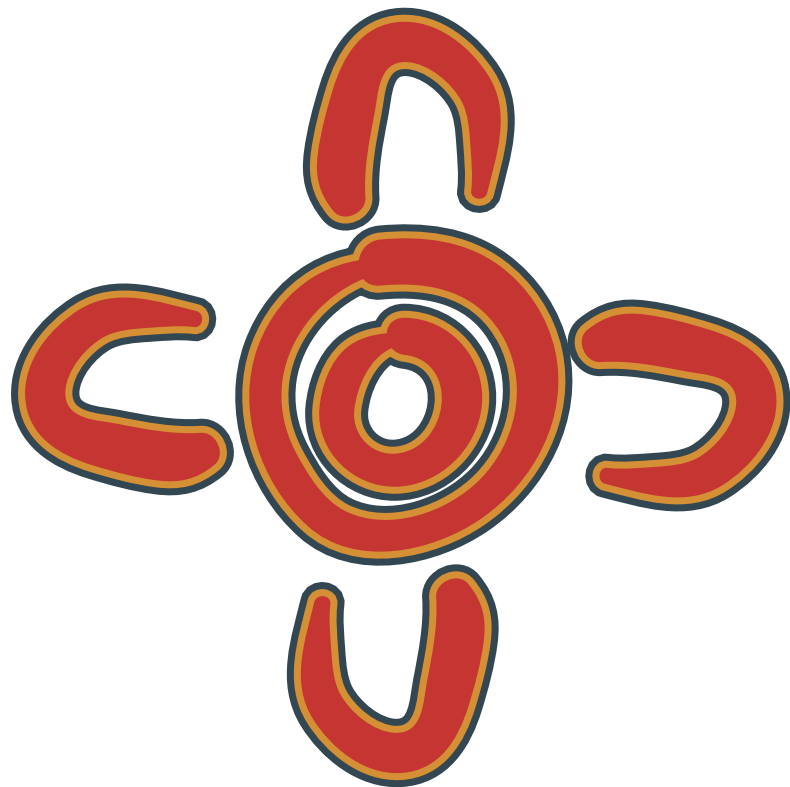


Introduction *(Continued)*

Purpose of the engagement program

The purpose of this engagement program was to provide information about what the Plan aims to achieve, and to listen to the interests, concerns, issues and aspirations of the Aboriginal community to understand how the Plan can support these. Feedback from these consultations is intended to help shape the Plan and to maximise the opportunity of promoting Aboriginal cultural knowledge in Western Sydney. It is also envisaged that this engagement process will increase the likelihood of LALCs taking up BSAs and other conservation and economic opportunities offered through the Plan.

Views on how the Plan can provide other benefits to the community were sought, including social and economic outcomes around land management and conservation. These included Caring for Country, new businesses, employment and procurement incentives, and training and education opportunities. Participants were encouraged to be innovative in thinking about ways that the community can benefit from the Plan. Finally, the engagement process sought views on how the Department can continue to work with the Aboriginal community to inform an Engagement Framework for ongoing collaboration around the Plan.



Map of Local Aboriginal Land Council Boundaries.

Overview of the Consultation

To meet the challenge of delivering one of the largest strategic conservation planning exercises ever undertaken in Australia, the Department undertook six-months of engagement from July to December 2019. The intent of this early engagement was to inform the draft Plan, which will be publicly exhibited in 2020.

In recognition of the unique relationship that Aboriginal people have to land, and the LALC network as significant land holders in the Plan Area, the Department sought to undertake additional culturally appropriate engagement with the Aboriginal community in Western Sydney.

Marcia Ella Consulting (MEC), in partnership with Willing Consultancy and Elemental Projects, was contracted to support the Department with this Aboriginal community engagement program. This involved a series of open community events and closed workshops for LALCs and NSWALC.

Open Aboriginal community engagement events were held at multiple locations in Western Sydney toward the end of 2019. Marketed by radio, email and through Aboriginal networks, these events were open to all members of the Aboriginal community, as well as government and NGO personnel, business owners, and elders. Combining structured workshops with walks on-Country, these events sought to maximise the opportunity for participants to understand the Plan and speak freely about their views, concerns and ideas. Participants were also invited to contribute to a digital map capturing important landmarks, species' habitat, and other points of interest.

As land owners and statutory bodies, NSWALC and Gandangara, Tharawal and Deerubbin LALCs were each offered closed sessions to hear about the objectives of Plan and provide frank and robust feedback to the Department.

The insights, perceptions and information gained through this consultation process will be used to ensure that the development of the Plan is informed by the Aboriginal community's unique and important perspective.

Understanding the Aboriginal community in Western Sydney

Western Sydney is highly important to Aboriginal people, with a large number of Aboriginal people inside and outside the region having a connection to it. Many Aboriginal families in the Plan Area are descendants of traditional owners of lands outside the region. Reasons for the diaspora of Aboriginal people to Western Sydney include forced relocation, restricted access to work and the cost of housing. Indeed, Western Sydney has been the stage on which Aboriginal struggles, politics and numerous successful and unsuccessful Government programs have played out, including in the areas of justice, health, housing and education.

Every Indigenous person would have a connection to Western Sydney – either because they lived here, or because they are connected to someone here. It's like the UN of Aboriginal Australia.

– Penrith Community Workshop

As a result of this unique history, while there is recognition of the strong connection between Aboriginal wellbeing and Country, there is also a disconnection from Country for many Aboriginal people in Western Sydney, with many returning to their homeland to regain connection with the land and thereby promote wellness.

This historical context has also led to many individuals, groups and organisations in Western Sydney asserting cultural authority – that is, the authority to *speak on behalf of Country*. Cultural authority is gained through traditional and/or contemporary association with Country and is one of three qualifications that determine Aboriginality. Hence, the Plan presents an opportunity to learn and experience Country within the Plan Area, which in turn can be used to strengthen Aboriginal identity in Western Sydney.

Given the diversity, and differences in perceived cultural authority, within the Aboriginal community in the Plan Area, an inclusive engagement program was essential. This involved multiple events for different audiences, in different formats, to enable as many people as possible to express their view. For example, some individuals prefer to speak for Country in closed, discrete forums where their cultural safety and authority is maintained.

LALCs are key stakeholders in any Aboriginal community engagement undertaking. They are a prominent source of cultural authority with a statutory responsibility to protect and promote Aboriginal cultural heritage. They are independent and autonomous bodies, however, opportunities for cooperation and collaboration to achieve outcomes on a strategic level are yet to be realised. In addition, should a qualified native title claim emerge, LALCs may be required to enter into negotiations with the claimant group.

Historically, state and local governments, planning authorities and the broader community have viewed LALCs as conservationists in line with their cultural land management responsibilities. However, LALCs also have strong economic imperatives and view their land assets as opportunities to generate sustainable income for their communities. LALCs may consider many and multiple land uses, including development.



Overview of the Consultation *(Continued)*

There are places in the Plan Area that we own that are in great need of protection. We are probably the largest landowner along that river line. Most of our land is non-urban and contains valuable biodiversity that we want to protect. We have some land we would never ever touch, and other land that we want to develop the same as any land-owner would.

– LALC Workshop

The NSWALC is another key stakeholder. NSWALC has approval responsibility for land dealings and has a business enterprise and employment focus. NSWALC can provide input regarding LALC land dealings, opportunities for economic benefit and a strategic perspective on conservation and cultural heritage issues.

Aboriginal community engagement methodology

Design

A Government stakeholder workshop was initially held with staff from across the Department and other agencies. This workshop identified key stakeholder groups and concurrent consultation processes that were occurring in the community. The workshop discussed opportunities for the consultation process to build relationships between Aboriginal community organisations and various government agencies. From this a list of relevant organisations in Western Sydney was created. The workshop was also an opportunity to socialise and test the proposed consultation approach.

Following this workshop, a package of resources was developed aimed at simplifying and summarising key information about the development of the Plan and the conservation mechanisms it would offer.

Open Community Forums

The open community forums were promoted through government and community networks including invitations to Aboriginal organisations. Invitations for community members were

distributed through Local Government and Land Council networks. Community forums were also promoted on Koori Radio. Direct contact was made with organisations via telephone, face to face meetings and information drop-offs. Workshop venues were selected based on accessibility, proximity to Aboriginal populations, and access to parks and reserves to enable walks on Country as part of the workshops.

Workshops commenced with an Acknowledgement and/or Welcome to Country followed by an overview of the Plan. This included the context of the Plan in the strategic planning approval regime, clarification of the Plan Area boundaries and a discussion of how community input can influence and support the development of the Plan.

Open-ended questions were posed to stimulate discussion and illicit ideas relevant to both the Plan and longer-term engagement. Participants were invited to provide feedback on, and add pins to, a digital map of the Plan. Participants were asked to consider and provide feedback on the consultation questions before going for a short walk on Country. During this walk, informal discussions continued where participants were able to talk more intimately about the importance of Western Sydney land. Walks on Country were held at:

- Liverpool Workshop - Australian Botanical Garden, Mount Annan
- Penrith Workshop - Wianamatta Nature Reserve

The workshops were facilitated by MEC and Willing Consultancy staff, with logistical support and documentation of community input provided by Elemental Projects. Each workshop was attended by staff from the Department to provide subject matter expertise, to answer technical questions and to hear community feedback first-hand.

Informal Community BBQ and Drop-In Day

An open community drop-in day was held at Whalan, Mount Druitt. This event was promoted as an informal way to find out about the Plan. The venue and format created a relaxed environment to talk about what was important, and what was of concern, to Aboriginal people. This provided a forum for people who may not be aligned to a formal group (such as a LALC), but who have an interest. It was also intended to offer a culturally safe place for people to share their views, particularly those who felt they did not have the cultural authority to attend, or speak at, a formal community consultation workshop.

An in-camera yarning circle with a group of community members took place. Participants at this forum asked for no verbatim notes or photographs to be taken. However, the views expressed have been incorporated into this report.

Overview of the Consultation *(Continued)*

NSWALC and LALC Workshops

Recognising the unique role and responsibilities of LALCs, it was important to hold forums specifically to capture their input. Direct contact was made with CEOs or senior staff of the three LALCs in the area to invite the LALCs to participate in the engagement process and confirm the workshops as the best approach to providing input to the Plan. The time, place and participants of each LALC workshop were determined in consultation with the LALC. Similarly, a workshop was tailored to the role and responsibility of the NSWALC.

A workshop design and series of questions was formulated specifically to gain LALC and NSWALC input to the Plan. These questions were formulated in consultation with the Department and other subject matter experts.

Summary of engagement activities

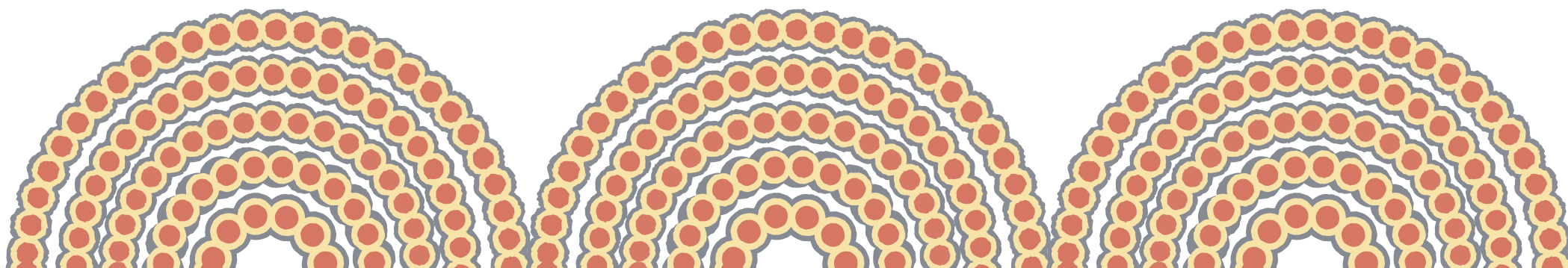
Taking into account the diversity and differing levels of perceived cultural authority within the Aboriginal community, a multi-faceted approach to community consultation was undertaken. This involved a variety of consultation activities, tailored to different sub-groups and individuals, including structured workshops, walks on Country, informal community gatherings and one-on-one meetings.

This multi-faceted consultation approach provided an inclusive environment and an opportunity for genuine engagement and participation from the Aboriginal community living in the Plan Area.

During and after each engagement activity, participants were invited to make verbal and written submissions to MEC. Detailed notes were taken by the MEC team at each event, capturing comments (verbatim) and overarching themes.

The following structured information sessions and workshops were held:

Audience	Format	Date
NSW Aboriginal Land Council	Information session	23 October 2019
NSW Aboriginal Land Council	Workshop and feedback session	26 November 2019
Gandangara LALC	Information and feedback session	7 November 2019
Tharawal LALC	Information and feedback session	6 November 2019
Deerubbin LALC	Meeting	18 November 2019
Liverpool Community Workshop	Open information session, workshop and walk on Country	14 October 2019
Penrith Community Workshop	Open information session, workshop and walk on Country	19 October 2019
Whalan, Mt Druitt	Open community barbeque and drop-in	5 December 2019





What we heard

The conservation objectives of the Plan were broadly supported by the Aboriginal community. Indeed, these objectives were perceived as being consistent with, and supportive of, traditional Aboriginal culture and values, particularly in relation to Caring for Country.

The community consistently raised the core tenet of Aboriginal culture that Country – including land formations, waterways, flora and fauna – forms an integral part of individual and community identity. From an Aboriginal perspective, *culture and Country are inseparable*. As evidence of this, the community articulated several Aboriginal cultural beliefs, including:

- the notion that a person's body is regarded as an extension of the land, rather than separate from it
- the belief that the health of rivers and waterways is a direct reflection of the health and wellbeing of local Aboriginal people; and
- the definition of family and kinship as including certain species of plants and animals (totems).

A major concern voiced by community was that urban development and the degradation of the natural environment in Western Sydney will have profound implications for the physical and mental wellbeing of Aboriginal people.

Overall, the Aboriginal community strongly supported the Plan's objective to balance development with measures that protect the natural environment. Recognising the importance of connection to Country, the Aboriginal community saw protecting the natural environment as inherently protecting cultural identity.

It is noteworthy that this consultation was conducted *prior to the Plan being drafted*, as distinct to consulting with community *about the draft Plan*. This approach was perceived as providing the Aboriginal community with an opportunity to influence the Plan from the outset. Multiple participants of open community events remarked that they perceived this early consultation as a positive step by government, and an indication of the Department's intention to genuinely engage with, and listen to, the community.

To further enhance the inclusivity of the consultation process, the community requested an extension of the planned 28-days of public exhibition of the draft Plan. They argued that a 28-day timeframe is insufficient for necessary community scrutiny and comment. This is especially the case given reforms being made to the Aboriginal Land Rights Act that Aboriginal people are attempting to navigate and provide comment on. To ensure accessibility of information, relevant documents and research should be made available to the community online.

The Plan presents opportunities for collaboration across the Plan Area and the community expressed a general desire to be more meaningfully involved in the Plan, beyond mere consultation. The term "engagement" should be avoided as it has negative connotations in the

Aboriginal community. Rather, terms such as "participation", "collaboration" and "involvement" suggest a more active, meaningful and balanced relationship.

Continuity in relationships with Government requires a dedicated and consistent strategy to work meaningfully over the long term with the Aboriginal community of Western Sydney. This is addressed separately in the Engagement Framework for ongoing collaboration.

Key themes

In this section, feedback from the Aboriginal community is presented according to the following three themes:

1. Cultural Heritage

2. Land and Environment

3. Social and Economic

However, it is important to note that these themes are not regarded as discrete or separate from an Aboriginal perspective. Rather, these issues are regarded as deeply interconnected. Indeed, the conceptualisation of cultural heritage as separate from Country (the environment) is a challenge for the Aboriginal community.

As evidence of this, consultation questions were designed to illicit information on specific species that were culturally important, and areas of cultural significance to be included in the Plan; yet responses from community were holistic, integrating concepts of people, culture and Country. This is reflective of the Aboriginal vision of a symbiotic relationship existing between people and the environment – a relationship that is acknowledged and celebrated through cultural practices and cultural heritage.

What we heard *(Continued)*

Cultural Heritage

Broad feedback from the Aboriginal community and LALCs in the Plan Area was that, first and foremost, *all* of the natural environment in Western Sydney is culturally important. A recurring message was that, for Aboriginal people, land and culture are inseparable – the protection of one is the protection of the other. The community consistently advocated for minimising the amount of land impacted by development, through land clearing, for example.

I grew up in this area. I'm concerned about the gutting of land and Aboriginal sites in Western Sydney in the past. I'm concerned this is about to happen again.

– Penrith Community Workshop

Where land clearing and other activities that impact the natural environment are unavoidable, the community consistently advocated for the recognition of Aboriginal people, languages and culture in new conservation areas (such as reserves or national parks), urban development (such as residential and commercial precincts) and civil infrastructure (such as road corridors).

There was consensus across all Aboriginal engagement events that cultural sites and sacred places in Western Sydney must be protected, and that the Plan offers an opportunity to achieve this by seeking to balance conservation and urban development. Community clearly voiced a need for future urban development to avoid or mitigate the destruction of the natural landscape, and thereby the cultural heritage assets embedded in it. In preserving the features of the natural landscape (such as a rocky outcrop) the Government will also be preserving Aboriginal cultural heritage (such as Aboriginal engravings in that rocky outcrop).

Our sacred and special places are supposed to be protected, but in reality, they are not. There is a place in Western Sydney, the emu dreaming place, there you can see Aboriginal engravings on a rock – an emu being hunted and then lying flat. Alongside it there are houses with overflowing sewerage pipes... it's being going for 30 years and the water is lifting the sandstone and it is cracking. Now we are losing the beautiful engravings there. This is our heritage. It's heartbreaking.

– Penrith Community Workshop

This offers another layer of value to biodiversity conservation in Western Sydney – as a means of achieving cultural heritage outcomes. The overriding message from the community consultation was that *if you're conserving Country, then you're conserving cultural heritage*. Thus, if Country and cultural heritage are inseparable to the Aboriginal community, then conservation programs such as those in the Plan inherently provide opportunities to protect and promote cultural heritage values.

One mechanism to achieve this could be the incorporation of traditional Aboriginal land management practice and knowledge in management plans for conservation areas. Strategic fire management was cited as an example where the environment can benefit from Aboriginal knowledge around land management.

Participants expressed a desire to see non-Aboriginal landholders encouraged and supported to adopt traditional land management practices, and for them to preserve and protect cultural values. This will require engagement with the Aboriginal community regarding what should be protected and what those land management practices are.

Strategic planning can put Aboriginal cultural knowledge and land practices into Development Applications (DAs) to mandate that Aboriginal expertise needs to inform development, so it becomes the norm in the future. When families buy a land and home package, they can learn about native plants, medicinal uses - wattles, for example - and practice cultural land management in their own backyard.

– Liverpool Community Workshop

In relation to the degree of cultural value placed on specific species of flora and fauna, including for the purposes of determining biodiversity credits under a BSA, this can depend on the Country that an Aboriginal person has a cultural association with. Aboriginal people who are descended from traditional custodians of the lands in Western Sydney have a very strong attachment to those lands, and possess unique cultural knowledge of local flora, fauna, language, stories and other aspects of Aboriginal culture. Promoting these local cultural values (information about flora and fauna unique to the Cumberland Plain) would recognise and honour these traditional custodians and create a sense of belonging and recognition for their descendants.

What we heard *(Continued)*

In Aboriginal culture, Aboriginal people and land are inseparable. To carve off a species and give it a label is foreign to how we relate. In the future we need to help rebuild that understanding about how connected it is. To help people understand the stories that sit behind that.

– Liverpool Community Workshop

However, as has been noted previously, a large proportion of the Aboriginal community in Western Sydney have a cultural association *outside* Western Sydney, stemming from the impact of colonisation and the subsequent displacement of Aboriginal communities. Nevertheless, these people have developed a strong attachment to land and culture in Western Sydney, regardless of their Country of origin. Attachment develops when families have lived in an area for generations and have accumulated local cultural and historical knowledge through oral histories and cultural education. Recognising the cultural values (flora and fauna) important to other lands may therefore contribute to a sense of belonging for Aboriginal people in Western Sydney who have an association with those other lands.

Access to protected areas is critical for Aboriginal people. Aboriginal people still have a connection to Country - it is still in our DNA. We need to understand the difference for Aboriginal people who have been disconnected from their land, given lots of Aboriginal people in Western Sydney aren't from Country.

– Liverpool Community Workshop

The community saw the Plan as an opportunity to educate Aboriginal and non-Aboriginal people in Aboriginal culture, local history and oral histories and enhance the visibility and appreciation of Aboriginal culture, both pre- and post-colonisation. Participants felt that a failure to do this would be viewed as a continuation of colonisation and would show disregard for Aboriginal people.

We've been banging on about respecting the significance of Aboriginal culture in the history of this country a long time. 70,000 years - and potentially 120,000 years - we've been here. Why aren't all Australians jumping up and down with pride?

– LALC Workshop

Examples of how cultural heritage could be reflected in the built environment as well as the natural environment included dual naming of assets and roads, use of Aboriginal language and artwork on signage, information about species and their traditional uses by Aboriginal people. Further, promoting those values publicly and celebrating Aboriginal culture and knowledge would strengthen identity with, and attachment to, Western Sydney.

People have to know the sacred places, stories, plants, how it all came about. Stories about the dreaming, ancient stories. These define nature. From an Aboriginal perspective, it is important to bring that acknowledgement. We don't want to see developers just putting in public art. Let's not do window dressing with artworks but have our history embedded into the structures that are built in Western Sydney.

– Liverpool Community Workshop

Access to strategic conservation areas was a recurring theme during the consultation. Providing spaces for teaching, healing, family gatherings and the practice of culture is an essential requirement for Aboriginal people. This is analogous to existing protections of rights for people to practice their religion – such as access to churches. Similarly, access to Country is essential for Aboriginal people, as the practice of culture and the strengthening of spiritual connection can only be conducted on Country.

We have two worlds not necessarily connected. Our challenge is to get those better connections. Aboriginal people can demonstrate that when you're in touch with Mother Earth and Country, you are well, healthy and happy. Land and water provide for you. The important thing about Country is that to experience that, you need to be on Country. Therefore, it is vital that Aboriginal people have access to strategic conservation areas.

– Liverpool Community Workshop

In traditional Aboriginal society, people did not own the land, it was part of them and it was their duty to respect and look after Mother Earth. According to Aboriginal lore, people were created from various flora and fauna species, and totems – central to Aboriginal identity today – are derived from this concept of creation.

There is a different understanding of family in Aboriginal culture that needs to be acknowledged here. In a western context, 'family' means the human beings in your biological family. We have families that include what you describe as 'threatened species'.

– Liverpool Community Workshop

In this way, Aboriginal attachment to land is profoundly different to European concepts of land ownership. Aboriginal people regard their relationship with land as akin to mother and child, one of reciprocal obligation.

What we heard *(Continued)*

Land and Environment

As traditional custodians of the lands of Western Sydney for at least 70,000 years prior to colonisation, the protection of the natural environment is incredibly important to Aboriginal people and cannot be understated. During the consultations, people recalled earlier times, when they first moved to the area, and talked about the vast open spaces and large community and family gatherings, told stories of seeing wildlife more frequently and of seeing a greater diversity of wildlife than they do now. Participants spoke about the importance of specific species within the Plan Area, such as a group of river gums, the lyre bird and a mob of emus.

“The last river gums in Camden are along a bend in the river - about 12 of them. We need to protect those last individuals and bring back more.”

– Penrith Community Workshop

There was strong interest in BSAs from the LALC network as they strive to deliver maximum benefit to their communities in terms of social, economic and cultural outcomes. The Plan presents opportunities to achieve this through conservation measures such as BSAs. However, “in-perpetuity” agreements in current BSAs can be an issue for Aboriginal communities. Decisions about land that impact future generations by “locking up land forever”, whether through sale, development, or in-perpetuity conservation agreements, can be difficult for LALCs. The Aboriginal community wants to leave a legacy of choice about land use for future generations, as well as wealth. This is one reason why decision making processes can be complex and lengthy in the Aboriginal community.

Another concern regarding the uptake of BSAs by LALCs was uncertainty around the economic benefit. Key concerns included the prohibitive cost of assessing and establishing a stewardship site, lack of technical expertise, access to independent advice, and market uncertainty. To address this issue, communication with the Aboriginal community about biodiversity offset schemes needs to avoid complexity, and further incentives for Aboriginal landholders should be explored. LALCs were far more familiar with the principle of establishing strategic conservation areas to offset their own development.

Aboriginal people and organisations in Western Sydney wish to have direct involvement in implementing and managing strategic conservation areas through the Plan. This includes conducting BAM assessments, monitoring, evaluation and surveillance. LALCs want to be engaged in conversations about strategic conservation areas such as national parks and reserves and explore opportunities for joint management.

Further, the community expressed a desire for Aboriginal land management practices such as fire management, to be included in the Plan to enhance environmental outcomes. There was also support for Aboriginal ecological practices to be recognised and incorporated alongside western

science. In this way, the Plan provides an opportunity to understand and value Aboriginal land management practices.

The Department's Aboriginal Community Land and Infrastructure Program educates Aboriginal people about the planning system and aims to empower the Aboriginal community with the tools and information they need to gain greater economic benefit from their land. This program also undertakes comprehensive mapping of LALC land holdings and applicable planning layers that can assist LALCs in understanding what type of economic activities and land uses can be carried out on their land. This program would immediately build the capacity of some LALCs in the Plan Area, and enable them to consider land use options, including biodiversity conservation opportunities, strategically.

One LALC expressed a strong interest in a State Environment Planning Policy, similar to the Darkinjung State Environmental Planning Policy (SEPP) pilot. The community felt that whatever form they take, conservation and cultural heritage protection schemes should be outcomes-focused rather than process-focused, with reporting regimes that clearly articulate the outcomes.

Furthermore, it should be noted that LALC decision making and approval processes regarding land are generally complex, can take a significant length of time and can be costly, as LALCs may be required to pay a “Development Levy” to NSWALC (Division 4A, ALRA 1983). Provision for these factors should be made in the Department's consultation planning process.

Also, LALCs expressed a challenge around past planning systems, particularly at a local level, which have inhibited their economic development aspirations regarding the use of their land. More broadly, the planning system was seen as complicated, resulting in difficulties for Aboriginal people conceptualising the strategic conservation plan versus local environment plans. This was viewed as disempowering for LALCs and Aboriginal community members.

“It is difficult for the Aboriginal community to have confidence in an overarching strategic plan that supposedly lasts 30-40 years, when we know that the Local Environmental Plans (LEPs) change frequently. Our experience with the LEP process has not been good. LEPs need to support engagement with Aboriginal community with regard to conservation. Government needs to think about this area more, as this will be an important message for community.”

– Liverpool Community Workshop

Some LALCs queried how the planning system and the Plan will treat areas currently under land claim in the Plan Area. There is significant interest from LALCs in the potential to expeditiously resolve long standing land claims to facilitate the creation of strategic conservation areas.

What we heard *(Continued)*

Social and Economic

The community expressed support for the economic opportunities presented by the Plan for Aboriginal people, businesses, landholders, LALCs and other Aboriginal stakeholders in the Plan Area. Some of the potential benefits of the Plan identified by the community included:

- short- and long-term employment opportunities, including unskilled jobs (such as labouring) as well as professional roles (such as engineering and accounting)
- local purchasing of goods and services for infrastructure projects, such as saplings for road nature strips, Aboriginal art for street-scapes and motorways, as well as non-cultural goods and services
- education and upskilling to support professional careers for Aboriginal people through universities and vocational education and training providers
- new business opportunities around cultural tourism, research and training hubs, and the delivery of Biodiversity Assessment Methodology (BAM) assessments as part of BSA applications by private land owners
- revenue generating opportunities stemming from BSAs whereby Aboriginal landholders, including LALCs can access ongoing funding in exchange for managing land and preserving biodiversity.

There was an appetite in the Aboriginal community for technical and professional skills, education and accreditation and a desire not to be limited to opportunities in unskilled, trade-based and construction occupations. There was interest from the community in establishing career opportunities for Aboriginal people. Examples such as cadetships and scholarships in environmental science and other related disciplines were discussed. The inclusion of Aboriginal knowledge and people in research was seen as an opportunity to deepen two-way learning between Aboriginal and non-Aboriginal communities.

We are very interested in jobs for Aboriginal people living in Western Sydney - both during development and after. Not just low-level work like labouring, but professional jobs that have longer career prospects, such as Aboriginal engineers, ecologists, financial advisers, landscapers, horticulturalists, rangers who monitor the environment and species movement, and so on. However, it doesn't mean anything if the agreement uses language like 'we will endeavour'; it has to say 'we will have X amount' – targeted, specific clauses that specify the infrastructure required for employment outcomes.

– NSWALC Workshop

The community expressed a desire for local Aboriginal people to be employed to conduct cultural heritage assessments, such as BAM assessments on Biodiversity Stewardship sites.

Indeed, there was general dissatisfaction with past cultural heritage regimes in which parties from outside the Plan Area may conduct cultural heritage assessments. There was a strong view that, in the first instance, traditional custodians, then LALCs, should be contacted to conduct those assessments. While this is recognised to be directly relevant for development proponents, it may also be relevant where a conservation area needs to be assessed in terms of cultural heritage values. To enable this to happen, the community would require capacity building through education and accreditation programs.

The people that go out and do technical assessments to identify what biodiversity is on a site and how it will be impacted by development – I don't know of one Aboriginal person that's accredited. This presents a problem in assessing cultural values. For example, a plant used for bush medicine might be identified as special because it is a threatened species, but the assessor may not know that plant has cultural value as well. So these assessments are not as rich as they could be because they're missing the connection to Aboriginal cultural heritage.

– LALC Workshop

Participants felt that local Aboriginal businesses could benefit through the Plan. The NSW Government's and the Australian Government's Indigenous economic development and procurement policies, and the NSW Aboriginal Land Council's Yarpa NSW Indigenous Business and Employment Hub provide a strong framework for maximising opportunities for local Aboriginal businesses. Similarly, it was felt that Aboriginal employment targets for contractors under the Plan can have significant economic and social benefits for Aboriginal people.

There's a native bush nursery that employs a lot of Aboriginal people to grow the plants that were then used to revegetate areas. It's an example of how Aboriginal people can be involved in industry and development, and teach our young kids about caring for Country. Can you imagine if every developer and land owner had to purchase their seeds from an Aboriginal nursery?

– Penrith Community Workshop

There was strong support for the Plan to facilitate opportunities for cultural tourism in Western Sydney. Gandangara LALC and Tharawal LALC discussed intentions around development as well as plans for cultural activities, such as a cultural centre, capitalising on the anticipated increase in visitor and population numbers. The community generally expressed a keen desire to be able to conduct tours and camps in strategic conservation areas in Western Sydney. To enable this, strategic conservation areas could have areas set aside for cultural events, cultural tourism and cultural practice. Public events to

What we heard *(Continued)*

commemorate and celebrate Aboriginal history could also promote greater community understanding and appreciation of Aboriginal culture.

The community pointed to the NSW Aboriginal Fishing Trust Fund ⁴ as a good example of how Government initiatives can support cultural values and economic development in natural resource management. This fund delivers programs to support the establishment of fishing businesses, acquisition of operational equipment funds, promotion of cultural fishing activities, education programs, and research. This has led to local community involvement in enhancing cultural fishing grounds and the creation of opportunities for the future management of aquatic resources.

“When people come here, Aboriginal people should be the education officers and park rangers that explain to visitors what’s here now, and what’s going to be here in the future... Dual signage can be displayed so local Aboriginal and non-Aboriginal people can learn what words like “welcome” mean, and develop pride in this.”

– Penrith Community Workshop

Participants at all consultation activities raised the link between Aboriginal people being connected to Country and their social and emotional well-being. The community saw the Plan as having the potential to promote and share cultural heritage by facilitating people’s connection to Country, and thereby contribute to better social and health outcomes for Aboriginal people in Western Sydney.

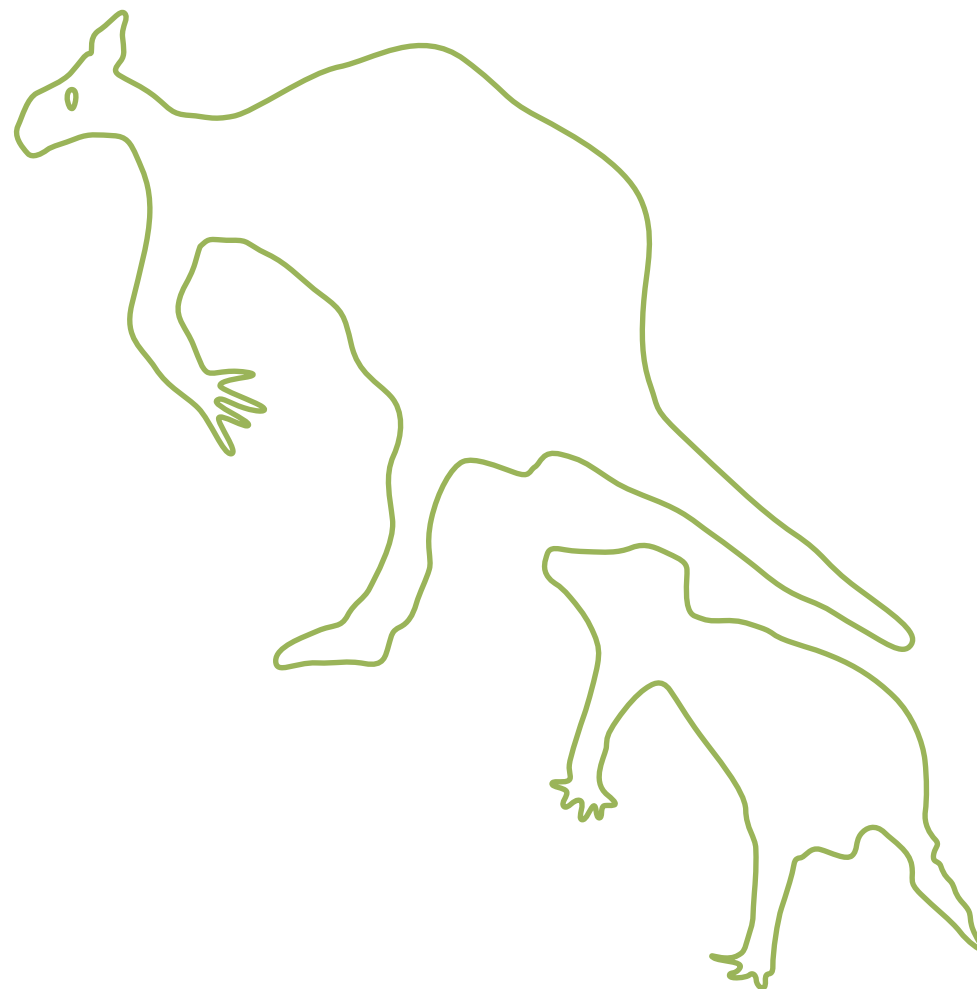
“In relation to value from the point of view of social and emotional health and wellbeing. For Aboriginal people, the environment goes straight to how well we are.”

– Liverpool Community Workshop

Young Aboriginal people in particular value the opportunity to develop a stronger cultural connection by spending more time on Country. Yet despite the importance of connection to Country, with the projected population increase in Western Sydney, open spaces are expected to become more difficult to access, and people are feeling increasingly under pressure to find affordable homes, connect with Country, and practice culture in Western Sydney. The Plan offers an opportunity for strategic conservation areas and private land owners managing a Biodiversity Stewardship Site to support this by allowing access to Country for cultural purposes.

“The kids skipped school to come with us up the mountain to see this beautiful scarred gum tree. Then the council cut that tree down to replace it with a white-fella skate park. We fought hard to save that tree, but in the end they cut it down.”

– Penrith Community Workshop



Stakeholder views and contributions at events

NSWALC

Noting NSWALC did not speak on behalf of LALCs, NSWALC representatives from NSWALC were generally supportive of the opportunities in the Plan around conservation and land management on LALC lands through BSAs and other conservation instruments. However, they articulated concerns around the mapping of LALC land, land under native title claim, and the prospect of compulsory land acquisition, influenced by past negative experiences of some LALCs with local planning instruments.

There was also concern around the use of the phrase “in perpetuity” in BSAs, which conflicts with the cultural value of empowering future generations to make decisions about matters that impact them, and the manner in which they Care for Country. It was seen to force future custodians of land to be accountable to the Biodiversity Conservation Trust (BCT) for conservation and land management activities, rather than making these decisions on behalf of community and Country autonomously.

NSWALC identified a need for the Plan to recognise the value of land beyond the value of flora and fauna, to include Aboriginal cultural value. For instance, if two comparable areas of land were to be evaluated for a BSA, NSWALC expressed a desire for the land that has Aboriginal cultural value to be valued above that which does not.

NSWALC was open to exploring the potential for partnerships between the Department and NSWALC and noted precedents for this in other NSW Government agencies. Such partnerships were perceived to work well, although the success of individual partnerships was largely dependent on the structure of that partnership and how it affected LALCs.

Tharawal LALC

Tharawal was supportive of the Plan’s objective to protect and conserve as much land as possible in the Plan Area, as well as opportunities for the LALC to develop revenue streams through BSAs to provide a sustainable economic base from which the community can benefit in the long term. They supported the promotion of Aboriginal culture to the broader community through the Plan and saw this as an opportunity to restore the cultural connection that many Aboriginal people in the region have lost in recent decades. They called for education and employment initiatives that support long-term professional career pathways for Aboriginal people. In particular, they supported employment opportunities around Caring for Country, cultural tourism and other commercial opportunities. Tharawal LALC has recently invigorated its focus on training and employment through land management and cultural

protection and promotion.

Cultural Heritage

Tharawal are strongly committed to promoting Aboriginal cultural heritage and creating pride in Aboriginal and non-Aboriginal communities for the long history of Aboriginal culture. In the context of the Sydney basin being a resettlement area for Aboriginal people during colonisation, Tharawal are actively trying to restore the cultural connection that many Aboriginal people in the region have lost. In line with this agenda, they voiced support for strategies that promote cultural heritage through the Plan, such as dual signage, signposting of scarred trees, teaching of language, and educational information displayed at popular gathering places that promote Aboriginal culture and local history.

Land and Environment

Tharawal expressed an interest in BSAs as a means of conservation and revenue creation for the LALC. Indeed, they identified several sites in the Plan Area that are on Tharawal land and which they would never develop, making them potential candidates for BSAs.

They expressed a desire for biodiversity impact assessments to include the impact on culturally significant Aboriginal sites and requested enhanced protections for these cultural assets through the Plan.

LALCs and landowners can be vulnerable to predatory developers. Such vulnerabilities can also apply to biodiversity offsets. A possible solution to this is to supply funding for independent legal advice. This also has the advantage of limiting the cost of entering into a BSA, which can be prohibitive for LALCs.

Social and Economic

From a social and economic perspective, Tharawal were supportive of initiatives that enable Aboriginal children who show an aptitude for science and the environment to complete training, through TAFE or a university, and gain local employment in these areas. Long-term career pathways that look beyond short-term skill gaps and support sustainable Aboriginal businesses, was also viewed positively.

Tharawal raised the notion that within the construction industry there is a large focus on Aboriginal employment, and that this should be expanded to include employment opportunities around Caring for Country, science and engineering, and environmental enforcement.

Another field that they saw the Plan as able to support Aboriginal employment is in cultural

What we heard *(Continued)*

tourism. In relation to the construction of the Western Sydney International Airport, the location of Tharawal lands means that the airport provides further opportunities for cultural tourism, housing development, warehousing and industry.

Regarding employment and business opportunities associated with land management, Tharawal were of the strong view that traditional custodians are the ones with the knowledge to care for the local environment. As such, they believed that the Plan should preference local cultural knowledge holders to do this work and provide opportunities for traditional owners to increase their capacity to deliver this work on a broader scale. Capacity building and start-up funding were identified as requirements for Tharawal to participate effectively in the Plan.

Training can be tailored to the needs of LALCs in relation to cultural tourism, cultural heritage assessment and land management.

Deerubbin LALC

Deerubbin LALC declined MEC's request to hold a structured closed workshop, however, Deerubbin LALC leaders did supply a copy of their recent Biodiversity Framework submission to the Premier regarding treatment of Deerubbin lands in the Plan Area (summarised below). While the submission goes beyond the scope of this community engagement program, relevant parts of the discussion are reflected in this report.

During a one-on-one meeting with MEC and Departmental representatives, Deerubbin LALC discussed their concerns in more detail and expressed an interest in engaging further with the Department regarding the Plan. Specifically, they requested clarity around:

- a) how the Plan will impact them, especially regarding lands under claim; and
- b) confirmation of which specific lots under claim are targeted by the Plan for BSAs.

The legal process to implement the Plan's objectives regarding BSAs and strategic conservation activities was discussed. It was suggested that this could take a year or more and should be taken into account in the Department's planning process.

Summary of Deerubbin LALC's submission to the NSW Premier, 16 September 2019

Deerubbin LALC is a significant land holder in Western Sydney with a high concentration of lands in the Plan Area. Under the Aboriginal Land Rights Act 1983, LALCs have responsibility for holding, using, developing and otherwise dealing with its lands in the interests of members and the Aboriginal community in its area. Deerubbin's Community Land and Business Plan clearly positions the LALC to developing a commercial business strategy in the biodiversity offset scheme, and to investigating and pursuing complementary business opportunities (such as seed supply and land management). Deerubbin also seeks to drive housing and

employment outcomes for its members and community.

However, Deerubbin has been negatively impacted by historical planning decisions that have impeded the LALC in achieving its objectives. The LALC is concerned that the current local and strategic planning and biodiversity conservation regimes will further impede the LALC's success.

Deerubbin LALC is committed to environmental conservation stemming from a deep connection to Country and strives to meet its statutory responsibilities while achieving environmentally sustainable development. The LALC provides examples of sites where the cost of off-setting development has rendered the development unfeasible. The examples demonstrate the LALC's concerns regarding high establishment costs and an imbalance in biodiversity credit market forecasts dis-incentivising and impeding the Aboriginal land holder to contribute to strategic conservation.

The LALC expressed disappointment that Government has not engaged strategically with LALCs, particularly given the importance of Country to Aboriginal people, and the significance of the Aboriginal land estate in Western Sydney. However, the LALC is interested in discussing strategies to achieve better outcomes for Aboriginal land holders and the community, while contributing to achieving Government strategic outcomes.

Gandangara LALC

Gandangara LALC demonstrated an openness to support the Plan's commitments and outcomes. Indeed, Gandangara perceived an opportunity to be a success story for the Plan owing to the Plan's alignment with their goal of bringing Aboriginal culture and traditional land management practices back to the community. They valued the opportunity for the Plan to integrate Aboriginal knowledge into conservation processes and practices, perceiving this as an opportunity to share their cultural knowledge with the broader community.

They expressed a strong view that Aboriginal people must be part of the planning process and identified a need for greater clarity around the authority of the Plan in the broader context of the Government's planning system.

Cultural Heritage

Gandangara LALC perceived the current cultural heritage protection processes in the planning system as deficient, especially given the lack of progress on cultural heritage reform. For this reason, Gandangara valued the opportunity for the Plan to integrate Aboriginal knowledge into conservation schemes. For example, by having BSAs recognise cultural value, as well as biodiversity value, such that the value of land is enhanced by the presence of

What we heard *(Continued)*

Aboriginal cultural sites.

Gandangara put forward the view that the Plan should support co-management of national parks and reserves by LALCs. They were supportive of opportunities to collaborate with vocational and tertiary education institutions, such as universities and TAFEs, to build and share knowledge of cultural heritage and traditional land practices, given Gandangara's expertise and interest in this area.

Opportunities to share their cultural knowledge with the broader community were also supported, such as contributing to mapping traditional walking tracks, cultural signposting, a research and training hub, and various cultural tourism initiatives.

Land and Environment

The opportunity to co-create the Plan with the Department was welcomed and, furthermore, there was a strong view that Aboriginal people must be part of the planning process, rather than passive recipients of it. There was a strong view that the Government telling Gandangara LALC how to run their lands is unacceptable, bringing into question the role of BSAs in strategic conservation areas.

Gandangara voiced concern around land owners with cultural sites on their land being unwelcoming to Aboriginal groups and, in some cases, destroying culturally significant sites (such as rock engravings) to avoid potential heritage orders on their property.

Gandangara sought to understand how binding the Plan will be, and how it will fit in with other legislation. They were interested in how NSW Government agencies are communicating with each other regarding the Plan and requested clarity around which agency and/or plan would have higher authority in the Government's planning system. This concern was particularly relevant in light of Gandangara's outstanding land claims in the Plan Area.

Social and Economic

A number of economic opportunities were articulated by Gandangara, including plans for raising awareness of Gandangara land and culture when people leave the Western Sydney International Airport. For example, the development of cultural heritage facilities and tours, elders showcasing Gandangara history, and virtual reality tours showcasing Gandangara lands and cultural practices pre-colonisation. They also outlined plans to assess opportunities to build accommodation, shops and infrastructure surrounded by the natural environment.

A range of economic and employment opportunities were also identified and welcomed by Gandangara, particularly professional roles for Aboriginal people in the future Western Parkland City, both during and after the infrastructure expansion phase. They supported opportunities for Aboriginal employment in the conservation measures embedded in the Plan,



What we heard *(Continued)*

such as in ecological restoration and BAM assessments.

Open Community Workshops and BBQ Drop-In

Although open community events had fewer attendees than expected, strong and detailed feedback was received from those who did attend. Aboriginal community members lamented their people's experience of rejection and ostracism since colonisation. However, there was also a view that this consultation process, and the Plan itself, were signs of a new approach, and a willingness by the Government to develop a meaningful relationship with the Aboriginal community.

A strong view articulated in multiple open community engagement workshops was the desire, indeed the right, for the Aboriginal community to be actively involved in decisions that impact Country and their connection to it.

However, engagement with the Aboriginal community should be approached inclusively and with sensitivity. The community felt that Aboriginal cultural heritage protection has had severe deficiencies in the past because the outcome often depended on which Aboriginal organisations, communities and individuals were consulted. For example, a site that is significant to one group or individual may be of no interest to another. In the past, not consulting the right people has resulted in loss of culturally significant artefacts and sacred sites.

Cultural heritage

Unsurprisingly, the community saw Aboriginal cultural heritage as vitally important, with potential for creating a shared Australian identity for Aboriginal and non-Aboriginal people. In line with this, there was support for educating both the Aboriginal and broader communities in Aboriginal history and culture as a means of creating feelings of ownership, belonging and reconciliation among long-term and new residents. There was a view that this would enhance the likelihood of Aboriginal landholders engaging in BSAs and other conservation mechanisms in the Plan.

The community acknowledged that Aboriginal stories and culture are still ongoing, and evolving, and that an understanding of both contemporary and traditional Aboriginal culture and history is vital to the development of the Plan.

Supporting this, the community felt that more work should be done mapping Aboriginal cultural heritage beyond artefacts. This may include mapping ancient travel routes and bringing to light

stories that some non-Aboriginal Australians may find uncomfortable, such as massacre sites and movements of Aboriginal people post-1830.

This was echoed by the strong and consistent message that Aboriginal cultural heritage should be embedded in non-tokenistic ways through visible, physical infrastructure assets, such as:

- dual signage;
- informational digital billboards in prominent locations such as on motorways, the Western Sydney orbital or between the Metro and airport;
- educating people about flora and fauna that inhabits their property;
- commemoration of significant local Aboriginal people;
- embedding dreamtime stories in highly visible Aboriginal art;
- the memorialisation and commemoration of important events in Aboriginal history that took place in the region, such as:
 - o the Appin massacre
 - o the story of Narranjindi Reserve,
 - o the Aboriginal Institute at Plumpton
 - o Aboriginal Infants' Home
 - o Malgowa Missions School
 - o locations where mass hangings took place
 - o ancient travel routes
 - o songlines (claimed to correspond with main roads through the region)
 - o the betrayal of Pemulwuy; and
 - o the first reconciliation in Australia, which took place in the Blacktown area, led by Aboriginal women advocating for peace.

The community expressed dissatisfaction and frustration with past culture heritage regimes and a desire for more effective "stop-work orders" to protect Aboriginal cultural heritage.

What we heard *(Continued)*

Examples were given of the destruction of Aboriginal cultural heritage at sacred and special places, despite work done by the community to prevent this, including:

- a scarred gum tree, which was cut down and replaced with a skate park;
- engravings at an emu dreaming place, destroyed through inadequate land management;
- sand that could contain Aboriginal artefacts being taken off a local river on a daily basis;

Other concerns voiced by the community in relation to the planning system included:

- not meeting the 'in-perpetuity' requirement of the plan;
- the tension between short-term Local Environmental Plans (LEPs) and the 40-year Plan, especially given the negative experience of the Aboriginal community with LEPs;
- scepticism regarding funding of the Plan; and
- environmental protection without an independent Aboriginal agency.

Land and Environment

The community expressed the view that the environment has become a key concern for people around the world today and that this creates potential for the promotion of Aboriginal land management and strategic action planning.

There was a suggestion that regulations regarding engagement with local Aboriginal people about cultural heritage could be introduced. These regulations would need to be cross-agency, and enable the protection of existing trees, the creation of Aboriginal tree planting programs (for example during development or on private property), and education, to embed and normalise these practices in the community. This would have a range of benefits, including community well-being, environmental and economic benefits.

There was a strong view that the Plan needs to preserve the genetics of local Sydney fauna. Community members requested stronger measures to protect environmental assets and cited several examples where these may be applied immediately, including the protection of:

- the last river gums located along a bend in the river in Camden; and
- the last descendants of a pre-colonisation mob of wild Emus, still living on a former ADI site.

Finally, the community thought that Aboriginal land management knowledge and traditional practices could contribute to the Plan's objectives. For example, fire stick and waterways

management could be included in the land management plans developed by accredited assessors as part of the BAM for land owners seeking a BSA.

Social and economic

The Plan Area contains one of the highest Aboriginal populations in Australia. The community viewed this as an opportunity for the Plan to support training and education of local Aboriginal people in ecology and conservation practices. Such training, delivered by local Aboriginal people, would empower and enable individuals to care for Country on their own properties.

Precedents for this were discussed, including a native bush nursery that employed Aboriginal people, plus nurseries, tree planting businesses, cultural education providers, and many more examples. These examples illustrate how to involve Aboriginal people in industry while teaching Aboriginal children and young people about caring for Country.

However, when it comes to education and training programs, the community was wary of past experiences in which Aboriginal training programs had been created, or individuals had received training, but there was often no structure for finding permanent employment. The lived experience of some was that organisations say they are going to train and employ Aboriginal people, yet after training is complete, people are not kept on in work. For the plan to successfully promote Aboriginal employment this must be rectified.

The community pointed to broader opportunities for Aboriginal employment through the Plan, such as:

- conservation monitoring and assessment;
- ecologists for BAM assessments;
- park rangers;
- identification and protection of Aboriginal sites; and
- cultural mapping across strategic conservation areas.

The last of these was called out as an excellent role that can only be done by members of the Aboriginal community. This could be done in partnership between traditional owners and local tertiary institutions and would capture this knowledge before it is lost using modern overlay methods.

The community voiced a desire for Aboriginal businesses to be prioritised in the award of contracts under the Plan, as well as State support for capacity building, because research has

What we heard *(Continued)*

shown that they are significantly more likely to employ Aboriginal people. To support this, it was suggested that:

- the Department should involve Indigenous Business Australia in facilitating this;
- State Government agencies and local councils should have access to a database of local Aboriginal businesses.

The community was supportive of the Plan's potential to generate opportunities for cultural tourism, but only if tourists are not channelled away, as some community members had experienced in the past, such as during the 2000 Olympic Games. Sites of historical significance can also be opened up to encourage cultural tourism.

Another request from community was that any Aboriginal art that is created under the Plan is created by local Aboriginal artists, not Aboriginal artists from other regions, or by non-

Aboriginal artists. A competition for local Aboriginal art, for use on roads or at special sites, could be run on behalf of the Department.

There was also support for education to be built into the Plan that impacts all levels of learning (school, TAFE and universities). Informed by the *"Francis Botkins methodology"*, there should be a focus on practical application of knowledge and skills. These education opportunities could include:

- research partnerships established with the Aboriginal community to enhance knowledge;
- TAFE and university courses in traditional geography and geometry, which can enhance Aboriginal people's connection with culture and promote employment; and
- apprenticeships in a range of vocations.





Next steps

Throughout the consultation process, there was consistent feedback that the approach to community engagement being taken was an improvement on many past community engagement activities delivered by the NSW Government. The community appreciated that their input and feedback was being sought prior to the drafting of the Plan, rather than after it had been drafted. There was also appreciation for having engagement events exclusively for, and specifically tailored to, the Aboriginal community.

Due to the diversity within the Aboriginal community in the Plan Area, there are many sources of cultural authority, including organisations, groups and individuals, and these sources have varying perceptions of their own, and of each other's, level of cultural authority. Cultivating relationships that recognise and respect the various groups and individuals in the Aboriginal community in Western Sydney is integral to building understanding and support for local and strategic delivery of the Plan.

A multi-faceted approach to Aboriginal community participation should be continued, with activities tailored to different Aboriginal stakeholder groups in the Plan Area. Ongoing collaboration and open, two-way communication will ensure that the Aboriginal community continues to have a strong voice and genuine agency in the design and implementation of the Plan moving forward. The Engagement Framework, prepared by MEC, will guide the Department in establishing and building longer term relationships with State and Local Aboriginal Land Councils, Aboriginal businesses and the broader Aboriginal community to collaborate in the delivery of the Plan.

¹ <https://www.greatersydney/western-city-district-plan>, DPIE Fact Sheet: Cumberland Plain Conservation Plan, Sep 2019

² 2016 ABS Census data accessed at <https://www.abs.gov.au/websitedbs/D3310114.nsf/Home/2016%20Census%20Community%20Profiles> - showing Indigenous population data of LGAs with aggregate Indigenous population in the eight LGAs in the Plan Area of 33,611. This figure includes Indigenous people living in Wollondilly (1,552), Campbelltown (5,971), Blacktown (9,526), Camden (1,933), Liverpool (3,012), Fairfield (1,483), Penrith (7,741) and Hawkesbury (2,393). 'Indigenous' in this context refers to Aboriginal and/or Torres Strait Islander residents.

³ Where capitalised, the word 'Country' is used in this report according to its use in Aboriginal community — that is, to mean land, water ways and the flora and fauna living in both.

⁴ <https://www.dpi.nsw.gov.au/fishing/aboriginal-fishing/AFTF>

