### Department of Planning, Housing and Infrastructure

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## Caring for Country Aboriginal Outcomes Strategy 2024-2033

What we heard Report

March 2024





# Acknowledgement of Country

The NSW Department of Planning, Housing and Infrastructure would like to acknowledge the Darug, Dharawal and Gundungurra Traditional Custodians, who care for the Cumberland Plain. Others, such as Darkinjung, Wiradjuri, Guringai and Yuin, maintain trade or other obligatory care relationships with the area. We extend that respect to the Deerubbin, Gandangara and Tharawal Local Aboriginal Land Councils, who maintain responsibilities towards Country, community and culture. We acknowledge the many thousands of Aboriginal and Torres Strait Islander people in Western Sydney who call the Cumberland Plain home. Although their lineage may also connect them to other Countries, we acknowledge their deep connection to this Country. We extend this respect to all Aboriginal and Torres Strait Islander people who have a relationship with the Cumberland Plain.

The development of the Cumberland Plain Conservation Plan acknowledges the continuous Aboriginal connection to the land that makes up New South Wales. This Caring for Country Aboriginal Outcomes Strategy 2024–2033 recognises that, as part of the world's oldest living culture, Aboriginal people share a unique bond with Country. This significant connection to Country has played an important part in shaping this Caring for Country Aboriginal Outcomes Strategy 2024–2033. We acknowledge that Country takes in everything within the physical, cultural and spiritual landscape – landforms, waters, air, trees, rocks, plants, animals, food, medicine, minerals, stories and special places. It includes cultural practice, kinship, knowledge, songs, stories and art, as well as spiritual beings and peoples: past, present, and future.

Peter Ballard, Indigenous Community Engagement Consultant/GHD/proud Birpai man with family connection to the Bundjalung people.

### **Terminology**

While we have worked hard to ensure this document is representative in recognising all who are connected to Country within the CPCP area, we are aware that terminology within this report may not be the preferred choice for some.

For the purpose of this report, we have used the name Aboriginal to recognise the Traditional Custodians of NSW and those with connection to Country within the CPCP area. We have used the names Aboriginal and Torres Strait Islander people for actions that may be relevant for both Aboriginal and Torres Strait Islanders with connections to the CPCP area.

Within the report we have used the spelling Darug, Dharawal, and Gundungurra to represent the Traditional Custodians of the CPCP area, however, we are aware there are numerous accepted spellings of these names, as they have been passed on verbally for many generations and have been subject to different interpretations.

The spelling of Aboriginal people and other terms that the Aboriginal key collaborators and consultation respondents use may differ from what the NSW Department of Planning, Housing and Infrastructure has used throughout this document. The NSW Department of Planning, Housing and Infrastructure has retained those spellings as they were submitted.

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Cover photo taken on Dharug Land - Yellomundee Regional Park - Shaws Creek

#### Acknowledgements

GHD Pty Ltd has prepared this document for the Department of Planning, Housing and Infrastructure using material from conversations with representatives of the Darug, Dharawal and Gundungurra Traditional Custodians in Western Sydney. The department also received engagement responses from Local Aboriginal Land Councils, members of Aboriginal communities and service providers. Their responses are integral to shaping the final Caring for Country Aboriginal Outcomes Strategy 2024–2033 under the Cumberland Plain Conservation Plan.

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### **Executive Summary**

The Cumberland Plain Conservation Plan (CPCP) provides biodiversity approvals to enable new housing, jobs and infrastructure in the Western Parkland City. The CPCP will offset impacts to native vegetation from new development by protecting important biodiversity through a network of private and public conservation land across Western Sydney. Through these actions, the CPCP is preserving the health and wellbeing of Country.

Since 2019, the NSW Department of Planning, Housing and Infrastructure (the department) has been working with Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities in Western Sydney to understand their priorities around employment, education and training, caring for Country and recognising culture within the Cumberland Plain.

The outcomes of these discussions resulted in the draft Caring for Country Aboriginal Outcomes Strategy 2024–2033 (the Strategy). One of the CPCP's key objectives, the draft Strategy focused on 4 themes and 15 actions that were co-developed with Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities of Western Sydney.

#### The draft Strategy aims to:

- improve the health and wellbeing of Country
- promote Aboriginal culture and knowledge
- help enable Traditional Custodians and Aboriginal people maintain distinctive relationships with the land, waters and sky in Western Sydney
- support economic participation for Aboriginal people

This What we heard report (the Report) outlines the outcomes of the department's discussions with Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities across Western Sydney as part of the exhibition of the draft Strategy. The department has incorporated these discussions into a final revision of the Strategy, which it will make publicly available in March 2024.

The department wishes to extend our thanks to all members of the Western Sydney Aboriginal communities who contributed to the Strategy. The department is committed to engaging with all Aboriginal and Torres Strait Islander communities, and as we deliver this 10-year Strategy, we hope to reach more and more members of Aboriginal and Torres Strait Islander communities. Where possible, we will also look to partner with service providers and other government agencies to deliver actions in this Strategy to reduce duplication of effort and engagement fatigue.

Through ongoing engagement during delivery of the Strategy, we will look to incorporate lessons learned and new engagement responses into the delivery of the actions, so they continue to reflect the priorities of Western Sydney's Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal and Torres Strait Islander communities.	

### 1 Introduction

#### 1.1 About this document

This What we heard report (the Report) summarises the outcomes from engagement with representatives of Western Sydney's Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities on the NSW Department of Planning, Housing and Infrastructure's (the department's) draft Caring for Country Aboriginal Outcomes Strategy 2024–2033 (the Strategy) while the Strategy was on exhibition from November 2022 to April 2023. This Report includes:

- a summary of the engagement approach and activities
- what we heard
- recommendations and next steps.

### 1.2 Project Context

The Cumberland Plain Conservation Plan (CPCP) commits to 8 social, environmental and economic outcomes. One of these outcomes is to support economic participation for Aboriginal people, promote Aboriginal culture and knowledge, and enable Traditional Custodians and Aboriginal communities to maintain distinctive cultural, spiritual, physical and economic relationships with land and waters in Western Sydney. To achieve this outcome, the department is co-developing the Strategy with Western Sydney's Aboriginal communities.

The draft Strategy focuses on 4 themes and 15 actions that were co-developed with the Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities of Western Sydney. The themes are:

- 1. co-developing actions with Aboriginal communities through partnerships
- 2. caring for Country
- 3. recognising Aboriginal culture and heritage
- 4. growing Aboriginal businesses, employment and training in the environmental sector.

The draft Strategy aims to:

- improve the health and wellbeing of Country
- promote Aboriginal culture and knowledge
- help enable Traditional Custodians and Aboriginal people to maintain distinctive relationships with the land, waters and sky in Western Sydney
- support economic participation for Aboriginal people.

### 1.3 Finalising the draft Strategy

The department released the draft Strategy for engagement in November 2022.

To continue co-developing the Strategy with the Aboriginal and Torres Strait Islander communities of Western Sydney and build on previous engagements and partnerships, the Strategy was available for comment for 6 months.

During this time, the department invited members of Western Sydney's Aboriginal and Torres Strait Islander communities to submit their engagement responses by phone or email. The department also co-facilitated several engagement activities, including a webinar, committee meeting presentations, one-on-one meetings both in person and online, and attendance at events for Aboriginal communities.

During the engagement period, the department asked participants to consider the following questions:

- What actions do you see as the highest priority?
- What are your views on the Strategy's goals? Do you see the proposed actions as effective in meeting the goals?
- How would you want to be involved in the delivery of the Strategy?

This document outlines the responses the department received during the engagement period for the draft Strategy. We have used these engagement responses to update, amend and finalise the Strategy.

### 2 Engagement approach

### 2.1 Engagement to date

The department engaged with Aboriginal communities from 2019 to 2022; we outline the stages of engagement below.

#### 2.1.1 Early engagement (2019–20)

The department conducted early engagement with Western Sydney's Aboriginal communities to help inform the CPCP's development in 2019. During that time, the department conducted:

- open events in the Aboriginal communities of Western Sydney
- workshops with Local Aboriginal land Councils (LALCs)
- walks on Country.

Marcia Ella Consulting conducted engagement over the 6 months from July to December 2019. Participants included the New South Wales Aboriginal Land Council (NSWALC) and the Gandangara, Tharawal and Deerubbin LALCs.

We engaged more Aboriginal communities through a walk on Country and information sessions in Liverpool, Penrith and Mt Druitt. Participants broadly supported the aims of the draft CPCP due to its alignment with Aboriginal culture and values, particularly regarding caring for Country. We captured and presented the engagement responses from communities under 3 key themes:

- cultural heritage there is an important link between land and culture, meaning protecting land and minimising land clearing are critical to protecting Country, cultural heritage sites and cultural knowledge
- land and environment it is important to increase open spaces with native plants and animals for urban Aboriginal communities to connect with Country and with one another
- social and economic support for economic opportunities for Aboriginal people, businesses, and landholders, LALCs and other Aboriginal and Torres Strait Islander communities in Western Sydney is important. Highlighted opportunities were employment, local procurement, education and upskilling, business opportunities and revenue-generating opportunities.

The department used the outcomes from this engagement to inform the final CPCP. The engagement responses from communities emphasised the need for a strategy that specifically highlights how implementing the CPCP can serve Aboriginal communities in Western Sydney.

#### 2.1.2 Engagement to inform the draft Strategy (2020–22)

The department conducted engagement during this period to understand Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities' priorities and opportunities for the Strategy. We conducted the engagement in collaboration with GHD and Zion Engagement and Planning (Zion).

The department's previous engagement activities informed this engagement approach and leveraged GHD's and Zion's networks across the CPCP area. Engagement during this period sought to collaborate with Aboriginal communities that were not involved in early engagement on the CPCP in 2019 and 2020.

The department met with several Aboriginal communities and organisations, including:

- Darug, Dharawal and Gundungurra Traditional Custodians
- LALCs
- Aboriginal officers and officers who work closely with Aboriginal communities from relevant local councils
- Registered Aboriginal Parties (RAPs)
- local members of Aboriginal communities
- Aboriginal corporations, businesses and organisations
- Aboriginal and Torres Strait Islander service providers.

The department had 32 meetings and contacted more than 250 members of the Aboriginal communities. The department also engaged with Aboriginal communities by distributing a project newsletter and a community survey. The survey was distributed through the networks of key Aboriginal and Torres Strait Islander service providers and communities, and it received 23 responses.

In May 2022, the department ran 'close the loop' sessions to test the outcomes of engagement with participants. These sessions helped further refine and finalise the actions in the Strategy. Throughout the sessions, participants could identify actions that they wanted to participate in over the 10-year life span of the Strategy.

For more information about previous stages of engagement, you can view the <u>Caring for Country-</u>Aboriginal Outcome Strategy Consultation Outcomes Report.

### 2.2 Exhibition engagement delivery

Engagement activities during the exhibition period took place from 11 November 2022 to 24 April 2023.

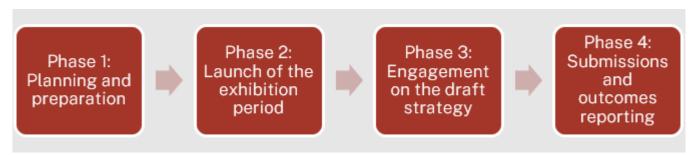
#### 2.2.1 Engagement objectives

The engagement objectives were:

- to share the draft Strategy with a wider audience of Traditional Custodians and Aboriginal and Torres Strait Islander communities, services and business owners.
- to build on relationships with communities as the Strategy evolves to benefit implementation of the final Strategy.
- to build on previous engagement but also expand the number of Traditional Custodians and other key members of Aboriginal communities from the CPCP area involved in engagement.

### 2.2.2 Engagement Delivery

The department conducted engagement during the exhibition period as part of 4 key phases (Figure 1).



#### Phase 1: Planning and preparation

The purpose of Phase 1 was to confirm engagement objectives and timing, identify key Aboriginal groups and communities to reach, and confirm the best strategies for meeting engagement objectives.

The planning and preparation phase involved developing an engagement action plan with the department's communications team, as well as the team delivering the research strategy to support the CPCP.

We also developed the following material as part of Phase 1:

- a series of fact sheets outlining what's in the Strategy for the following groups:
  - Traditional Custodians

- o LALCs
- Aboriginal business owners
- o members of wider communities.
- project presentations for use during engagement meetings
- printouts of the Strategy for in-person discussions; we posted some printouts to members of Aboriginal communities who preferred to review a hard copy of the Strategy before discussions.

#### Phase 2: Exhibition launch

The purpose of Phase 2 was to share information about the Strategy exhibition period to the largest possible number of Aboriginal and Torres Strait Islander communities in Western Sydney. Table 1 outlines engagement activities from the launch phase.

During the above activities, all participants were also encouraged to share information about the Strategy to their networks.

We advertised the Strategy and its exhibition period on Koori radio and Koori newspaper.

Table 1. Engagement activities in the launch phase of the Strategy exhibition

Engagement tool	Purpose and context	Outcome
Webinar	<ul> <li>The purpose of the webinar was to:</li> <li>introduce the department team implementing the final Strategy</li> <li>outline the Strategy contents and previous engagement outcomes</li> <li>outline opportunities for further engagement on the Strategy</li> <li>provide a video recording or project information to those who were unavailable to attend engagement activities.</li> <li>The Webinar took place at the start of the exhibition period in November 2022.</li> <li>We distributed webinar invitations to:</li> <li>department channels</li> <li>a project distribution list from previous phases of engagement.</li> <li>A recording of the webinar was made available on the department's website.</li> </ul>	Fifteen individuals attended the webinar.  The webinar recording has since been viewed 11 times.
Email distribution list	The purpose of the email distribution list was to share information about the exhibition of the Strategy. The list was based on those who previously engaged on the project.	The email distribution list comprised 149 recipients. We received 2 responses.
Presentations at committee meetings of Aboriginal and Torres Strait Islander communities	The presentation notified attendees of the Strategy exhibition and explained how interested individuals could provide their engagement responses or express interest in being involved in certain areas of the Strategy.  GHD and the department presented at committee meetings for the Western Sydney Koori Interagency and the South Western Sydney Koori Interagency during the exhibition period.	There were 18 attendees across 2 meetings.

#### Phase 3: Engagement on the draft Strategy

Table 2 outlines the department's engagement activities during public exhibition of the draft Strategy.

Table 2. Engagement activities during public exhibition of the Strategy

Engagement tool	Purpose and context	Outcome
Meetings with Traditional Custodians and Knowledge Holders	The department facilitated engagement meetings to seek responses to the draft Strategy with Traditional Custodians and Knowledge Holders¹, including recommendations for improvement and pathways for implementation.  Meetings varied in location, duration and number of attendees, depending on interest and availability. Meetings could be one-on-one or group sessions and hosted in person or on Microsoft Teams.  During meetings, the department presented progress on the draft Strategy and responded to questions, comments and other input. The department also asked how participants would like to be involved in the Strategy implementation.	4 in-person meetings, 8 online Teams meetings and 23 total attendees
Attendance at community events	A key objective of the exhibition period was to expand engagement to reach those who may not have heard about the Strategy to date. To do this, the department and GHD hosted a stall at the following events for communities.  Yabun event – 26 January 2023  Recognising the significance of this day among Aboriginal and Torres Strait Islander communities, the department attended the event and answered questions about the Strategy to those who visited the stall.  Cooee event – 15 April 2023  GHD hosted a stall at the Cooee event and encouraged attendees to speak to staff about a range of projects, including the draft Strategy.  Tharawal LALC NAIDOC event – 7 July 2023	45 discussions at the Yabun event, 30 discussions at the Cooee event and 60 discussions at the Tharawal LALC event

<sup>&</sup>lt;sup>1</sup> Knowledge holders are recognised and respected members of an Aboriginal community who hold important depth and expertise in specific knowledge areas.

Engagement tool	Purpose and context	Outcome
	The department hosted a stall at this event and answered questions about the strategy from those who visited the stall.	
Phone calls and emails	The department provided a phone number and email address for all members of Aboriginal and Torres Strait Islander communities to contact about the project and provide their responses to the draft strategy.	The department received 4 emails and 26 phone calls. Six phone calls came from communities, and 20 call came from collaborators, including agencies and councils.
Submissions support service	GHD provided support for participants to prepare submissions for members of Aboriginal communities who may not have the capacity or preference to provide their responses to the draft Strategy through more formal channels.	Communities did not require submissions support service. The department received 5 written submissions

#### Phase 4: Written submissions and outcomes reporting

The department encouraged Aboriginal communities to make written submissions about the Strategy by sending an email to the Caring for Country team within the department.

The department received 5 formal written submissions on the draft Strategy during the exhibition period.

The department recognised that some participants may not have the availability or preference to write a submission to provide their response to the draft Strategy. We therefore offered the communities meetings so they could provide their responses to the draft Strategy in person. GHD also offered a submissions support service.

The final phase involved collating all of the engagement responses from the exhibition period from the phone calls, emails, in-person and online meetings, and discussions at community events.

It is important that the department captured and reported all engagement responses to accurately represent comments and sentiment on the draft Strategy. Qualitative data analysis helped bring together common themes.

### 3 Key themes

During engagement, participants could provide responses and recommendations on the 4 themes and 15 actions in the draft Strategy. The four themes are:

- Co-developing actions with Aboriginal communities through partnerships
- Caring for Country
- Recognising Aboriginal culture and heritage
- Growing Aboriginal businesses, employment and training in the environment sector

Below, we outline a summary of what we heard during our engagement with the Darug, Dharawal and Gundungurra Traditional Custodians, and Aboriginal communities of Western Sydney by theme.

## 3.1 Theme 1 – Co-developing actions with Aboriginal communities through partnerships

The department is committed to continuing to work alongside Traditional Custodians, Knowledge Holders, LALCs, Aboriginal organisations and the broader Aboriginal and Torres Strait Islander communities to establish and maintain meaningful ongoing relationships and partnerships.

#### 3.1.1 What we heard

The department received positive responses from participants on the contents of the Strategy as well as their intention to collaborate on the Strategy delivery moving forward. During engagement discussions for theme 1, respondents identified 3 key overarching items for consideration:

- the value of organisational advocates
- suggestions for amendments to language
- improvements for engagement with communities.

We have summarised the comments for each of these items below.

## Action 1.1: Establish a knowledge-sharing panel to provide expert and cultural advice to deliver the Strategy and the CPCP

During engagement, participants responded to the department's proposal to establish a group or panel to share and discuss key elements of the Strategy delivery. Generally, participants were cautious about establishing a panel of this nature, noting that the department's emphasis for

engagement during the Strategy should be to reach as many members from the communities as possible. The responses to this action item follow:

- Participants did not feel a knowledge-sharing panel was the best way for the department to consult on the Strategy implementation moving forward due to challenges around availability, engagement fatigue and cultural safety.
- There was comment that a single panel may be unable to provide all the expertise and skills required to represent the varied responses from the Aboriginal communities of the Western Sydney area on the Strategy, its actions and implementation.
- Responses expressed strong preferences for face-to-face, one-on-one and small group discussions and engagement.

If a knowledge-sharing panel were to be established, responses outlined that it must:

- o consider who is appointed to any organisational group, panel or committee to be developed under the Strategy; it was suggested that the department run an inclusive selection approach, with criteria established in collaboration with communities
- o carefully consider membership on a knowledge-sharing panel; the department should incorporate a range of organisations and individuals, diversity of gender and age, and a range of skills
- o consider independently facilitating groups with clear terms of reference to manage the risk of conflict and disagreement
- consider having a series of separate discussions with Aboriginal communities and groups,
   and then coming together to manage the risk of one group's voice overshadowing the voice
   of another
- wherever possible, provide engagement activities on Country
- o provide informal structure to respond to different discussion points but also be democratic and mediated.

Participants had other responses about ways to achieve optimal and preferred types of engagement:

- Use all forms of communication, especially the preferred methods of different Aboriginal and Torres Strait Islander communities, groups and people. Be aware that some who want to be involved do not have access to the internet.
- Develop a list of contacts; this is very important.
- Ensure that the voice of Traditional Custodians is heard during engagement, particularly in a way that is appropriate for their position within cultural protocols, and ensure they are involved in engagement from the start.

- As Traditional Custodians and others participating in engagement may become overwhelmed at the idea of needing to be involved in the delivery of the whole Strategy, provide those interested with the option to be involved in their area of interest in the Strategy.
- Consider participant engagement fatigue. There was comment that the department's engagement should be flexible and consider participant availability and preferences.
- Consider that those involved in engagement, particularly those providing key knowledge, could receive fair payment for their time, rather than relying on only those who have time to volunteer their involvement.
- Acknowledge that culture is collaborative, and that the Strategy will have better outcomes if the department and communities can work together on actions from the beginning.
- Consider, based on a number of suggestions, that government agencies should work together and communicate about similar projects to see how they all fit together to manage engagement fatigue in Aboriginal communities.

## Action 1.2: Establish a youth panel to embed young Aboriginal voices in the implementation of the Strategy and the CPCP

During engagement, participants responded to the department's proposal to establish a youth panel. This panel would have links to other committees and forums set up for engagement to better embed young Aboriginal people's voices into the Strategy's engagement model. Responses to this action item follow:

- Youth involvement in engagement is important; however, young people should be part of
  discussions in the wider group. Most participants agreed that there could be allocated youth
  places in a wider engagement group, rather than have a separate dedicated group for young
  people. This approach is a way to give youth representatives the opportunity to learn from
  their Elders.
- There was acknowledgement that young people may not have the confidence or willingness to participate. Youth involvement should be more informal, with opportunities for separate discussions to capture their input outside the main group.
- There was comment that a lot of young people do not have the capacity to be part of a formal group. There were suggestions for meetings to take place at a convenient time and for Elders to be involved in the group selection process, as they will have a good idea of which young people are willing to participate.
- There was consideration for existing youth forums operated by service providers in the Western Sydney region to build on and leverage networks for youth involvement.
- Youth involvement in these opportunities will come when young people have more opportunities to connect with their culture.

### Action 1.3: Partner with Western Sydney's Aboriginal communities to deliver actions under the Strategy and CPCP

Participants generally agreed to be part of further engagement and discussions to deliver the Strategy. When asked the best way to deliver further engagement, participants provided several suggestions, summarised below:

- The best engagement mechanisms are those that action the suggestions raised. Participants commented that the department should be clear on items that are available for engagement and discussion so the department is not making commitments that it can't resolve.
- Engagement should incorporate principles to protect Indigenous Cultural and Intellectual Property (ICIP).<sup>2</sup>
- Engagement opportunities should provide adequate notice, incorporate the principles of 'free, prior and informed consent', and actively seek Aboriginal people's views. Initiatives to engage and partner with Aboriginal people in managing land, waters and climate must not be undertaken in isolation or on a one-off basis.
- When conducting engagement, ensure adherence to the framework for governments to work in partnership with Aboriginal people within the National Agreement on Closing the Gap.
- One participant suggested drawing clearer connections between the responses received during engagement and how these responses translate into action in the Strategy.
- Responses captured during Strategy engagement should incorporate a process to check that the interpretation of responses is accurate.
- There was comment that the department's approach to establishing partnerships should be transparent and provide a range of partnership opportunities for a range of groups to facilitate opportunities for all within the Aboriginal communities of the area.
- Diversity of partnerships and engagement opportunities allows the department to manage
  risks around engaging with the same participants every time. Although these voices are
  important, so are the voices of those who may not have the time or connection to
  organisations to engage.
- Engagement opportunities the department conducts should be coordinated and avoid duplication. Where possible, the department should consider ways to conduct engagement through existing networks and organisations to reduce the risk of confusion and engagement fatigue.

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<sup>&</sup>lt;sup>2</sup> NSW Department of Planning and Environment, '<u>Indigenous Cultural and Intellectual Property Protocol</u>', April 2023, accessed 1 August 2023.

- The department should conduct further research to acknowledge and tap into the many wellestablished organisations and networks that can provide a large knowledge base of information.
- There was comment that it would be nice to receive an acknowledgement of the contribution that Aboriginal communities have made and a demonstration of the effect that their input has had into government projects, such as the Strategy.
- More information was requested about what the co-development of actions looks like and how to best implement actions based on this.

#### Other comments included:

- the importance of consulting a range of members and groups in Aboriginal communities.
- the need for prioritising Traditional Custodians' voices in line with cultural protocols; there were numerous comments that Traditional Custodians are best placed to advocate for the critical need to protect Country.
- the suggestion that ensuring Elders and Knowledge Holders have a voice will help bring back culture.
- that the department must work alongside the Darug, Dharawal and Gundungurra Traditional Custodians from the Western Sydney area to deliver the CPCP objectives.
- the request for a more rounded voice from Aboriginal communities, including that the department consult Traditional Custodians and multiple groups on any given project; having diverse representation in engagement and partnerships is important.
- that representation from Aboriginal and Torres Strait Islander people and communities not only from the CPCP area is important and must be considered.

There were also comments concerning emphasis on language in the Strategy. Participants commented on the need for the Strategy to be more specific in its use of language. We summarise those suggestions below:

- Incorporate elements of cultural safety and consider ICIP when mentioning engagement approaches for the Strategy.
- Refer to roles and responsibilities among groups to deliver each of the actions under the Strategy.
- Use caution with terminology such as 'partner' or 'partnership' without further context; the terms without context feel broad. Instead, answer the questions: What will the department partner on? With whom? What does the partnership look like?
- Use caution with phrases and words such as 'advisory' and 'Caring for Country'; governments are using such phrases to seem collaborative without formally committing to anything.

• Provide clarity on which groups have the authority to speak for Country. The department notes that it received conflicting responses from groups in relation to this theme.

During engagement, participants also noted the importance of having organisational advocates. Organisational advocates are individuals within organisations, such as the department, who understand the structures, systems and processes to better guide members of Aboriginal communities through different important matters. Examples of the benefits that organisational advocates provide include help with:

- responses on alignments of infrastructure and advocating for change
- applications for grant funding
- gaining access to Country.

### 3.2 Theme 2- Caring for Country

The Strategy will support the CPCP by working with Aboriginal communities, organisations and LALCs in Western Sydney to:

- protect and restore Aboriginal-owned land
- jointly manage new reserves with the Aboriginal communities
- provide other opportunities to practise culture and care for Country.

#### 3.2.1 What we heard

Participants expressed interest in several actions in theme 2: Caring for Country. These actions include cultural burning programs, Aboriginal ranger programs, biodiversity stewardship sites, waterway health and restoration, and caring for Country opportunities.

The department received conflicting engagement responses for this theme around which Aboriginal communities should have primary ownership over delivery of actions. A greater understanding of the responsibilities of all participants delivering these actions is necessary.

The department received responses on 4 key topics under this theme: fire management, the impact of offsets and overdevelopment, waterway health and restoration, and access to Country.

## Action 2.1: Fund the up-front costs and support to establish biodiversity stewardship sites on Aboriginal land

• LALCs expressed support for the biodiversity conservation and stewardship arrangements that seek to provide numerous economic as well as environmental, social and cultural outcomes for Aboriginal landholders.

- Groups eligible for biodiversity stewardship site opportunities identified current challenges that may influence the rollout of this action, including:
  - the complexity of available information, which makes it difficult to understand the benefits of the scheme and the costs and requirements to establish and maintain biodiversity stewardship agreements (BSAs)
  - o the complexity and lack of transparency around the biodiversity credits market
  - the high up-front costs associated with establishing BSAs
  - the application phase not being long enough to allow for governance, capacity and legislative barriers that applicants can face.
- There was a comment that any model for establishing BSAs should be designed and delivered in partnership with the land rights network and Aboriginal communities to support self-determination and meet the needs of the network and Aboriginal communities. It should be Aboriginal-led (not government-led) and support Aboriginal control and decision-making.
- There was comment that this action relating to BSAs is primarily relevant to Aboriginal Land Councils, because there would likely be financial viability issues for smaller landholdings owned by Aboriginal individuals or organisations. These issues could limit their ability to secure a BSA. It was suggested that because of this, this action should refer only to Aboriginal Land Councils.

## Action 2.2: Work with Aboriginal Traditional Custodians and Knowledge Holders to pilot a traditional fire management program

Several participants expressed interest in being part of programs to deliver cultural burning and fire management under the Strategy. We summarise those responses below:

- There are opportunities for research into traditional fire management practices.
- More information should be included on existing fire management pilot programs and any learnings that came from the pilots.
- The department needs to better acknowledge the distinction between women's and men's fire
  management knowledge and invest in developing their distinctive fire management
  knowledge. It is recognised that several areas that require fire management are around creek
  beds and waterways. These practices require women's knowledge.
- Some shelters in the area have art. Fire can severely damage these. Hazard reduction burning could lessen the damage, as it lessens the impact to art on rock.
- There was acknowledgement that if areas have not been burned for a long time or were burned using improper practices, they will need time to recover.

- Some participants responded that information used in some traditional burns is incorrect, as it is taken from different areas and not indicative of the practices of the area. Consulting with Traditional Custodians is a way to address this.
- It was recommended that the CPCP and the team delivering the Strategy consider connecting and working in collaboration with Aboriginal communities and partnering with existing initiatives to not duplicate traditional fire management programs.
- There was a query about whether the pilot will provide employment opportunities for new or established Aboriginal businesses and whether it would use a fee-for-service model.
- There was comment on the lack of green areas for cultural burning other than national parks.

## Action 2.3: Support opportunities for joint management of new conservation areas with Aboriginal community members under the CPCP

- For land identified as joint management, an opportunity exists for the department and landholders to work in partnership to support the activation and management of lands and water for social, cultural and economic purposes.
- One participant expressed concern that joint land management opportunities through established government organisations could reduce opportunities for handing back land to Aboriginal people.
- Aboriginal people should have business and employment opportunities in all national parks through joint ventures, preferential contracting and targeted employment pathways.
- Engagement revealed the requirement for further clarity around how joint management partnerships will be arranged and formed. Any procurement processes need to be transparent and available to all who are interested and eligible.
- Engagement identified the need for increased conservation agreements with landholders to improve biodiversity outcomes. The consensus is that the department needs to diversify from biodiversity stewardships. This would be meaningful and beneficial to Aboriginal communities and people who care about Country.
- There was comment that this action is ambitious in parts. There was a request for more information about funding, whether there will be employment opportunities associated with the new model, the employing body and how joint management with Traditional Custodians can occur if they are not part of an organisation or business.
- Engagement raised concern that joint management does not include cultural burns.
- There was a request for financial backing for Traditional Custodians to do their part to maintain land.

• There was comment that the approach to caring for Country should be holistic and sensitive to different land tenure and should consider Traditional Custodian knowledge of the CPCP area beyond the artificial lines of mapping.

## Action 2.4: Develop and fund Aboriginal Ranger positions to support the ongoing management of new jointly managed conservation areas under the CPCP

- The Strategy should provide greater opportunity for Traditional Custodians to access Country in the Cumberland Plain areas.
- For 'conservation spaces' under the CPCP, the department should employ Aboriginal people to manage the land or give it back, with the right support and funding made available.
- Aboriginal people need increased access to Country so they can connect and get healthier and stronger.
- To support mentors in undertaking the Ranger Program, they need to receive payment or an allowance for this service; this would be in addition to funding for training and on-the-job experience for participants.
- Before implementing this program, the department should appropriately address the protection of intellectual property under a more formalised agreement.
- The department should provide further clarity around the scope of Ranger positions as part of the Strategy and should answer the following questions:
  - Are they ongoing permanent roles?
  - Will participants in the Ranger Program receive payment while training and gaining on-thejob learning and experience?
  - Who will be the employer? The Strategy states that the department will fund an Aboriginal Ranger Program and develop it in collaboration with the Aboriginal communities.
  - Will there be more than one Ranger Program offering positions across the CPCP area, and if Rangers work across multiple arrangements and employers, how will this work for those in these positions?
  - Who from the communities will be involved in developing the program?
  - Will there be an opportunity for expressions of interest to experienced Aboriginal organisations to co-develop the program?
  - Will funding be through an open, selective tender or by direct approach?

# Action 2.5: Support the speedy resolution of Aboriginal land claims under the Aboriginal Land Rights Act 1983 in the CPCP area to achieve cultural and biodiversity outcomes

- It was suggested that the department establish a resourced, coordinated interagency program accountable for delivering Aboriginal land claim processes.
- There was comment that the CPCP setting aside lands for conservation must not impact the ability of Aboriginal Land Councils to continue to have land returned under the Aboriginal Land Rights Act 1983.

Other comments centred on offsets and overdevelopment.

- Participants expressed concerns around CPCP's aim to facilitate development, stating that the Cumberland Plain cannot thrive if it is in fragments.
- Any plan for example the CPCP should have a principle of revegetation.
- With significant development happening in Western Sydney, there is concern that there will be no Cumberland Plain left.
- Offsets are one way to manage development, but they can never replace the Cumberland Plain.
- Developers have no incentive to replant with endemic species. They simply replant with species that are readily and cheaply available. There should be more incentive for developers to replant with Cumberland Plain species.
- The Strategy provides a good opportunity for seed collection.
- An action in the Strategy should look at preserving the tree canopy.
- Concerns were expressed around removing trees in one area to simply plant more trees in another.

### 3.3 Theme 3 – Recognising Aboriginal culture and heritage

The actions within this theme strive to protect Aboriginal cultural heritage and values. They aim to support the continuance of Aboriginal living culture in Western Sydney. When the cultural landscape is properly mapped and understood, it can be valued. With this comes the opportunity to connect with belonging and history. Increased opportunities to practise and celebrate culture will help inform wider communities of what culture is and its value.

#### 3.3.1 What we heard

The department's grants program was the primary point of discussion for this theme. There was support for introducing a broad grants program to be delivered under the Strategy. There was also some discussion around place naming.

Generally, participants recognised the importance of recognising Aboriginal culture and heritage in forging greater connection to Country for Aboriginal communities in Western Sydney. Truth-telling was another important part of this theme, with the suggestion that grants programs should focus on understanding and acknowledging the past.

## Action 3.1: Engage with Aboriginal communities to consider culturally appropriate names of conservation lands

The department received several comments from participants in relation to place naming within the Cumberland Plain:

- One participant would like to see the use of place naming to incorporate language on Country.
- There were comments from several participants that place naming should happen during engagement with local members of Aboriginal communities.
- Another participant commented that they would like the department to be conscious of the
  types of places named using language. Language should be used for places that convey
  positivity and safety, such as places and spaces within communities, rather than locations that
  might be considered convenient for government agencies, such as streets, which could be
  considered unsafe or busy.
- There was the suggestion that Acknowledgement of Country could use local Aboriginal language. There was also a comment that local languages should also be built into the everyday not just for place naming.
- It was noted that some Darug, Dharawal and Gundungurra (including some Aboriginal local language experts) are involved in a loosely formed yet ongoing naming project.

# Action 3.2: Identify and deliver research opportunities co-led by Traditional Custodians to better understand how traditional land management practices can support conservation outcomes in Western Sydney

Some of the suggestions under this action also have touchpoints with the research strategy for the CPCP, which was on exhibition at the same time as the Strategy. Suggestions included:

 support for a tool for Traditional Custodians to record sites; such a tool would be a good system to help manage engagement fatigue with all the infrastructure programs taking place in Western Sydney. Traditional Custodians would own the data, which they could provide to organisations upon request.

- research grant programs to record Aboriginal history; topics could include fire management, farming practices, the Cumberland Plain as a food bowl and food security.
- consideration for how knowledge sharing rather than 'taking of knowledge can leave communities better off and help future generations.
- redefining the term 'research' and the language around it to change associations from the past, including associations with negative experiences with academia and researchers that could pose issues around cultural safety.
- research into language on Country.
- using visuals and videography as people engage through them.
- considering what marks the end of the research, and how it is shared.
- Aboriginal people could work collaboratively with Western Sydney University to deliver actions as part of the research strategy to support the CPCP.
- a formal invitation for Aboriginal communities to respond to the research strategy.
- address concerns about exposing culturally important sites to wider attention through the
  process of registering them as part of research and cultural mapping; the wider attention
  could result in sites being targeted for graffiti or damage.
- cultural mapping is important, because if the cultural landscape is not properly valued or understood, there will be no opportunity to connect with belonging and history.
- research and PhD students could be involved in a project linked to the research strategy to restore natural resources.
- ensuring that Traditional Custodians have input with appropriate weighting to their position within cultural protocols is important.
- research into the importance of Country and the benefit of activating the green and cultural sites in the CPCP area.
- ensuring that research and communication about Aboriginal history is based on reliable research and acknowledges the correct Traditional Custodians of the area.

## Action 3.3: Fund projects for Western Sydney's Aboriginal communities to recognise and protect Aboriginal culture and heritage

When discussing how the department could deliver the grants program, participants shared the following:

• support with administrative tasks associated with applying for grants would be a valuable area of further support. To be successful with grants, business writing and tender development takes time, specific skills and involves lots of paperwork.

- reporting of progress would be another area for further support, so communities can focus
  on delivering community outcomes.
- support for grant and report writing skills to assist the grant application process should not be a one-off; it should be an ongoing partnership where Aboriginal communities eventually learn to deliver the documentation themselves.
- one participant shared a negative experience with another grant, in which administrators questioned the participant's experience and advice. This made the process challenging and unenjoyable.
- there was comment that at the end of a grants program, efforts are not often acknowledged or celebrated. The department could build this element into its grant program to encourage others to apply.
- a good working relationship with the grant participant and the department grant administrator is crucial to the success of the grant.
- there was comment that grant funding should go to a local Western Sydney organisation or to an organisation that Western Sydney's Aboriginal communities widely accept.
- one participant suggested that partnerships are effective at helping to keep grant-funded work on track.
- We also asked participants about the types of grant programs they would like to see funded under the Strategy. We outline their ideas for grant programs, which closely link to Actions 3.2 and 3.4, below. The department notes that some of the suggestions also have touchpoints with the research strategy for the CPCP. Suggestions included:
  - o bushfire recovery and management programs.
  - Cultural burning programs.
  - o a program that facilitates Elders to write their stories, facilitates truth-telling by acknowledging and recognising the impact of colonialism and the stolen generations, and records Aboriginal history and reimagines what life was like before colonisation.
  - Education programs to strengthen cultural practices and learning about the importance of Country for young people, including visual learning and dancing.
  - o a cultural mapping program.
  - o providing data and tools to assist Traditional Custodians in protecting Aboriginal culture and heritage.
  - o research into language, fire management, farming practices and the Cumberland Plain as a food bowl.
  - o seed banking.

o free and inviting events for families, men, women and youth to come together and stay on Country; these would involve sharing knowledge about culture, activating Country, dancing, fire and bush regeneration. These could be through cultural camps led by Traditional Custodians.

# Action 3.4: Fund projects to extend existing education programs in Western Sydney, including education officers to provide cultural competency activities at schools and in the community

The department notes that some of these suggestions also have touchpoints with the research strategy for the CPCP. Suggestions included:

- support relating to the department's decision to leverage and provide additional support to existing cultural education programs.
- that the department should conduct a mapping exercise to understand what programs currently exist, who undertakes the activities and if they are Indigenous organisations, and if the Western Sydney Aboriginal communities accepted them.
- Education program opportunities could include:
  - Aboriginal culture and history training for organisations (see Action 4.2)
  - guided tours to educate the public on the role that traditional caring for Country practices have in maintaining biodiversity
  - outreach programs to host events for communities where Traditional Custodians and Knowledge Holders will speak
  - A program to facilitate truth-telling by acknowledging and recognising the impact of colonialism and the stolen generations
  - o programs that promote the Cumberland Plain as a food bowl and Indigenous dietary health.
  - o education grants that support dancing and visual learning for young people.

## 3.4 Theme 4 – Growing Aboriginal businesses, employment and training in the environmental sector

A key focus of this Strategy is creating opportunities for economic empowerment, in which Aboriginal and Torres Strait Islander people have the support to lead and make decisions that impact them, their families and their wider communities in Western Sydney. This was a key theme during engagement in developing the CPCP.

#### 3.4.1 What we heard

Participants supported the actions for growing Aboriginal business, employment and training opportunities in the environmental sector. Participant comments focused on how the department can better track and report the success of actions under this theme, as well as ways to build business opportunities.

The department also received comments recommending organisations that are well-placed to deliver business, training and employment programs.

# Action 4.1: Provide funding, training and support to build capacity in Aboriginal businesses so that a minimum 5% of expenditure is awarded to Aboriginal-owned businesses

Engagement responses centred on:

- recognition that existing employment service providers and Aboriginal organisations within
  communities are already delivering a range of capacity building, employment and training
  programs; there were comments from participants to leverage and build on these existing
  programs to maximise access for communities rather than deliver an additional program that
  people may not know about.
- that priority action under the Strategy should be to deliver a business grants program.
- reviewing grant processes for ways to streamline and ensure the application process is straightforward; tailor grant processes to the needs of Aboriginal businesses and not-forprofit organisations so they are easier to navigate.
- The fact that building capacity for successfully writing tenders and grants would be very helpful; it is also important for services to help build these skills in those interested in applying for funding not just doing it for them.
- the importance of building the business capacity as well as capturing and enhancing the ecological skills and knowledge of Aboriginal businesses for real economic participation and long-term viability.
- the significant coordinated work necessary to equip Aboriginal businesses to fill growing demand in the environmental sector.
- independent ranger services as a potential area of growth for engagement with joint land management arrangements.
- recognition that opportunities for small businesses, such as grants, can be what is necessary to build wealth and further financial opportunities for Aboriginal families.

- that even by providing funding, training and capacity building to Aboriginal businesses, there is no guarantee they will be able to secure contracts to the value of 5% of the entire expenditure value of works conducted as part of the CPCP.
- the need for further clarity around how the funding will be awarded whether it will be through selective tender or an open and competitive funding round; if open and competitive, clarity around whether the process will be open only to Aboriginal businesses within the Cumberland Plain footprint.

## Action 4.2: Investigate and fund initiatives that support Aboriginal employment and training pathways in the environmental sector

Engagement responses centred on:

- the idea that this action currently reads as though training will equal employment at the end; a challenge for several members of Aboriginal communities is that no clarity exists around the employment opportunities available for which people should be training.
- the development of a scoping or mapping document that outlines the necessary and required services for implementing the CPCP over the 10-year period of the Strategy; this will assist in identifying businesses and organisations that currently provide similar services in the CPCP boundary.
- the need for clarity in the Strategy around if there are employment opportunities, who they will be with and how they will be advertised so people know how to find them.
- employment providers' and employers' lack of understanding of how to support Aboriginal staff.
- exposing Aboriginal people to work in a corporate environment through internships before
  they start their first jobs to build their confidence and incentivise employers to hire
  Aboriginal employees.
- the importance of developing business opportunities for Aboriginal people and that gaining the right qualifications can result in these opportunities and therefore create wealth and break the cycle of poverty.
- that the industry is currently experiencing a worker shortage rather than a jobs shortage
- that employment opportunities should also be to support teachers, educators and tour leaders rather than just emphasise opportunities in the environmental sector; there is currently a teacher shortage.
- employment opportunities for youth are there ways to help youth find their strength and speciality?

- support for opportunities for Aboriginal people beyond entry-level roles; consider how to facilitate career progression into management or senior roles.
- the idea that if communities (including youth) are connected to Country, they will more likely want to go into work that helps care for it.

## Action 4.3: Use the full extent of the procurement framework in implementing the CPCP to encourage Aboriginal businesses to take part in tendering

Engagement responses included:

• the suggestion to work with appropriate agencies to develop strategies for Aboriginal businesses to be more competitive in the tendering process; existing organisations provide proactive advice and skills development to make Aboriginal businesses competitive when tendering. The assessment processes should be strengthened in the Aboriginal Procurement Policy to ensure that unsuccessful Aboriginal businesses receive constructive responses.

Other comments centred on monitoring and evaluation:

- Employment opportunities should emphasise longevity and should track retention of Aboriginal employees in organisations as part of their key performance indicator reporting.
- Appropriate training of employers to provide culturally safe workplaces is key to retaining Aboriginal employees.
- There were discussions around whether priority for business or training opportunities should go to local employees rather than those travelling from other areas. Some participants raised concerns about work being done by someone who does not have connection to the area in which they are working.
- For Action 4.1, the department should incorporate 'meaningful economic participation and viability' rather than just procurement numbers as a measure of success.

### 3.5 Additional topics

#### 3.5.1 What we heard

During engagement, participants raised topics that did not fall under the 4 themes and 15 actions that the draft Strategy outlined.

#### Research strategy

During public exhibition of the draft Strategy, the department received responses about the research strategy (a strategy developed to support the CPCP), which was on exhibition at the same time as the Strategy. We outline comments relating to the research strategy below:

- The research strategy can support Aboriginal communities in reviving cultural knowledge that has been lost over generations. This knowledge can support Traditional Custodians with engagement on other infrastructure projects.
- Suggested research topics include how to connect Dharug peoples back to Country, reimagining Country before colonisation, Cumberland Plain as a food bowl and the benefits of keeping the Cumberland Plain as green space.
- There should be consideration of wording; the term 'research' has scientific connotations. There was discussion with one participant around the distinction between scientific research and Aboriginal research. There was a comment that in the past, the research community has not considered Aboriginal knowledge and research valid due to lack of qualification.
- There was a recommendation that the department needs to ensure that universities are aware of the importance of adhering to and protecting the principles of ICIP. There may be a perception of 'taking knowledge' that the research strategy would need to manage. There is also a need to understand how communities can benefit from sharing their knowledge.

#### Mapping and overdevelopment

- Many expressed concerns about overdevelopment and the challenge of protecting cultural heritage, cultural practices and the natural environment.
- Participants read reference to 'growth areas' as resulting in the destruction of the Cumberland Plain.
- There were comments from participants that the mapping that identifies the Cumberland Plain does not consider Country as a whole.
- There was comment that cultural mapping is important, because if the cultural landscape is not properly valued or understood, there will be no opportunity to connect with belonging and history.
- The current CPCP mapping tool does not adequately show the extent of ecological communities in the region.
- There should be greater consideration for transitional forest in Cumberland Plain mapping, which is not currently captured. Transitional forest is just as important as the Cumberland Plain itself.

- There were comments warning of changes to ecology occurring overnight (birds, fireflies and insects, for example) by removing tree canopy.
- It is difficult to replant using Cumberland species and subspecies, and developers may not use correct seed and cedar planting.
- There were comments from participants that they would prefer to prioritise conserving the natural environment that is there now rather than replanting and revegetation.
- Significant cultural sites have not been mapped in the CPCP that need consideration and preservation.

#### Additional sections

There was a request to include a section in the Strategy that covers regional issues and challenges for managing Country in Western Sydney, including:

- overdevelopment
- illegal dumping and poor land management practices
- tree canopy preservation.

#### Strategic context

• There was comment that the department and all relevant agencies should invest in a broader, structured Aboriginal engagement and implementation strategy to work alongside planning, biodiversity and Aboriginal cultural heritage legislation.

### 4 Next Steps

The department wishes to extend its gratitude to all members of the Western Sydney Aboriginal and Torres Strait Islander communities who contributed to the Strategy. The outcomes we outline in this document from our discussions have informed final amendments to the Strategy.

### 4.1 How engagement outcomes informed the Strategy

During engagement with the Traditional Custodians and Aboriginal communities of Western Sydney about the draft Strategy, many responses provided detailed input that offered advanced ideas, concepts and questions to improve and develop the Strategy and its programs. We have incorporated some of these valuable responses into this report and into the Strategy, and we have recorded others for further follow-up and engagement with the Aboriginal communities during delivery of the Strategy.

The Strategy will only now enter its first year of delivery and has not advanced in its development to the point proposed by some of the responses. So, although the department has been unable to directly incorporate all of the engagement participant responses into the Strategy for immediate action, participants can be assured that all responses will inform the ongoing development of the Strategy and associated programs as we partner with the Aboriginal communities of Western Sydney to deliver the Strategy.

### 4.2 Engagement responses about external programs

During engagement, the department received responses on a range of topics concerning the administration of programs or legislative areas that are external to the teams or division delivering the Strategy.

The responses that were out-of-scope to topics discussed during Strategy engagement predominantly concerned:

- Aboriginal land rights
- formation of joint management of new conservation areas under the CPCP
- BSAs.

We will communicate responses that were out-of-scope to our engagement on the Strategy, particularly those that require action relating to the administration of external programs or legislative areas, directly to the responsible area, agency or organisation.

### 4.3 Finalising the Strategy

The process for finalising the Strategy and starting implementation is as follows:

- by early 2024, we will finalise and release the Strategy using engagement participant input.
- from 2023 to mid 2024, we will develop an implementation engagement plan to guide delivery of priority actions under the Strategy. We will identify existing projects, programs and collaborators to establish partnerships and deliver actions.
- we will review our progress in delivering the actions annually.
- we will determine priority actions for future years alongside Aboriginal communities and partners.

#### 4.4 How to contact us

The department is committed to engaging with Aboriginal and Torres Strait Islander communities as we deliver the Strategy.

If you have any questions or comments, you can email <u>CPCP@planning.nsw.gov.au</u> or call 02 9585 6060.

For translating and interpreting services, phone 13 14 50 and ask for an interpreter in your language to connect you to 02 9585 6060. When connected, please ask to speak to the Cumberland Plain Conservation Plan team. If you wish to receive CPCP updates to your email, contact us to add you to our stakeholder mailing list.