

Submission to the Public Exhibition of Documents relating to the Cumberland Plain Conservation Plan (August 2020)

Gandangara Local Aboriginal Land Council

Gandangara Local Aboriginal Land Council (GLALC) was one of three Local Aboriginal Land Councils involved in a comprehensive consultation process facilitated by Marcia Ella Consulting, from late 2019 to mid-2020. The consultation process was lead practice in its method of early and meaningful engagement with Aboriginal people from the outset of planning.

The Draft Cumberland Plain Conservation Plan (hereafter CPCP) expects to deliver three outcomes, which interface with the objectives and operations of Gandangara Local Aboriginal Land Council in several ways:

CPCP Outcome	Interface with GLALC
<p>Economic</p> <ol style="list-style-type: none"> 1. Efficient delivery of development is supported by streamlined biodiversity approvals and planning certainty 	<p>GLALC identified opportunities for Biodiversity Stewardship Agreements on relevant lands. GLALC supports the potential opportunity for the DPIE to fund the upfront costs of biodiversity assessment and establishment of stewardship sites on Aboriginal-owned land</p> <p>GLALC supports the DPIE’s initiative to refrain from applying the proposed E2 zoning on land owned by or under claim by LALCs (‘Statement of Effect’, page 4).</p>
<p>Environmental</p> <ol style="list-style-type: none"> 1. Native vegetation increase 2. Improvements for threatened ecological communities 3. Protection of threatened species populations 4. Condition of riparian areas improves 	<p>Where GLALC has conservation commitments on its lands in Greater Western Sydney, we commend the 5% minimum expenditure committed by the Department for services needed to implement the CPCP. Although the 5% figure exceeds other government targets under the ‘Indigenous Procurement Policy’ we would suggest that the minimum figure be raised to 10% and/or that specific grants are established for Aboriginal Conservation Commitments.</p>
<p>Social</p> <ol style="list-style-type: none"> 1. Increased public access to green spaces 2. Increased stakeholder awareness and participation in relation to biodiversity conservation in the subregion 	<p>Education about traditional Aboriginal ecological and conservation knowledge is currently a gap in our institutions and systems. The promotion of this knowledge should go hand in hand with the CPCP’s objectives to</p>



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<p>3. Promotion of Aboriginal culture and knowledge in the Cumberland subregion and support for economic opportunities for Aboriginal people through its delivery</p>	<p>build capacity in Aboriginal businesses (including resourcing personnel such as Gandangara Rangers through start-up funds and grants), and the opportunity for training, specifically in Conservation and Land Management.</p>
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General Discussion:

Beyond the Strategic Conservation areas designated in the CPCP, there was greater economic potential discussed in the GLALC consultation sessions that would see the DPIE and GLALC collaboratively reach our conservation (what we call ‘Caring for Country’) objectives.

We positively commend the decision to include a commitment in the CPCP to develop a 10-Year Aboriginal Engagement and Implementation Strategy for Western Sydney. This would see the Department and GLALC working together to enable mutually beneficial outcomes to local Aboriginal people apart from whether our LALC land holdings coincide with the CPCP Strategic Conservation Areas.

For example, GLALC articulated a number of economic opportunities, including plans for raising awareness of Gandangara land and culture when people leave the Western Sydney International Airport. The development of cultural heritage facilities and tours, Elders showcasing Gandangara history, and virtual reality tours showcasing Gandangara lands and cultural practices pre-colonisation could all be valid incorporations into the promotion of Aboriginal knowledges on Country.

The CPCP consultation sessions identified additional opportunities that are specifically included in the Draft CPCP, which we are pleased to see:

- Extension services to LALCs to support biodiversity conservation
- Partnership with NPW (NSW) to explore joint management of new Conservation Areas and reserves within the Plan Area, regardless of their intersection with LALC claimed land

However there are other opportunities identified in LALC consultation sessions that did *not* make it into the CPCP. The inclusion of these would certainly enhance the Plan, as these opportunities and potentials speak to real, tangible and concrete achievements that can be measured:

- Fund a minimum of two Aboriginal education officers or Rangers (specific to GLALC and tied into an Agreement)
- Funding for LALCs to reduce weeds and pests on Aboriginal-owned land adjoining or near conservation lands.
- Aboriginal expertise sought as consultancy services for fire management on conservation lands.

- Funding for research into the connections between biodiversity and Aboriginal practices

We wish to see the inclusion of the above commitments in the CPCP, not simply in the 10-Year Aboriginal Engagement Strategy that flows from the Plan.

Another positive aspect of the CPCP is the fact that planning controls will be applied across the SCAs except for land owned by Local Aboriginal Land Councils or under claim by LALCs (page 8). We would wish to see that this commitment clearly established as final and effectual to exclude the reconversion or the rezoning of land, so that it be more than an interim protection.

Commitment 23 of the Plan provides for extension services to community groups, councils, Local Aboriginal Land Councils, and landholders to support biodiversity conservation on public and private land. This includes partnering with Local Land Services, councils, Local Aboriginal Land Councils and other delivery partners to provide community workshops on managing weeds, consistent with the Weed Implementation Strategy (page 15).

The issue of weed management is an important one for LALCs which can have be affected by resource constraints. Beyond community workshops, we would expect to see partnerships with Local Land Services deliver on-the-ground outcomes (in training and resource sharing) for the elimination of noxious weeds as part of Conservation and Land Management training for Aboriginal people.

We welcome the provision in the CPCP to develop a 10-year Aboriginal Engagement and Implementation Strategy is to build capacity in Aboriginal businesses and organisation to help deliver the Plan. The potential strategy identifies working with Local Aboriginal Land Councils and Aboriginal businesses to investigate training opportunities that will help to achieve the Plan's conservation outcomes. One example is that training could be provided for Biodiversity Assessment Method assessor accreditation and for ecological restoration and Aboriginal land use practitioners. The concreteness of these goals stands in relief to the more general commitments of the CPCP. We suggest incorporating these tangible measures in the Plan itself as evidence of the DPIE's commitments to partner with LALCs, which function as statutory entities responsible for Aboriginal culture, heritage and land management in their respective jurisdictions.

Specific Issues in Response:

1. Gandangara Local Aboriginal Land Council's jurisdiction does not contain much land mass impacted by the Strategic Conservation Area land areas. However, GLALC does have active Aboriginal Land Claims in the East Hills/Panania side of its territory which is adjoins parcels of land designated as Strategic Conservation Areas in the CPCP, but does not intersect with them. This land may present opportunities for GLALC to engage with the DPIE in partnerships that build on the suggested commitments discussed above.
2. Conservation applies to more than threatened species and the protection of biodiversity. From an Aboriginal perspective, Caring for Country addresses the spiritual and the intangible



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objects of culture and heritage on the land, as well as the tangible artefacts and art that speak to the tens of thousands of years which our ancestors have inhabited this land. There is a need for better recognition of Aboriginal people, languages and culture in new conservation areas, urban development and infrastructure projects that come within the remit of the DPIE. The opportunity to develop such recognition through engaged and binding partnership agreements with LALCs is second to none, and the CPCP is a major means by which this can be accomplished in Greater Western Sydney.

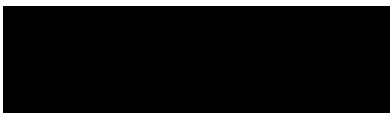
3. We suggest that the Plan produce greater clarity in defining what impacts the CPCP may have on Aboriginal Land Claims that are undetermined. Apart from the 'speedy resolution' of Aboriginal Land Claims, which is the usual suggestion with government agencies when dealing with LALCs and their undetermined land claims, may there not also be Planning Agreements (or BSA's that incorporate Aboriginal traditional knowledges) where the CPCP crosses over with lands under claim?
4. Finally, how might the CPCP interact with the Draft State Strategic Plan for Crown Lands (also currently in development) which shares many of the objectives with the CPCP, especially on the preservation and access to green spaces, engagement with Aboriginal communities, and the prioritisation/resolution of Aboriginal Land Claims?

Thank you for the opportunity to respond to the documents for the CPCP on public exhibition.

Prepared by:

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Signed:



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Gandangara Local Aboriginal Land Council

Notes from the Cumberland Plain Conservation Plan exhibition workshop with Gandangara LALC - Tuesday 25 August, 10-11am

Attendees: Melissa Williams, Ruth Sheridan, Mark Spithill, Elizabeth Irwin (DPIE), Leah Tucker (DPIE), Tamamo Shamida (DPIE), Marcia Ella Duncan (Consultant)

Questions:

- Weed control is a massive problem with our lands. Funding for reducing weeds and pests – do you have \$ figure to that? And how would that operate?
- Could the funding cover restoration? Main issue is need for restoration
- How would we get our community members to Participation in our ranger program?
- Plan goes to 2056 which is fantastic. How does Plan tie in to crown lands new strategic Plan?
- The Plan outline economic opportunities for LALCs and Aboriginal communities. Is there a plan how that will operate over the different LALCs? Gandangara noted they would like to work with DPIE (and other LALCs if they are open to it) on how the economic opportunities will operate over the different LALCs.
- Gandangara note the need and request for a formalised agreement between them and DPIE in partnering to implement the Plan. Gandangara refer to the *Closing the Gap Report*, where there shared sort of ownership between government and LALC and express interest to do something similar in a formal way. Gandangara note it is important to keep their land claims for their culture.
- Marcia suggests DPIE read the *Indigenous Evaluation Strategy*. The strategy shows Aboriginal people at the centre of planning and has a synergy with what DPIE are trying to create with outcomes of the Plan.
- Gandangara note mental health issues increasing greatly in Western Sydney's Aboriginal Community. They would really like the Plan's aims for the Aboriginal community to be achieved to assist in the mental health issues such as reconnecting to country and employment opportunities. Gandangara note it would be a huge problem if we cannot make this work politically. Gandangara request to have a formal agreement for shared accountability and a proper way for government and aboriginal people get on.
- Gandangara ask if participation for aboriginal employment outlined in the Plan is directly related to each specific LALC? Gandangara note land rights is critical to what they do and they are here to serve their local community so need to ensure it is that local community that gain the employment opportunities outlined in the Plan.
- Gandangara note the Plan states that LALC land and land claims are exempt from zoning changes. Gandangara ask if that is definite?
- Gandangara ask if they have to wait for approval to move forward with the partnership and implementation?
- Gandangara ask with the release of the NSW bushfire inquiry report, will the Plan incorporate the recommendations of the report into the Plan?