

NSW National Parks and Wildlife Service

Custodian aspirations for a new model for Aboriginal joint management of NSW parks

Stage I consultation with the NPWS Custodians Network



© 2023 State of NSW and Department of Planning and Environment

With the exception of photographs, the State of NSW and Department of Planning and Environment are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

The Department of Planning and Environment (DPE) has compiled this report in good faith, exercising all due care and attention. No representation is made about the accuracy, completeness or suitability of the information in this publication for any particular purpose. DPE shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication. Readers should seek appropriate advice when applying the information to their specific needs.

All content in this publication is owned by DPE and is protected by Crown Copyright, unless credited otherwise. It is licensed under the <u>Creative Commons Attribution 4.0 International (CC BY 4.0)</u>, subject to the exemptions contained in the licence. The legal code for the licence is available at Creative Commons.

DPE asserts the right to be attributed as author of the original material in the following manner: © State of New South Wales and Department of Planning and Environment 2023.

Cover artwork: Yirrayirra Waga-dyi (Wiradjuri for Bush Dance) by Nathan Peckham

Published by:

Environment and Heritage Group Department of Planning and Environment Locked Bag 5022, Parramatta NSW 2124 Phone: +61 2 9995 5000 (switchboard)

Phone: 1300 361 967 (Environment and Heritage Group) TTY users: phone 133 677, then ask for 1300 361 967

Speak and listen users: phone 1300 555 727, then ask for 1300 361 967

Email: info@environment.nsw.gov.au
Website: www.environment.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@environment.nsw.gov.au

See also www.environment.nsw.gov.au

ISBN 978-1-923132-46-7 EHG 2023/0380 December 2023



Contents

Contents	iii
Acknowledgement of Country	1
About the artist	1
Acknowledgment of Indigenous Cultural and Intellectual Property (ICIP)	2
Overview	3
Current Aboriginal joint management	4
Existing joint management agreements	5
Developing a new model for Aboriginal joint management of NSW national parks	6
Steps for developing the new model	7
Stage 1: Listening and yarning with the Custodians Network	8
Workshop locations	9
Workshop method	10
The 4 key themes	11
Workshop participants	12
Workshop outcomes	14
Session 1: Learnings from current agreements	14
Session 2: Custodian aspirations for the future	18
Session 3: Custodian discussion on the 4 key themes	19
Workshop participant feedback	23
Other Stage 1 consultation	24
Consultative and reference groups	25
Next steps	26
References	27
Webpages	27
Contact the Aboriginal Joint Management Unit	27

List of tables

Table 1	Custodians workshop participants	12
List o	f figures	
Figure 1	Map of existing joint management agreements	5
Figure 2	Steps for developing the new model	7
Figure 3	Location of Custodians workshops	9
Figure 4	The 4 key themes for Stage 1 consultation	11
Figure 5	Custodians workshop participant feedback, by number of responses	23



Acknowledgement of Country

The NSW National Parks and Wildlife Service (NPWS) acknowledges the Traditional Custodians of the lands on which our national parks and reserves stand. We extend our respect to Traditional Custodians and Aboriginal people from all nations of New South Wales (NSW) on whose lands we meet, share and work; and we acknowledge their ongoing custodianship of Country, knowledge and cultural expression. We seek to show our deepest respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, and to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

About the artist

The artwork on the cover and featured in this report is titled Yirrayirra Waga-dyi which means Bush Dance in the Wiradjuri language, and was created by Nathan Peckham, a Tubba-gah man from the Wiradjuri Nation. Nathan's story for the artwork is:

a gesture of continuing the legacy of the knowledge of our ancestors ... I would also like to pay respect to all Traditional Custodians of the Country whose ancestral lands we all walk upon. I thank the Elders for their wisdom, courage, and sacrifice and pledge my commitment to preserving their legacy for future generations.

(Nathan Peckham)

Acknowledgment of Indigenous Cultural and Intellectual Property (ICIP)

NPWS, as part of the Department of Planning and Environment (the department), acknowledges that through this project, NPWS has been entrusted with Aboriginal knowledge and culture, also known as Indigenous Cultural and Intellectual Property (ICIP). This trust attaches with it an obligation to ensure the protection of ICIP through agreed protocols and agreements. In upholding this obligation, NPWS acknowledges its responsibility to introduce practical measures to upholding the principles of self-determination and co-design.

All ICIP received as part of this project will be dealt with in accordance with the department's *Indigenous Cultural and Intellectual Property protocol* (the protocol; Janke and Company 2023). By adopting the principles within the protocol, the department is committed to strengthening its relationship with Aboriginal people, and their communities, to fulfil its obligations under the National Agreement on Closing the Gap arrangements, the department's *Our place on Country: Aboriginal outcomes strategy* (DPIE 2020), and under Article 31 of the *United Nations declaration on the rights of Indigenous peoples* (UN 2007) ensuring best practice around ICIP rights.

The department acknowledges that nothing in this report affects the ownership of any ICIP including (but not limited to) material which contains Aboriginal language and Country names, that may be used or collected in the course of preparing this report. If you have any questions around ICIP or the protocol, please contact the Aboriginal Joint Management Unit. You can find links to the email address and websites referred to in this report in the 'More information' section below.

Overview

NSW National Parks and Wildlife Service (NPWS) is developing a new model to jointly manage all NSW national parks and reserves with Aboriginal people under the *National Parks and Wildlife Act 1974* (NSW). The project involves 3 stages of consultation with Aboriginal communities, park stakeholder groups and the broader public.

Stage 1 consultation focused on understanding the aspirations Aboriginal people have for the joint management of national parks. Two main series of workshops were held in Stage 1:

- a series of Custodian workshops with existing members of the NPWS Aboriginal Joint Management Custodians Network (referred to as the Custodians Network or the Custodians)
- a series of regional Aboriginal workshops with other Aboriginal people around the state not currently involved in formal joint management arrangements.

This report summarises feedback from the Stage 1 Custodians workshops. Feedback from the Stage 1 regional Aboriginal workshops with members of other Aboriginal communities is captured in a separate report (Thirriwirri 2023). See also the 'Other Stage 1 consultation' section of this report.

Through conversations with our Custodian partners, we learnt the following elements are essential to them in a new Aboriginal joint management model.

Healthy Country, healthy people

- Caring for Country bringing health and wellbeing benefits to people and Country
- Access to Country, especially to practice culture
- Employment, business opportunities and capacity strengthening

Recognition of traditional custodianship

- Local Traditional Owners having the final say on cultural matters
- Recognition, pride and wellbeing from connection to Country
- Flexibility to recognise the needs of different groups and different Country

Genuine partnerships

- Equitable joint management partnerships built on trust and respect
- Removal of government red tape in managing Country
- Listening and learning from each other

Current Aboriginal joint management

Since its introduction in 1998, Aboriginal joint management of NSW national parks has formally recognised the connection to Country of certain Aboriginal Custodian groups by enabling involvement in management and decision-making on park.

Currently, over 2.3 million hectares of land, or almost 31% of NSW national parks and reserves, is managed under a joint management agreement. NPWS has established partnerships with 34 Custodian groups under 3 types of joint management arrangements:



7 agreements

Indigenous land use agreements (ILUAs)

Negotiated agreements entered under the Native Title Act 1993 (Cth)

10 agreements

Memoranda of understanding (MOUs)

Non-legally-binding advisory agreements between NPWS and Custodians

17 agreements



Members of each of the 34 Custodian groups make up the **NPWS Aboriginal Joint Management Custodians Network** (the Custodians Network). The network includes approximately 260 board and committee members.

Partnering with the Custodians Network to jointly manage national parks across the state has enriched park management and visitor experiences across New South Wales, while acknowledging the groups' rights, obligations and roles as Traditional Owners of the land. Custodians and NPWS have built strong working relationships, collaborating to manage and care for Country, people and culture on our national parks.

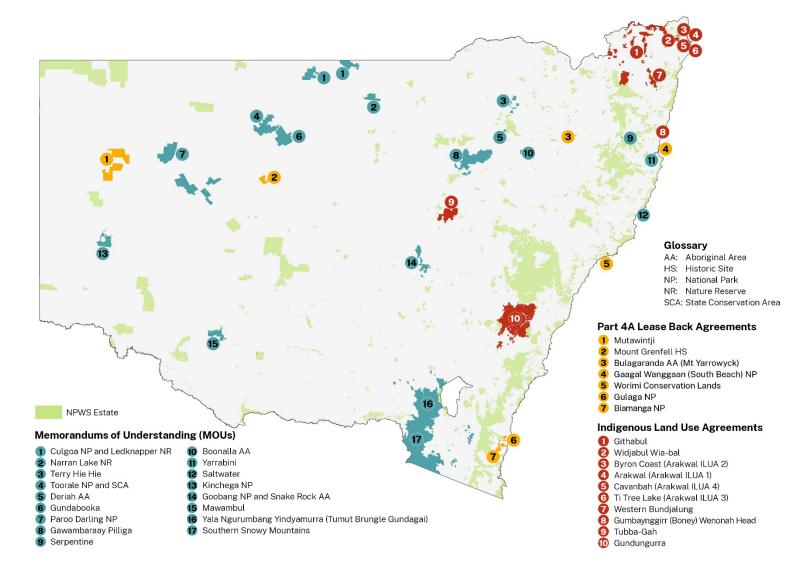
However, there are inequities between the 3 current models for joint management, and room for expansion of joint management to more areas across the state.

To learn more about the existing joint management agreements, please visit our *How Aboriginal joint management works* webpage.

Existing joint management agreements

The map in Figure 1 shows the location of the existing joint management agreements that make up the Custodians Network.

Figure 1 Map of existing joint management agreements



Developing a new model for Aboriginal joint management of NSW national parks

The existing joint management framework within NPWS has developed gradually over the past 25 years. As a result, there are differences between the 34 existing joint management agreements in terms of the rights, responsibilities and level of self-determination afforded to Custodians regarding land ownership, decision-making and economic opportunities.

A range of concerns have emerged in recent years from the Custodians Network, other Aboriginal community members and within NPWS around the inequities between and within the agreement types. Concerns have also been raised about the limitations under the existing arrangements on Custodian autonomy and leadership in managing Country and Aboriginal cultural heritage.

Following strong advocacy by members of the Custodians Network, in July 2022 the NSW Government announced a major reform initiative to develop a new model for joint management of the state's national parks and reserves.

The project is now underway to develop a new model to reform and expand Aboriginal joint management, across every national park in New South Wales, in an equitable and cohesive way. This is an historic step forward and aims to increase participation in joint management across the state in a fair, culturally informed and practical way, bringing with it social, economic and cultural outcomes for Aboriginal people, and benefits for all park users.

Further information on the proposal can be found in *Development of a new Aboriginal joint management model for NSW national parks* (DPE 2022).

Steps for developing the new model

The consultation will be a 3-stage process, based on the following milestones:

Getting started

- Announcement by the previous NSW Government to develop a new joint management model to potentially hand back the title to every national park in New South Wales to Aboriginal people.
- · Aboriginal Joint Management Unit formed.
- · Consultative and reference groups established.

Stage 1

Listening and yarning

- Workshops held across the state to gather insights from Custodians and Aboriginal people about their aspirations for joint management.
- Consultation with Aboriginal peak bodies and other key national park stakeholders.

Stage 2



Developing and refining the new model

- Draft model options developed based on feedback from Stage 1 consultation.
- Consultation on options with Aboriginal communities and other stakeholders to develop a draft model.

Stage 3

Public exhibition

- Draft model released for public exhibition and comment.
- Public submissions considered to inform final draft of new joint management model.

Enactment and implementation of the new model

- New model presented to NSW Government for consideration and approval.
- Once approved, legislative amendments drafted and passed through Parliament to enact the new model into legislation.
- Roll out of new model over a 15- to 20-year period to expand Aboriginal joint management across New South Wales.
- Increased opportunities for Aboriginal people on Country while ensuring continued public enjoyment and conservation of national parks, strengthened by collaboration with Aboriginal joint management partners.

Figure 2 Steps for developing the new model

Learn more about the project!

For more information about the project and the consultation process, please visit our *Aboriginal joint management model consultation* webpage (see link in the 'More information' section below).

Stage 1: Listening and yarning with the Custodians Network

Stage 1 consultation focused on understanding the aspirations of Aboriginal people for the future joint management of national parks. In recognition of the Custodians Network's knowledge and experience in joint management, members were invited to participate in Custodians workshops hosted by NPWS across the state (see Figure 3).

The workshops provided an opportunity for members of the Custodians Network to share ideas and aspirations for a new joint management model and to reflect on the current joint management arrangements.

Custodians had an opportunity to complete an online survey if they were unable to attend in person, or if they wanted to add any further insights after attending a workshop.

NPWS is grateful to all Custodians who participated in a Stage 1 workshop and shared their stories, opinions and knowledge. The feedback shared by Custodians will be invaluable in supporting the development of the project.

This report provides a high-level summary of the Stage 1 consultation with members of the Custodians Network.



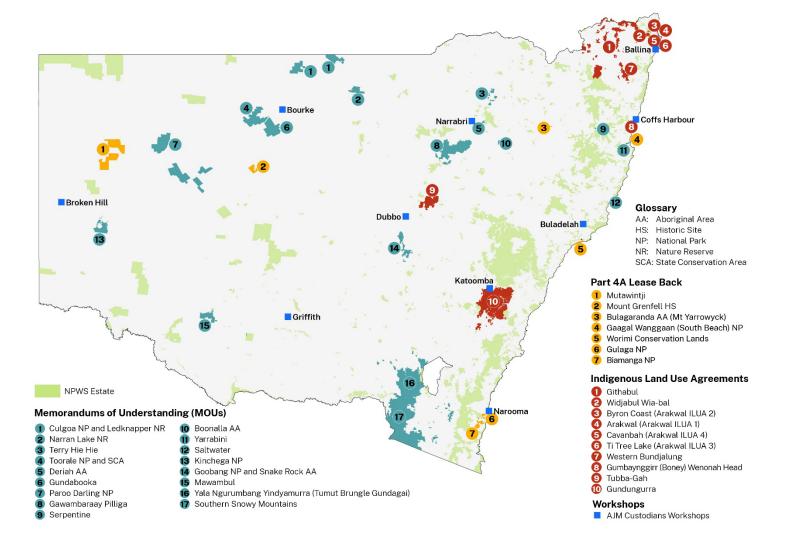
A Custodians workshop in progress in Griffith. Smita Pandey/DPE

Workshop locations

Stage 1 Custodians workshops were held in regional centres across New South Wales.

The workshops brought together Custodian groups from each of the NPWS operational regions and provided the opportunity for Custodians to meet and collaborate with other Custodians in the region.

Figure 3 Location of Custodians workshops



Workshop method

NPWS staff facilitated the Custodians workshops held across the state. Each workshop was split into 3 sessions:

- Session 1 Participants worked in their Custodian groups to discuss the effectiveness of their current arrangements under the existing models. Feedback was recorded on butcher's paper and a representative from each group presented the key comments back to all workshop participants. This enabled discussion about the differences between the existing models and started to bring some areas for improvement to the forefront of people's minds.
- Session 2 The group brainstormed aspirations for the future of joint management. Participants collaborated by writing their ideas down on paper and sticking them onto a vision board hanging on the wall in the workshop space. Ideas were then sorted and grouped under headings to identify common trends and themes.
- Session 3 Participants were split into small groups and given a number of questions to consider based on 4 key themes: management of Country, economic benefits, governance and decision-making, and ownership. Ideas were recorded on butcher's paper by a nominated scribe. A representative from each group then presented a summary of key ideas back to the larger group.

Some workshops did the session 1 exercise first, and others started with session 2, but the workshops did the same 3 activities, except the Buronga workshop had a condensed format. An overview of the key feedback collected at each workshop was emailed to the participants of that workshop for their reference and records. To protect the privacy of participants, these summaries were only sent to participants at the particular workshop and were marked 'not for further distribution'.

This report represents a summary of the overall feedback gathered across the 3 sessions at all Custodians workshops, and incorporates the online survey responses received from Custodians. This summary is not a verbatim record of what was shared, instead it highlights recurring comments and opinions shared by different groups. Although some quotes have been used for context, they have not been attributed for privacy reasons.



Participants at the Katoomba Custodians workshop. Shane Smith/DPE

The 4 key themes

Four key themes were developed with the Custodians Network prior to the commencement of Stage 1 consultation. The workshop questions centred around these themes – management of Country, economic benefits, governance and decision-making, and ownership – as shown in Figure 4.

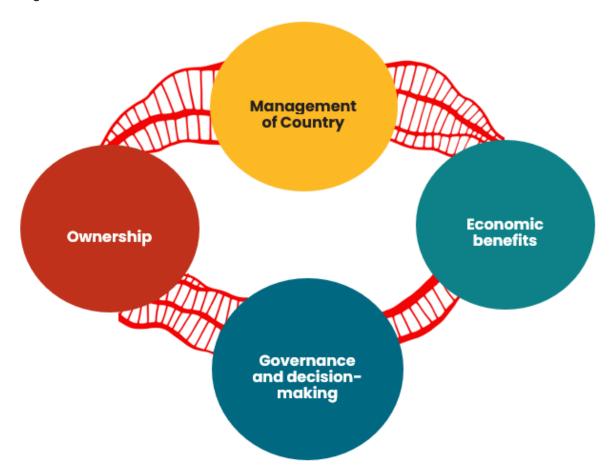


Figure 4 The 4 key themes for Stage 1 consultation

Updating our terminology

During Custodians workshops it was clear that some terminology used for the 4 key themes did not align to the Custodians' priorities for a new model. While the original terminology is used in this report as a record of the workshop discussions, moving forward the key themes are being reviewed to address these concerns.

Workshop participants

All members of the Custodians Network were invited to a workshop. A total of 151 Custodians participated in the Custodians workshops, representing 30 groups (see Table 1). Any groups or individuals who were unable to attend were encouraged to contribute their input through the online survey that was emailed out to all invitees.

Table 1 Custodians workshop participants

Table 1 Oustodians workshop participants					
Date	Location	Attendees	Custodian groups represented		
24 September 2022	Narrabri	20	 Terry Hie Hie Aboriginal Area Co-management Committee (MOU) Narran Lake Nature Reserve Co-management Committee (MOU) Deriah Aboriginal Area Co-management Committee (MOU) Gawambaraay Pilliga Co-management Committee (MOU) Boonalla Aboriginal Area Co-management Committee (MOU) 		
15 October 2022	Dubbo	12	 Tubba-Gah (Maing) Wiradjuri Advisory Committee (ILUA) Mt Grenfell Historic Site Board of Management (Part 4A) Bogan River – Peak Hill Traditional Owners Aboriginal Advisory Group 		
1 November 2022	Ballina	15	 Arakwal National Park Joint Management Committee (ILUA) Githabul National Parks Management Committee Widjabul Wia-bal Gurrumbil Aboriginal Corporation (ILUA) Bandjalang Aboriginal Corporation Wollumbin Consultative Group 		
7 December 2022	Bulahdelah	14	 Worimi Conservation Lands Board of Management (Part 4A) Saltwater Management Advisory Committee (MOU) 		
2 February 2023	Coffs Harbour	14	 Gaagal Wangaan (South Beach) National Park Board of Management (Part 4A) Yaegl Traditional Owners Aboriginal Corporation Serpentine Nature Reserve Committee (MOU) Yarriabini National Park Aboriginal Consultative Group (MOU) 		
7 February 2023	Broken Hill	23	 Paroo Darling National Park Joint Management Advisory Committee (MOU) Mutawintji National Park Board of Management (Part 4A) Menindee Aboriginal Elders Council 		
10 February 2023	Bourke	25	 Toorale Joint Management Advisory Committee (MOU) Gundabooka Joint Management Committee (MOU) Culgoa National Park and Ledknapper Nature Reserve Joint Management Committee (MOU) 		
15 February 2023	Malua Bay	12	Biamanga National Park Board of Management (Part 4A)		

Date	Location	Attendees		Custodian groups represented
				Gulaga National Park Board of Management (Part 4A)
21 February 2023	Griffith	6	•	Mawambul Co-management Group (MOU)
7 March 2023	Katoomba	3		Gundungurra Indigenous Land Use Consultative Committee (ILUA)
12 May 2023	Buronga	7		Willandra Lakes World Heritage Area Aboriginal Advisory Group

Workshop outcomes

Session 1: Learnings from current agreements

Custodians have experience in establishing relationships with NPWS to jointly manage national parks. Session 1 of the workshops focused on discussing the strengths and weaknesses of the existing agreements and what we can learn from the experience of members of the Custodians Network.

Strengths and weaknesses by agreement types

In their agreement groups, Custodians were asked to identify the strengths and weaknesses of their existing arrangements. This highlighted several key disparities between the agreement types.

While all groups identified a range of weaknesses and opportunities for improvement, this was especially true for memorandum of understanding (MOU) groups who felt their influence and opportunities on park were limited. In contrast, Part 4A and Indigenous land use agreement (ILUA) groups recognised some strengths in their decision-making roles and park access arrangements.

Part 4A groups further recognised as strengths their formal ownership of national park land and the rental payments the boards receive for park management and community development.

Below is a summary of some of the key insights shared in session 1, separated by agreement type. Not all insights relate to each agreement from each type – some may be more applicable to one agreement than another – but overall, they provide insight into what we can learn from the experience of existing joint management partners.

Part 4A Hand-back and lease-back model

Below are some comments and ideas shared by Part 4A Custodians in session 1 when asked to identify strengths and weaknesses of their current agreements:

Strengths

Ability to make decisions about the day-to-day and future care, control and management of the park

Ownership, community representation and recognition. Feeling that Traditional Custodians can have a say about what happens on their Country

Board structure of majority elected Aboriginal members representing Traditional Owners from different families

Governance structures (when working well and being enforced)

Payment of rent for park management and community development

Access to Country for cultural purposes and traditional practices

Employment opportunities for Traditional Owners on park and within NPWS

Cultural connectivity allowing for generational knowledge to be passed on, for example through education and succession planning with junior board members

Weaknesses

Governance structures and processes for appointment of board members, elections, performance management and accountability could be simpler and better enforced

Working relationships with NPWS could be strengthened through increased cultural awareness and understanding

Government approval processes prevent implementation of some decisions

Some Part 4A Custodians are uncomfortable with a local Aboriginal land council (LALC) holding title

Indigenous land use agreement (ILUA) model

Below are some comments and ideas shared by ILUA Custodians in session 1 when asked to identify strengths and weaknesses of their current agreements:

Strengths

Wellbeing benefits for individuals and community through access to traditional lands

Pride and recognition through community representation and acknowledgment of ongoing connection and rights

Having a say in management and decision-making on park

Ability to practice culture on park and pass on knowledge and customs

Some opportunities for education, training and employment

Recognition of significance of Aboriginal cultural heritage

Weaknesses

Influence over decisions involving government rules and regulations

Employment opportunities for traditional owners and pathways for promotion past entry level roles

Communication between NPWS and some ILUA Custodian groups

Funding and support to progress ideas and opportunities

General understanding of and respect for cultural practices, protocols and traditions, from NPWS and the broader public

Memorandum of understanding (MOU) model

Below are some comments and ideas shared by MOU Custodians in session 1 when asked to identify strengths and weaknesses of their current agreements:

Strengths

Ability to have progressive and enthusiastic Traditional Owner involvement in park management

Traditional Owner knowledgeholders feeling they can help make decisions on their Country

Some increase in recognition of the cultural significance of Aboriginal cultural heritage and the importance of working with Custodians to preserve sites

Cultural connectivity and allowing opportunities for generational knowledge to be passed on

Some MOU groups felt they have a good working relationship and open communication channels with key NPWS staff

Weaknesses

Influence over decision-making powers for all aspects of park management

Resourcing, implementing and progressing ideas arising from committee meetings or community

As MOU agreements are not legally binding, some Custodians feel they can be overlooked and ignored by NPWS

Flow in communication including frequency of meetings

Opportunities to achieve employment, preferential contracting for works on park, tourism businesses and more

Recognition of Aboriginal protocols, cultural and governance needs within NPWS processes

Session 2: Custodian aspirations for the future

At the workshops Custodians shared many ideas about what elements they feel are important to make joint management partnerships a success. The following aspirations were repeatedly mentioned by Custodians as important elements of a new model for joint management of NSW national parks. Below they are sorted into the 4 key themes.

Management of Country

Using cultural knowledge and practice to care for Country, including cultural burns Access to Country and use of resources by community for cultural purposes

Healing and improving wellbeing for Aboriginal communities through access to Country Passing on knowledge, custom and lore through sharing culture on Country

Economic benefits

Increased Aboriginal employment at all levels in NPWS, with opportunities for career progression Formal and informal recognition of traditional skills and knowledge systems for land management

Education, training, development and capacity strengthening across all skill types, including management Support for Aboriginalowned business and enterprise in cultural tourism, land management, and more

Governance and decisionmaking

Respectful partnerships with NPWS built on 2way exchange and learning from each other

Cultural governance structures that respect law/lore, traditional customs and practice Management and decision-making by traditional owners, especially about cultural matters

Increased cultural safety within NPWS, respect of cultural protocols and systems

Ownership

Pride through ownership and recognition of connection and responsibility to Country Ownership of Aboriginal cultural heritage and ability to appropriately protect cultural sites

Infrastructure and places on park for meeting, learning and sharing knowledge and culture

Increased opportunities for cultural awareness, including language on Country and signage

Session 3: Custodian discussion on the 4 key themes

Key theme 1: Management of Country

Discussion about the 'Management of Country' theme centred around 'healthy Country' and how connection to Country can help to create 'healthy people'. The feedback indicated how caring for Country using traditional methods and Indigenous knowledge was crucial to restore balance and health to the environment.

It was clear that Custodians feel that for Country to be managed well, Aboriginal people need to be back on Country, connecting with their culture and traditions. There was a lot of discussion about the interconnection between people and Country and how participation in activities on Country could provide health and wellbeing benefits for communities.

Some of the key comments about the Management of Country theme were as follows (quotes from a few participants are also provided below):

- Traditional cultural practices and knowledge should be highly valued and implemented to manage Country, for example cultural burning, pest and weed management practices.
- Access to resources is needed for traditional use and customary practices.
- Healthy Country and healthy people are intrinsically linked and greater access to Country will result in wellbeing improvements for both.
- Aboriginal people must be responsible for managing Aboriginal cultural heritage and sites in a culturally appropriate way.
- Increased opportunities and places are needed on park for mob to meet, practise culture and pass on knowledge on Country.
- Provision of infrastructure is needed to allow cultural practice and healing on park, such as cultural centres, accommodation, visitor centres and healing places.

'Everything to do
with Aboriginal
culture and
heritage should be
managed by
Aboriginal people'

'Knowledge-sharing,
ceremony, bringing
culture on Country
back to life'

Key theme 2: Economic benefits

The feedback shared by Custodians in the 'Economic benefits' theme centred around economic opportunities and development for Aboriginal people and groups through connecting with Country. Education, training and employment on park, and creating pathways for Aboriginal people to participate in all aspects of park management emerged as the main priorities for Custodians.

There was a lot of discussion on how Custodians can work with NPWS to achieve ongoing economic outcomes for Aboriginal people and businesses, but also have the opportunity to work towards a level of economic independence through funding and investment into cultural tourism and other business opportunities.

Some of the key comments and ideas from this theme were:

- Employment for Aboriginal people within NPWS at all levels with strategic, long-term opportunities (not just entry-level, short-term roles).
- Ongoing education, training and capacity strengthening opportunities to open pathways for employment and business in all areas of park management.
- Alternative pathways to land management qualifications and employment that recognise cultural knowledge and practice.
- Support of Aboriginal businesses to operate on park, such as cultural tourism operators, through joint ventures, funding or incubating new business ideas.
- Preferential contracting for Aboriginal businesses across all areas and skills.
- Community support services such as language and cultural revival programs on park, contributing to health and wellbeing outcomes.
- Ability to leverage funding and control future land acquisitions to the national park estate.
- Appropriate remuneration for cultural services provided by Aboriginal knowledge holders.

'More Aboriginal people to be trained as skilled workers and run their own businesses'

'I want to be greeted by local Aboriginal NPWS staff and workers when out on Country'

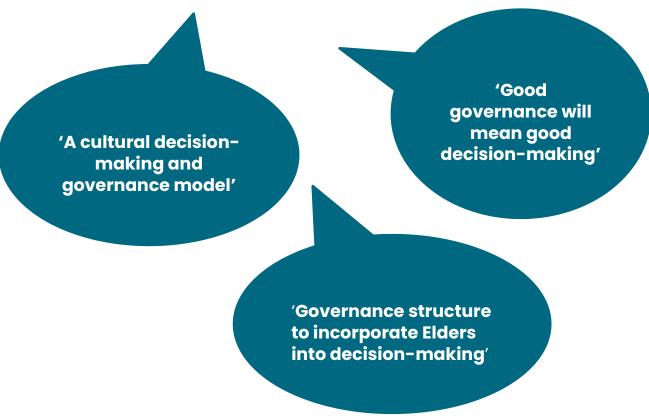
Key theme 3: Governance and decision-making

Custodians raised a wide range of issues in the discussion of the 'Governance and decision-making' theme. This included the need for governance structures to be based on cultural decision-making, with boards of management representing Traditional Owner groups. For joint management to be successful, Custodians expressed the importance of having healthy boards with healthy relationships within community, but also between the board and NPWS.

Many Custodians emphasised the need for equality in decision-making, noting that Aboriginal people should be the final decision-makers on cultural matters. A common suggestion was that the governance framework should have a base set of standards but be flexible to adapt to regional and cultural differences across Aboriginal nations or groups.

Some of the key Custodian comments from this theme were:

- Elders are knowledge holders and should be a part of the joint management of parks.
- Cultural boundaries should inform governance structures, particularly across multiple parks.
- Create a basic template but allow for local and regional flexibility.
- Gender and age balance is important for representation, including junior boards and succession plans.
- Boards to have equality in decision-making, with ultimate authority about cultural matters.
- Strong governance structure to ensure healthy boards, including terms of reference, policies and procedures, performance management, financial management and reporting requirements.
- Less red tape and easier approval processes for boards to make decisions and put their decisions into action.



Key theme 4: Ownership

The theme of 'Ownership' inspired a variety of views from Custodians. Some Custodians suggested that land ownership is an important part of a new joint management model as it brings empowerment, recognition and community strength. Others felt the term 'ownership' moves away from the cultural connection and responsibility Aboriginal people have to Country, as the relationship between Aboriginal people and Country is one of 'custodianship' and belonging to Country, rather than owning it. Others feel joint management is more of a partnership arrangement and should not be described as ownership.

Some Custodians expressed that symbolic ownership alone is not enough, and it must come with adequate resourcing, funding, and the ability to access Country to practice culture and protect Aboriginal cultural heritage.

When considering who could hold title under a new model, Custodians had differing ideas about what Aboriginal ownership of NSW national parks would look like, who speaks for Country and what body should hold title.

Some of the key Custodian comments from this theme were:

- Joint management is more a partnership than true ownership, so the language should be changed to 'partnership' or 'custodianship'.
- Ownership may be symbolic, but it creates a sense of representation, pride, empowerment, and recognition for Aboriginal people and Traditional Owners.
- Identifying who speaks for Country is an important aspect of the model. There was a split between using existing systems (native title, registered Aboriginal owner process) and needing a new process.
- There were differing opinions about what body should hold title, but many Custodians believe the deeds should be held in trust by an incorporated body on behalf of Traditional Owners.
- Custodians generally expressed concerns about local LALCs holding title deeds, instead
 preferring deeds to be held by a body of Traditional Owners. However, some Custodians
 were still open to a level of involvement from LALCs.
- Ownership of knowledge, stories and cultural heritage needs to be considered.



Workshop participant feedback

NPWS is committed to continually assessing and improving our engagement methods. Participants of the Custodians workshops were asked to complete a short evaluation form at the end of each workshop to provide their feedback.

A majority of Custodians agreed or strongly agreed they felt culturally safe throughout the workshops, were satisfied their opinions were heard and valued, and were able to talk about issues they found to be important (see Figure 5).

A small number of participants indicated they would like more notice and information prior to the workshops.

The feedback will be used to inform our engagement with Custodians in the next stage of the project.

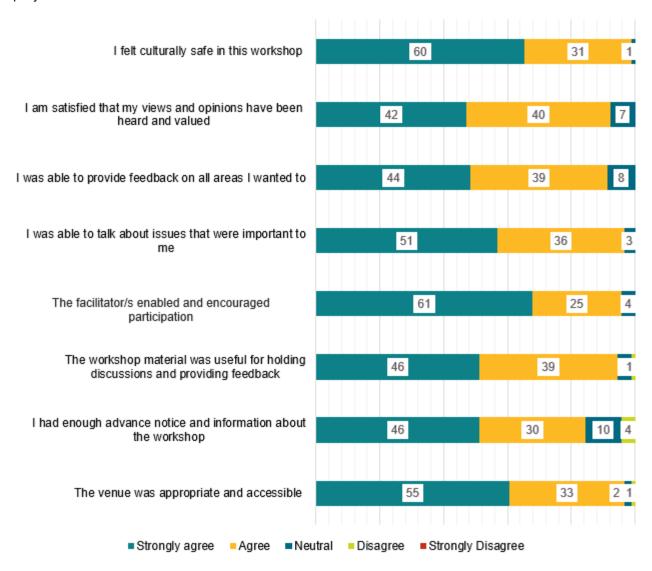


Figure 5 Custodians workshop participant feedback, by number of responses

Other Stage I consultation

As part of Stage 1 consultation, NPWS created engagement opportunities for other Aboriginal people to provide input into the development of the model. We engaged with other Aboriginal stakeholders through the following channels:

Regional Aboriginal workshops

Nineteen regional Aboriginal workshops were held across the state, facilitated by Thirriwirri, an independent Aboriginal company.

Aboriginal community members not currently engaged in a formal joint management arrangement with NPWS were invited to these workshops.

A total of 187 Aboriginal people participated, sharing their aspirations and views to inform the new model. A report about the process and outcomes of the regional Aboriginal workshops by Thirriwirri has been published on our webpage.



Online surveys

An online survey was created for people unable to attend a workshop in person or anyone who wanted to provide additional feedback after attending a workshop. This survey was open to any Aboriginal person across the state. Fourteen responses were received.

The opportunity to provide feedback through an online survey was also open to Aboriginal Traditional Owners in New South Wales who are native title holders and claimants through NTSCORP (Native Title Services Corporation). Six responses were received.

These 20 survey responses have been included in the Stage 1 feedback and will contribute towards the development of the new model

Consultative and reference groups

NPWS has established consultative and reference groups to give other key stakeholders an opportunity to contribute to the new model. These groups are essential to the success of the project, providing opportunities for discussion, alignment and collaboration as we develop aspects of the model. They include the following groups:



Custodians Sub-Working Group (CSWG)

Eleven representatives from the Custodians Network make up this group, responsible for supporting members of the network throughout this project. They meet in person or online to discuss key elements of the project and provide a Custodian perspective in the development of the new model. Each meeting of the group includes an opportunity for members to meet in a culturally safe way without NPWS representatives present, and to report back with recommendations.



Aboriginal Consultative Group (ACG)

This group is comprised of 4 representatives from the Custodians Network and a member from each of the following 5 Aboriginal organisations who represent interests in Aboriginal land management, land rights, tourism and cultural heritage:

- NSW Aboriginal Land Council
- Native Title Services Corporation
- Aboriginal Cultural Heritage Advisory Committee
- NSW Aboriginal Tourism Operators Council
- La Perouse Local Aboriginal Land Council

The group provides culturally relevant advice on the development of a new model in a culturally appropriate context. They are consulted through in-person and online meetings.



Stakeholder Consultative Group (SCG)

This group is made up of a representative cross-section of park user groups and other key stakeholders, including conservation, farming, local government and recreation groups, as well as all Aboriginal Consultative Group members. The group provides advice from key stakeholder groups and supports community participation in the development of a new model. It meets through online meetings.



Inter-Agency Reference Group (IARG)

This group includes representatives from key NSW Government agencies to learn, share information, explore alignment and develop whole-of-government input to a new model. It meets through regular online meetings.

Next steps

- •In stage 2 of the project, NPWS will be developing options for key features of the new model
- •There will be further consultation opportunities to discuss the options with the Custodians Network and other key stakeholder groups
- •Feedback on the options will be used to design a draft model
- •Custodian and stakeholder input will be sought on the draft model and a final model will be prepared for NSW Government approval and public consultation
- •Stage 3 of the project will commence with the release of the draft model for public consultation



Join the conversation!

As we move into the next stages of the project, NPWS encourages you to keep up to date with our progress.

Your opinion is important, and NPWS welcomes your feedback at any stage throughout the project.

To stay updated, please visit the NPWS Aboriginal Joint Management Unit's *Aboriginal joint management model consultation* webpage.

Please email the team at <u>aim.reform@environment.nsw.gov.au</u> if you have any questions.

References

DPE (Department of Planning and Environment) (2022) <u>Development of a new Aboriginal joint management model for NSW national parks</u>, DPE, Parramatta.

Thirriwirri (2023) <u>Regional Aboriginal workshop Aboriginal community engagement report,</u> Department of Planning and Environment, Parramatta.

DPIE (Department of Planning, Industry and Environment, NSW) (2020) <u>Our place on County:</u> <u>Aboriginal outcomes strategy 2020–23 [PDF 7.7MB]</u>, DPIE, Parramatta.

Janke, T and Company (2023) <u>Aboriginal Cultural and Intellectual Property protocol</u>, Aboriginal Affairs NSW.

UN (United Nations) (2007) <u>United Nations declaration on the rights of Indigenous peoples</u>, UN, adopted by the General Assembly on Thursday, 13 September 2007.

Webpages

- Aboriginal joint management model consultation
- How Aboriginal joint management works

Contact the Aboriginal Joint Management Unit

ajm.reform@environment.nsw.gov.au.