



HAWKESBURY SHELF MARINE BIOREGION ASSESSMENT

Phase 2 Aboriginal Engagement Report

1. Introduction

Cox Inall Ridgeway is working with the NSW Marine Estate Management Authority (MEMA) to facilitate Aboriginal engagement for the Hawkesbury Shelf Marine Bioregion Assessment (the Assessment). The Hawkesbury Shelf marine bioregion extends from Newcastle to Shellharbour and includes the coastline, estuaries, coastal lakes and lagoons, beaches and ocean waters out to three nautical miles.

The aim of the Hawkesbury Shelf assessment is to develop recommendations to enhance marine biodiversity in the bioregion, whilst achieving balanced community outcomes, including opportunities for a wide range of recreational and commercial uses. The Assessment is being undertaken in accordance with the MEMA's 5-step decision making process for marine estate management. Accordingly, MEMA recognises that Aboriginal people have special rights and values in the marine estate and have an historic connection with the land and sea that warrants tailored arrangements for engagement.

An overview of the stakeholder engagement process as part of the development of management options for the bioregion, is supplied in Figure 1. It shows an initial engagement phase, undertaken in 2015, aimed at supporting MEMA in the development of some suggested management options for the Hawkesbury Shelf marine bioregion. Specifically, Phase 1 engagement efforts sought to enhance MEMA's understanding of:


- the benefits and values derived by Aboriginal people from the marine environment of the bioregion
- the threats to these benefits and values
- management opportunities to mitigate threats and maximise community well-being.

A Phase 1 engagement report was provided to MEMA, which informed the threat and risk assessment (TARA) process. As shown in Figure 2, MEMA's threat and risk assessment was also informed by various environmental, social and economic inputs including a statewide Aboriginal cultural heritage report¹. *Sea Countries of NSW* (Feary, 2015) provides information on Aboriginal values and current uses of the NSW marine estate by Aboriginal people. In particular, it provides a description of cultural heritage benefits and a comprehensive list of threats to these benefits across the NSW marine estate.

In addition, information obtained from the Aboriginal Heritage Information Management System (AHIMS) database and documented in by Feary (2015) provides useful insight into what information is known and has already been mapped in terms of Aboriginal cultural heritage within the Hawkesbury Shelf marine bioregion. Selected findings provided in *Sea Countries of NSW* were therefore used to inform the Phase 1 report as they relate specifically to the Hawkesbury Shelf marine bioregion.

Given that the Hawkesbury Shelf Assessment is developing and assessing management options to improve marine biodiversity conservation, some of the broader issues that arise during engagement with Aboriginal

¹ Feary, Sue,. (2015) *Sea Countries of NSW*, pp35-60.



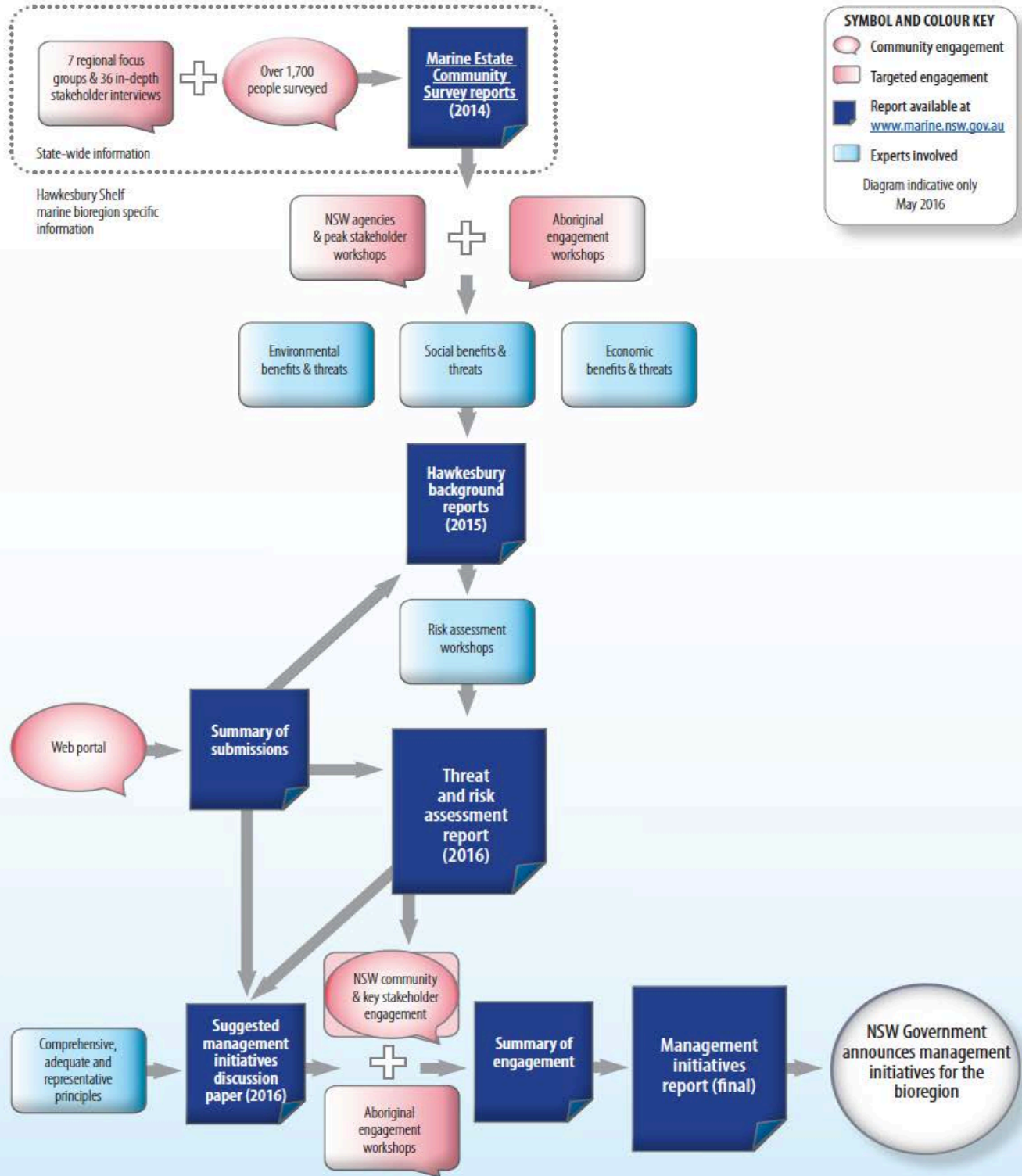
people may be separately considered as part of the development of the Marine Estate Management Strategy (for a statewide approach, rather than bioregion specific).

Following the development of the draft management options for the Hawkesbury Shelf, it was essential we go back to Aboriginal communities to seek feedback on the suggested management options. Discussing the impact of the eight suggested management options formed the central focus on this Phase 2 Aboriginal engagement process.

This Phase 2 report therefore aims to assist MEMA in better understanding the impact of management options on Aboriginal people. Key findings will inform MEMA's recommendations to Government at the conclusion of the Hawkesbury Shelf Assessment.

Figure One: Key inputs and outputs for Hawkesbury Shelf Marine Bioregion Assessment

Key steps for Hawkesbury Shelf Marine Bioregion Assessment



2. Phase 2 engagement approach

As in Phase 1, it was determined the nature of this project required much broader engagement with Aboriginal groups who have direct connection to the Hawkesbury Shelf marine bioregion. In doing so, the Phase 1 Aboriginal engagement strategy was undertaken through hosting three workshops in locations across the bioregion (broadly Newcastle, Sydney and Wollongong areas). These workshops were aimed at gaining broad feedback across the Aboriginal community in general, and were open for anyone to attend. However, this approach brought challenges in ensuring attendance and representation from relevant communities, and resulted in a number of 'no shows' at each scheduled workshop.

For Phase 2 of the engagement process, Cox Inall Ridgeway recommended a more tailored approach be undertaken in order to ensure key groups were consulted and had an opportunity to provide input into the development of the Hawkesbury Shelf management options. Engagement was undertaken with a focus on conducting smaller meetings with selected groups of Aboriginal stakeholders, as opposed to holding larger workshops, to any Aboriginal person who was interested in attending. This approach proved more effective in allowing conversations to take place with additional groups / organisations / people than were engaged in Phase 1. Conversations with stakeholders also proved more productive and relevant, with meetings undertaken in a comfortable and approachable setting in Phase 2.

Aboriginal Stakeholder Groups and Organisations

MEMA has put in place constructive measures to manage issues around government management of resource use as it relates to cultural access in the marine environment including drawing on the advice of the Aboriginal Fishing Advisory Council (AFAC). AFAC is a statutory advisory council comprised of Aboriginal people from around the state with relevant knowledge of fisheries management issues and provides advice at a strategic level to the Minister for Primary Industries. The Council consists of 10 Aboriginal people with connections to regions around the state; a ministerially selected Aboriginal individual with relevant additional expertise, along with representation from the New South Wales Aboriginal Land Council (NSWALC), Native Title Services Corporation (NTSCORP) and the Department of Primary Industries (DPI).

Given AFAC is an important mechanism in the provision of culturally appropriate advice to the Minister on fisheries management and resource use, we engaged with the Council, presenting the proposed options at their regular meeting January 2016. The Council members wished to review the options in more detail following the meeting, suggesting they would consider drafting a joint submission to MEMA during the engagement period.

The 12 identified Local Aboriginal Lands Councils whose boundaries fall within the Hawkesbury Shelf marine bioregion were identified as the best contact points for Aboriginal community engagement. In particular, it was important we went back to the people who participated in the Phase 1 engagement. LALCs have strong networks with Aboriginal communities in their boundaries, and in many cases staff dedicated to cultural and heritage issues. They are also connected with Traditional Owner and or Knowledge Keeping groups, so could recommend additional stakeholders to be involved where appropriate.

In addition to the LALCs, a list of key stakeholders was also developed which included NTSCORP and NSWALC as well as the Registrar’s Office of the NSW Aboriginal Land Rights Act 1983. MEMA and the MEMA Agency Steering Committee members were also offered the opportunity to input into the development of the stakeholder list.

Figure three shows an overview of the Aboriginal engagement approach undertaken for Phase 2. The release of the MEMA Discussion Paper proved essential in being able to engage stakeholders and confirm meeting times. Until stakeholders had information on the proposed options, it was understandably difficult to confirm meetings, as people were unaware of the extent to which they would be impacted by any suggested management option. Once the discussion paper was released, it was distributed to each individual contact point and meetings were subsequently locked in. Meeting locations were determined on a case by case basis.

Figure Two: Approach to Aboriginal Engagement

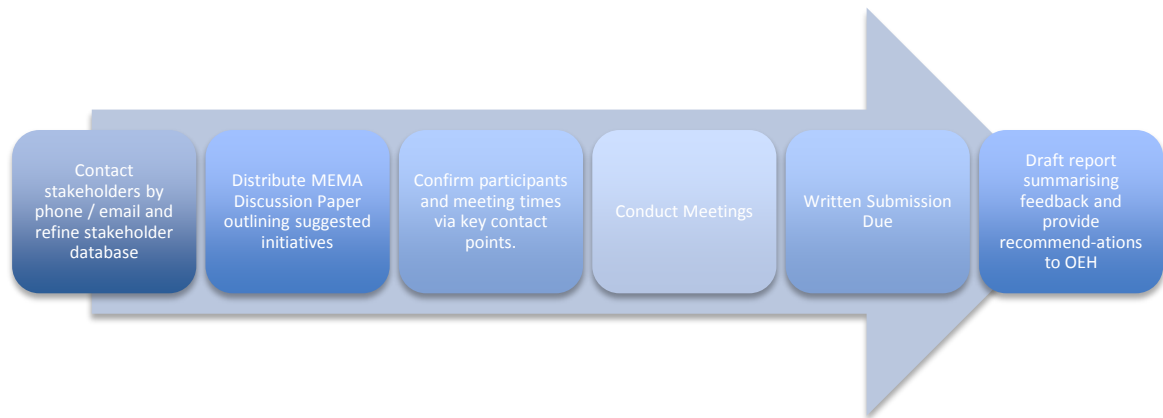


Table One: Engagement Schedule

Date	Stakeholder Group	Location
Tuesday 8 March, 16	Darkinjung LALC and Traditional Owners	Darkinjung LALC, Watanobbi
Tuesday 8 March, 16	Worimi LALC and Traditional Owner Groups	Murrook Culture Centre, Williamtown
Thursday 31 March, 16	Wollongong City Council	Wollongong Cultural Centre, Wollongong
Thursday 31 March, 16	Illawarra Traditional Owner Groups	Wollongong Cultural Centre, Wollongong
Wednesday 23 March, 16	Metropolitan LALC	Cox Inall Ridgeway Offices, Ultimo
Friday 1 April, 16	La Perouse LALC	Cox Inall Ridgeway Offices, Ultimo
Thursday 4 April, 16	Native Title Services Corporation	Native Title Services Corporation Offices, Redfern

3. Summary of feedback on suggested management options

Below is a summary of feedback received on each of the suggested management options, with feedback summarised against each option. An overview of the points raised at each meeting is provided in full at **Attachment One**.

3.1 Option One: Improving water quality and reducing marine litter

This is an issue that affects all communities. The type of general pollution that raised concern by communities was broad, ranging from nylon fishing lines, litter, plastics, micro-beads in cosmetics, lead weights, shipwrecks to the illegal dumping of rubbish. In addition, some specific points were raised in regards to improving water quality, summarised in the table below.

	ISSUE	LOCATION	IMPACT
1.	The impact of storm water runoff was a concern to communities across the bioregion. It was noted in several cases how the redirection of creeks that once channelled stormwater into the ocean, has impacted the natural ecological balance. This has led to a loss of biodiversity affecting the region.	Cooks River; Generally across HS	Environmental / Cultural Poor water quality severely impacts on communities' ability to swim, fish, and dive in the marine environment. These are activities closely associated with cultural traditions and their ability to practice and maintain cultural traditions.
2.	Concerns were raised about sewage spills into the ocean. In particular, it was raised that better coordination is needed to determine who is responsible for cleaning up these spills.	Bellambi and Port Kembla Sewage Treatment Plants Royal National Park	Cultural / Environmental Poor water quality severely impacts on communities' ability to swim, fish, and dive in the marine environment. These are activities closely associated with cultural traditions and their ability to practice and maintain cultural traditions.
3.	Toxic run off / oil spills from commercial operations. Specific concerns pointed to toxic runoff coming from the RAFF base at Williamtown, and oil slicks in Botany Bay as a result of aircraft dumping fuel near Sydney airport.	Williamtown Botany Bay	Cultural / Environmental Poor water quality severely impacts on communities' ability to swim, fish, and dive in the marine environment. These are activities closely associated with cultural traditions and their ability to practice and maintain cultural traditions.
4.	The need for better marine wildlife incidence planning, particularly in regards to responses to appropriate destruction of whale carcasses that wash up on the beach. Collateral damage from nets, fishing trawlers, especially for turtles and dolphins requires attention.	South of Botany Bay (La Perouse area); Wollongong	Cultural / Environmental Whale fat / oil is important for the crafting of Aboriginal implements including boomerangs, clubs and spears.

3.2 Option Two: On-Ground works for healthy coastal habitats and wildlife

ISSUE	LOCATION	IMPACT
5. The impact of mangroves encroaching on saltmarshes across the HS. There is need for a better mangrove management policy, as in some areas they have become a pest, and are destroying the traditional habitat of saltmarshes.	Across HS	Cultural / Environmental Destruction of saltmarshes may affect sites of Aboriginal significance, or may be affecting the ecosystem and birdlife habitat. Mangroves are also choking traditional swimming holes used by Aboriginal families.
6. Degradation / erosion of sacred sites (namely Reef Beach) due to competing use with dogs, cyclists.	Reef Beach	Cultural / Environmental Reef Beach is a common repatriation area and Aboriginal burial ground. Competing uses are posing threats to the integrity and cultural significance of the area.
7. Bulldozing / dredging of Narrabeen Lagoon.	Narrabeen	Environmental Change to natural ebb and waterflow affecting brackish water species such as cockles.
8. Dredging of Botany Bay destroyed marine habitats. This disrupts the seasonal cycle of particular marine life, and therefore the time of year they can be found in the water (e.g. lobsters).	Botany Bay	Environmental / Cultural Impacts on the handing down of cultural traditions and stories for the La Perouse community (seasonal cycles linking presence of particular species of marine life to flowering of plants are no longer in sync).

3.3 Option Three: Marine research to address shipping and fishing knowledge gaps

ISSUE	LOCATION	IMPACT
9. Support for marine research projects particularly focused on scientifically 'testing' aspects of cultural knowledge and practices.	Across the HS	Cultural / Environmental Undertaking scientific research to test cultural observations could help verify and legitimise cultural practices, in turn proving them scientifically 'valid' may help gain further support in contributing to marine conservation and biodiversity outcomes prioritised by MEMA.



10.	<p>Potential research projects:</p> <ul style="list-style-type: none"> - impact of shipping on marine wildlife and habits. Particularly, impact of anchors on sea grass - cost / benefit analysis of cultural tourism vs pollution and environmental impact of shipwrecks. - examination of the water quality / biodiversity of particular river systems / marine waters (i.e Cooks River; Wollongong marine environment) to examine how region has changed or is changing. 	Across the HS	<p>Cultural / Environmental</p> <p>Research may help improve biodiversity outcomes for the HS, while supporting cultural knowledge and the cultural economy.</p>
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3.4 Option Four: Spatial management for biodiversity and conservation and use sharing

ISSUE	LOCATION	IMPACT
11.	<p>More mapping needs to be done of culturally significant places (and / or Aboriginal places of natural significance).</p>	<p>Cultural / Environmental</p> <ul style="list-style-type: none"> - Prevention of midden / sacred sites being destroyed by development (eg. building of marinas. - Lead to identification of areas that are being overfished / may be targeted for rehabilitation.
12.	<p>Conflict use in Sydney harbour and Botany Bay. For example:</p> <ul style="list-style-type: none"> - cruise ships dumping waste in swimming areas - creating restricted (pre-identified) sites for diving. 	<p>Social / Environmental / Cultural</p> <p>Better joint use of the marine environment that balances commercial, social and cultural uses.</p>

3.5 Option Five: Improving boating infrastructure

	ISSUE	LOCATION	IMPACT
13.	Need for more seagrass friendly moorings to protect natural habitats.	Across the HS	Cultural / Environmental Protection of natural marine environment.

3.6 Option Six: Reducing user conflicts in Pittwater

	ISSUE	LOCATION	IMPACT
14.	Related to option four. People are competing for use in potentially over-used spaces (e.g. commercial vs recreational fishing).	Across the HS	Social / Economic Improved management of shared spaces which adequately prioritise uses.

3.7 Option Seven: Improving accessibility

	ISSUE	LOCATION	IMPACT
15.	<p>“Accessibility” was viewed in many different contexts. Overall, Aboriginal communities welcome improved accessibility to the marine environment. Examples given included:</p> <ul style="list-style-type: none"> - Surety of access to culturally significant sites / places. - Improved access needed to beaches for disabled / elderly. 	Across the HS	Social / Economic Improved management of shared spaces which adequately prioritise uses.
16.	Accessibility is essential to Aboriginal groups who have had successful Native Title claims, or for Land Councils who have freehold title on small islands.	Worimi Bare Island Friendly Island	Cultural / Economic Allows maintenance of cultural practices, cultural education, tourism and training. Promotes opportunities for sharing / promotion of cultural stories and supports the revitalisation of Aboriginal culture.



17.	Need for improved access to the foreshore of Sydney harbour for the Aboriginal community.	Sydney Harbour	Cultural / Social Would allow more interaction in general with the marine environment for social and cultural purposes for Aboriginal people.
18.	Community advocated for restricted access in some circumstances, mostly in order to protect culturally significant sites and to protect certain areas from environmental degradation (i.e. sand dunes). These “no-go zones” should be determined in partnership with the community.	La Perouse Worimi	Cultural / Environmental Preservation and protection of culturally significant sites and endangered areas of the environment.

3.8 Option Eight: Land use planning for coasts and waterways

	ISSUE	LOCATION	IMPACT
19.	Need to learn from lessons of the past and from circumstances where culturally important areas have been destroyed due to inadequate planning and consultation (eg Shell Cove Marina, Shell Harbour).	Shell Harbour	Cultural / Environmental Better knowledge, understanding and therefore protection of culturally significant places. Improved ability to protect these areas for the benefit of Aboriginal people, but also the whole community.



4. Summary of Feedback – other issues across the Hawkesbury Shelf marine bioregion

4.1 Cultural fishing

Cultural fishing was raised as a general issue of concern despite there being a separate NSW Government reform process on this issue. While the impact of Aboriginal cultural fishing is deemed as low risk in the HS (see p.13 in *HSDP*), there exists an opportunity through the assessment (region-specific and statewide) or complementary talks to occur in order to avoid future problems.

	ISSUE	LOCATION	IMPACT
20.	Delays in issuing permits for cultural fishing is not conducive to the way Aboriginal people fish (seen as a cultural practice). Fishing is a way for family to come together, share food and is essential to community wellbeing.	Worimi Wollongong	<p>Cultural</p> <p>Restrictions around cultural fishing can impact the ‘cultural wellbeing’ of Aboriginal people and communities. This is reflected at both an individual level (as an important source of sustenance) to the health of the community as a whole (ceremony and practice around fishing and community gatherings).</p>
21.	Aboriginal communities of the South Coast and Wollongong areas are being fined for fishing for mutton fish (abalone). There is no recognition or acknowledgement of Aboriginal cultural knowledge which also prioritises the sustainability of the marine environment and the protection of marine life. The community see sustainability of the marine environment as integral to the continuation of cultural practice when it comes to fishing, so they support MEMA’s overall objective of improving biodiversity.	Wollongong	<p>Cultural / Economic</p> <p>Restrictions around cultural fishing can impact the ‘cultural wellbeing’ of Aboriginal people and communities. This is reflected at an individual level (as an important source of sustenance) and at a community level, affecting the health of the community as a whole (ceremony and practice around fishing and community gatherings).</p>



5. Level of agreement across proposed options

The table below presents an analysis from Cox Inall Ridgeway of the level of support from Aboriginal engagement participants with each option. This is cross referenced against an assessment of the level of perceived benefits and opportunities from an Aboriginal community perspective, that may arise from each of option.

While this is a subjective analysis, as a summary it aims to provide a snapshot for MEMA of areas of likely support, and / or options that may require greater engagement with Aboriginal communities due to a higher interest / stake in its implementation and success.

1. LEVELS OF SUPPORT FOR OPTION:



Strongly Agree



Generally Agree



Neutral



Disagree



Strongly Disagree

2. LEVELS OF PERCEIVED OPPORTUNITIES & BENEFITS:



Strong Opportunities



General Opportunities



Low Opportunities



No Opportunities



Negative Impact

GROUP	OPTION ONE	OPTION TWO	OPTION THREE	OPTION FOUR	OPTION FIVE	OPTION SIX	OPTION SEVEN	OPTION EIGHT
DARKINJUNG SUPPORT	GA	GA	N	SA	GA	N/A	SA	N/A
DARKINJUNG OPPORTUNITIIES	GO	GO	GO	SO	NO	N/A	SO	N/A



WORIMI SUPPORT	SA	SA	N	N	N	N/A	SA	N/A
WORIMI OPPORTUNITIES	GO	SO	GO	LO	LO	N/A	SO	N/A
WOLLONGONG CITY COUNCIL SUPPORT	GA	SA	N	GA	GA	N/A	SA	GA
WOLLONGONG CITY COUNCIL OPPORTUNITIES	GO	SO	GO	GO	GO	N/A	SO	GO
WOLLONGONG TO GROUPS SUPPORT	SA	SA	GA	SA	GA	N/A	GA	GA
WOLLONGONG TO GROUPS OPPORTUNITEIS	SO	SO	SO	SO	GO	N/A	GO	GO
METRO LALC SUPPORT	SA	SA	SA	SA	N	N	SA	N/A
METRO LALC OPPORTUNITIES	SO	SO	SO	GO	LO	GO	SO	N/A
LA PEROUSE LALC SUPPORT	SA	GA	SA	SA	SA	N/A	SA	N/A
LA PEROUSE LALC OPPORTUNITIES	GO	SO	SO	SO	SO	N/A	SO	N/A
TOTALS (AGREEMENT AND SUPPORT)	Strongly Agree = 4	Strongly Agree = 4	Strongly Agree = 2	Strongly Agree = 4	Strongly Agree = 1	Strongly Agree = 0	Strongly Agree = 5	Strongly Agree = 0



TOTALS (BENEFITS AND OPPORTUNITIES)	Strong Opportunities = 2	Strong Opportunities = 5	Strong Opportunities = 3	Strong Opportunities = 3	Strong Opportunities = 1	Strong Opportunities = 0	Strong Opportunities = 5	Strong Opportunities = 0
TOTAL	6	9	5	7	2	0	10	0

The table above shows the two most strongly supportive options were options two and seven. These options also presented the strongest perceived potential opportunities for Aboriginal communities to benefit from management of the Hawkesbury bioregion. A table outlining these potential management opportunities is provided below in section six.



6. Potential opportunities for Aboriginal in Torres Strait Islander communities in implementing management options across the Hawkesbury Shelf Marine Bioregion

Below is a list of opportunities and benefits that were discussed at different points throughout the engagement process. Overall, there was a strong desire from all communities engaged to be more involved in the management of the marine estate. Aboriginal stakeholders saw a range of potential benefits for their local community if implementation of the management options was undertaken in an innovative way; promoting strong partnership arrangements with Aboriginal communities across the Hawkesbury Bioregion. Some of these options could be ‘piloted’ and later considered for expansion across NSW as part of the Marine Estate Management Strategy.

	OPPORTUNITY / POTENTIAL RESOLUTION	ISSUE	BENEFITS TO HS
1.	<p>Creation of rain gardens, such as those that have been used on the Cooks River. Uses a natural gravel / sand composite which then filters pollution from stormwater that flows into the waterways.</p>	Stormwater run off	Environmental Cultural / Social
2.	<p>Joint management responses. All communities were enthusiastic about the potential to initiate joint management responses that work to preserve the marine environment. In doing so, there is better potential to consider and address cultural priorities and traditions that simultaneously work to improve biodiversity outcomes for the HS.</p>	<p>Sewage Spills Toxic river run off Destruction of whale carcasses Need for spatial management for use sharing. Using cultural knowledge to manage protection of the marine environment.</p>	Cultural / Social Environmental
3.	<p>Support and expansion of existing local environmental options:</p> <ul style="list-style-type: none"> - Wollongong City Council run programs through their Green Teams to reduce marine litter, and supervise dune management and coastal and estuary management. These types of groups could increase capacity through funding directly to local Aboriginal working groups. Consideration could also be given to duplicating these kinds of options in conjunction with local Aboriginal communities. 	<p>General litter reduction Toxic river run off</p>	Cultural Environmental



	OPPORTUNITY / POTENTIAL RESOLUTION	ISSUE	BENEFITS TO HS
	<p>(cont.)</p> <ul style="list-style-type: none"> - Metropolitan LALC run several projects aimed at land and sea management; particularly in regards to the Georges and Cooks River. Research on Aboriginal history in the relevant areas has been undertaken in conjunction with these projects. 		
4.	<p>Educational programs that include an Aboriginal communications component are essential to inform Aboriginal communities across several topics:</p> <ul style="list-style-type: none"> - Rights of Aboriginal people in relation to the marine environment, importance of practicing their culture and being pro-active in protecting the marine environment - The importance of clean water, and why we should treasure our waterways is important. This includes messages around recycling of plastics, biodegradable fishing lines etc. - Education back to Departments about how to jointly manage land and caring for Country, noting particular ecological sensitivities across the Bioregion, that require a specific, tailored response. - For specific education options, see <i>Regulation or Education</i> section in Attachment 1. 	<p>General litter reduction Using cultural knowledge to manage protection of the marine environment</p>	<p>Environmental</p>
5.	<p>Mangrove management opportunities can be developed which support Aboriginal cultural practices. It is traditional practice for the mangrove wood to be used to carve boomerangs. Murrook Cultural Centre currently harvests overgrown wood to make and sell boomerangs, however, this was an opportunity mentioned in every Aboriginal community meeting as a potential benefit for both the environment and the community.</p>	<p>Destruction of natural saltmarsh</p>	<p>Cultural Environmental</p>
6.	<p>Sea Ranger Programs in partnership with MEMA and / or National Parks could employ the knowledge of Aboriginal people to support biodiversity objectives. The focus should be on employing local Aboriginal to work on local projects. E.g. Five Islands Nature Reserve.</p>	<p>Balancing cultural heritage with need for on-ground works. Need for spatial management for use sharing.</p>	<p>Cultural Environmental</p>



OPPORTUNITY / POTENTIAL RESOLUTION		ISSUE	BENEFITS TO HS
7.	<p>Research and collaboration can be supported in a way that both supports cultural traditions and practices, while improving biodiversity outcomes for the HS. Research projects undertaken in conjunction with Aboriginal communities can help record and preserve cultural stories in relation to the marine environment.</p>	<p>Need for joint research projects Need for spatial management for use sharing.</p>	<p>Cultural Environmental</p>
8.	<p>Flexible approaches to fishing regulation. There needs to be more flexibility in how the DPI manages and regulates cultural fishing across the bioregion in a way that supports cultural practices and customs in each community. This will allow fishing regulations to facilitate the best use of the marine environment across all users; acknowledging the importance of cultural fishing to Aboriginal people while ensuring the sustainability of marine species across the HS.</p>	<p>Cultural fishing rights</p>	<p>Cultural / Environmental</p>



Attachment 1 – Overview of feedback from individual meetings

Option One: Improving water quality and reducing marine litter

Meeting	Feedback
Darkinjung	<p>This is an issue that affects all communities. Pollution ranges from nylon fishing lines that are damaging waterways (could tangler bins be provided); litter; micro-beads in cosmetics and micro plastics from nylon in clothes (an HS working group is addressing this issue); lead weights from fishing leaching into the water.</p> <p>One solution discussed in respect of water pollution is the idea of ‘rain garden’ installations which have been used on the Cooks River, Sydney. It is installed into the ground, and uses a natural gravel/sand composite which then filters pollution from stormwater that goes in the waterways. The stormwater retention system appears to be effective but does require periodic cleaning.</p>
Worimi	<p>This is an issue that affects all communities and while some of these issues fall outside the ambit of the HS assessment, the issues that are particularly challenging for this region include:</p> <ul style="list-style-type: none">- Phosphates and nitrates coming down from farms affecting oysters, seaweed, slugs, and fish stocks.- Toxic runoff from the RAAF airbase. Pollution from the airbase has resulted in fisheries in Fullerton Cove and Tilligerry Creek areas being closed.- Floating aquaculture farms that damages fish quality and leads to an influx of pest species because of by-products of food fed to the fish and the bio-waste leaching into the environment. This affects coral / seaweed / fish stocks.- Proximity of sea cages in front of the beach ruining the landscape.- Introduction of barramundi, a highly predatory species that is not local to that environment.- Litter.- Shipwrecks.- The former oyster industry has left mattresses and other equipment on Aboriginal land (this includes the specific example of big posts being dragged across highly sensitive seagrass areas and then being dumped on an Aboriginal-managed island.)- Local recreational ‘boaties’ abusing the 4-knot speed limits in sensitive areas.



Wollongong City Council (WCC)	<ul style="list-style-type: none">- Wollongong City Council have a series of programs to reduce marine litter, particularly through their Green Team which supervise dune management, and through the coastal and estuary management group.- The issue of stormwater runoff is a cause of concern because of the redirection of creeks that once channelled stormwater into the ocean. WCC said she would research specific creeks further.- The issue of pollution to traditional fishing areas was raised, especially in regards to fishing for Pipis and other species. “The main things we want are to take our kids to the beach, to camp, to get a feed and eat there, but it’s getting tighter and tighter to do that.”- The impact of pesticide spraying and how this is affecting where local people can collect native species of plants for their bush medicine was also raised.
Wollongong Traditional Owner Groups	<ul style="list-style-type: none">- Concern was raised over the Bellambi and Port Kembla sewage treatment plants and the cleanliness of water that runs into ocean. Similarly there was concern that stormwater runoff at Sandon Point may also contain sewage and a request was made to the DPI to test the water, as this is where the community swims.- The issue of stormwater runoff is also a cause for consideration. Since creeks, that once channelled stormwater into the ocean, have been redirected, the natural ecological balance has been altered. This has led to a loss of biodiversity affecting the entire region. In addition, the impact of agricultural pesticides and the effect of hooved animals in creeks were raised.- OEH and CIR agreed that both the issue of pollution and stormwater runoff could be addressed in the HS options and encouraged the community to look into this issue further and/or include a submission.- The role of Wollongong Council’s Green Team in addressing environmental programs was recognised, even though it is in its infancy. As a way to grow its capacity, it was suggested that more projects go directly to local Aboriginal working groups rather than to groups from outside the region.



Metro Sydney	<p>The Metropolitan LALC is aware of the need to improve water quality and is playing its part in trying different ways to rehabilitate waterways. A raft of land management activities are already underway in conjunction with a range of Local Government bodies covering the Georges River and similar in relation to the Cooks River. These include:</p> <ul style="list-style-type: none">- Addressing illegal dumping of rubbish in and around waterways.- Illegal access by bike riders on trails near culturally significant sites.- For the past two years the Metropolitan LALC has been addressing the water quality of the Georges River through a major clean-up project, involving traineeships, to rehabilitation activities to improve the health of the river. This is a project initiated by combined local councils centred at Hurstville, and partnered with environmental consultant Eco Logical Australia, using funds from the NSW Environmental Trust.- Georges River is a good example of how they are stopping pollutants running into the water. In around 8 sites, native landscape vegetation is being used for rehabilitation along with the introduction of rocks to stop the runoff. (This point is also relevant to #2 option.) As part of this rehabilitation program, the Aboriginal history of the area has been researched.- This project is going to be extended to the Cooks River. Part of this is also to do research on the Aboriginal history of the region. Eight combined councils, including the City of Sydney and Metropolitan LALC, sponsor this option.- The importance of education was highlighted, particularly in terms of educating Aboriginal communities. It was suggested that one information campaign could be on how important it is to stop food going down the drain by encouraging the local Aboriginal community to use a simple drain cover in kitchen sinks. He stressed the importance of bringing educational programs to the fore and including a relevant Aboriginal component. He stressed that anything that informs people about the importance of clean water, and why we should treasure clean water, would be beneficial.- The impact of the 'Hey Tosser campaign' was raised. This is seen as an important clean-up campaign for the area. Metro LALC would also like more to be done to recycle plastic bottles, as this is the biggest pollution in the oceans today.- Furthermore they agreed with the idea of biodegradable fishing lines, although not previously aware of them and thought any further options in this area would provide a benefit.- Other issues raised include the establishment of a 'rain-pit' as part of the Georges River option and the importance of managing stormwater discharge.
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La Perouse	<p>Representatives from the La Perouse LALC agreed with the need to improve water quality across the bioregion and stated a number of examples of how marine litter impacts the community, and their ability to undertake cultural activities. They also signalled their strong commitment to contribute to cleaning up Botany Bay, and the marine environment generally within their boundaries, and saw this as a potential opportunity for the Land Council to work more closely with the Marine Estate Management Authority into the future. Specific feedback on option 1 from the La Perouse LALC is summarised below:</p> <ul style="list-style-type: none">- Representatives reported oil slicks that are often present in Botany Bay. It is believed these are caused from either ships or potentially aircraft, dumping fuel / oil in the Bay. This has an effect on marine life, and also impacts on the community's ability to swim at certain locations as the oil washes up on shore.- This led to discussion around sewage spills, particularly in the Botany Bay area, and the need to develop procedures among the various authorities about who is responsible for managing emergency responses, as well as clean ups in the Bay. This would involve cooperation from stakeholders including the Sydney Airport Corporation, City of Botany Bay as well as the relevant state government agencies. The La Perouse LALC are keen to play a part in any response procedure to be developed.- Circumstances in which better management responses were needed may include managing appropriately the destruction of whale carcasses that wash up on the beach, as well as sewage spills that occur and flow into Botany Bay.- It is a common practice for the local Aboriginal community to go diving in the harbour down near the Royal National Park. Marine litter impacts on the quality of the diving.- Fishing for both cultural and recreational purposes is a tradition and cultural practice deemed very important to the local La Perouse Aboriginal community. Fish are used to provide food to feed families, but also the wider community at particular important cultural celebrations. There is concern about the impact of poor water quality and of the impact marine litter has on marine life. It was questioned whether at times fish aren't suitable for eating, especially when the water quality is particularly bad.- Other issues raised include the establishment of a 'rain-pit' at the Cooks River and the importance of managing stormwater discharge.
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Option Two: On-ground works for healthy coastal habitats and wildlife

Meeting	Feedback
Darkinjung	<p>Issue of the impact of mangroves encroaching on saltmarsh was raised, both in context of how that may affect sites of Aboriginal significance or be affecting the ecosystem and birdlife and habitat. This is particularly relevant to Tuggerah Lakes where the saltmarshes provide a natural habitat for fish and crabs.</p>
Worimi	<p>Issue of the impact of mangroves encroaching on saltmarsh was raised, both in the context of how that may affect sites of Aboriginal significance and be affecting the ecosystem; a particular reference was raised on how encroaching mangroves are choking traditional swimming holes used by Aboriginal families. As mangrove wood can be used for boomerangs, there could be an opportunity for the Aboriginal community to benefit from the overgrowth of mangroves by harvesting this wood. This is currently being practiced at Murrook Cultural Centre and boomerangs are for sale; this practice could be expanded.</p>
Wollongong City Council	<p>Any schemes or options that can encourage the involvement of the local Aboriginal community would be welcomed, especially as unemployment among Aboriginal youth in Wollongong is around 40%. One scheme suggested was a Sea Ranger Program working in partnership with National Parks and which could employ Aboriginal people to harness their knowledge of the land and ocean.</p> <p>An area of particular significance mentioned was Hill 60 at the Port Kembla Heritage Park, where there are current bushwalking trails through the area. This is an example of where there is competing interest for one area; interested parties include the local RSL, military and local government. There are also opportunities to develop cultural tourism as there are fish traps and Aboriginal middens in the Port Kembla Heritage Park. While the fish traps are not in use, it is a significant area.</p> <p>With regards to hiring local Aboriginal groups to do site work, participants raised the concern that the opportunity to do site work is often given to groups from outside the area rather than to Traditional Owners who know and understand the 'country'. This is of particular relevance to the Five Islands Nature Reserve (an issue raised during Phase 1 engagement).</p> <p>Participants also expressed a great interest in the Five Islands project and said she would explore it as part of her proposed submission from the Wollongong Local Council.</p> <p>[There is a rehabilitation project to reduce Kikuyu grass covering the Five Islands as this often entangles birds, such as shearwaters and little penguins. Among those involved in the rehabilitation project overseen by National Parks, is the University of Wollongong, Southern Ocean Seabirds Group and the Illawarra Local Aboriginal Land Council. Peter Button, Chair of the Illawarra Local Aboriginal Land Council, could be contacted in the future if further Aboriginal expertise is required in relation to Five Islands.]</p>



<p>Wollongong City Council (cont.)</p>	<p>While the beaching of whales and other species is not an issue, participants did express sadness that there is a lack of biodiversity in the lagoons and creeks where they grew up. The community would be interested to know which species still live in these creeks and whether a survey could be undertaken to investigate further.</p> <p>It was noted that carp stocks have proliferated in the Coomaditchie Lagoon, near Aboriginal homes and perhaps something might be done to clean and improve the water quality.</p>
<p>Wollongong Traditional Owner Groups</p>	<p>It was agreed that a mangrove management policy is needed as in some areas they have become a pest and are destroying the traditional habitat of saltmarshes. However, mangroves can also be a vital source of food for the local community as mangrove worms, known locally as 'jidi' live in the rotten wood of the trees. These worms can be easily accessed through a small axe or blade without harming the tree and are a potent source of nutrition. Furthermore the bark can be used to make shields or boomerangs.</p> <p>The wide variety of species that exists in the region led to a discussion on how the local community could start aqua farms. Local species include: Eastern rock lobster, two species of abalone, turban shells, periwinkle, pippies, mullet, prawns, and Eastern blue groper.</p> <p>An example that illustrates the differing worldviews between Indigenous and non-Indigenous communities was discussed in relation to a recent whale beaching. One participant described how whale fat/oil is important for Aboriginal implements like boomerangs, clubs, spears etc. The participant said that the implements were placed inside the whale carcass as part of a traditional practice but after leaving them there, upon his return, he was denied access by police and other local authorities to retrieve the implements. In a case such as this, where the animal is deceased and the whale is used as part of cultural practice, the question raised was: "Is there an opportunity here to approach this dilemma differently in order for Indigenous communities to continue their traditional practices?"</p>



Metro Sydney	<p>The Metropolitan LALC is concerned with how to increase the connection between their local members and the coastal region. This in turn, has a direct impact on cultural heritage and use.</p> <ul style="list-style-type: none">- There are current fishing programmes held in partnership with the Aboriginal Medical Service (AMS) where the “old fellas take the young fellas fishing” to Pittwater. This also expands the knowledge of the younger men, increasing their watercraft skills, teaching them how to put bait on a hook, casting and so on. The Metropolitan LALC would like to expand this, possibly with the Alexandria Park Community School, and do more watercraft activities. It is crucial to maintain the link with the natural environment.- Some of the community members still go ‘worming’. One of the older members has started a trend to get worms, oysters and pippies, and this knowledge is being passed on to the younger generation. Fishing is also experiencing a revival among the Metropolitan LALC members.- The issue of mangroves was raised and how they can interfere with saltmarshes; furthermore, the need for mangrove management so they do not grow to the detriment of other native species.- Metro LALC raised a concern about burial grounds on Reef Beach, which is the most common repatriation area or designated Aboriginal burial area that is facing degradation and erosion; there is also competing use in the same landscape with dogs and cyclists having access to this sacred Aboriginal site. This poses a great worry for the Metropolitan LALC.- Metro LALC also supported the idea about the importance of marine wildlife-incidence planning guidelines so there is a better response to whales beaching and so on. The issue of collateral damage from nets from fishing trawlers, especially for turtles and dolphins, requires attention and guidelines on how to redress this.- With regards to recreational tourism, there needs to be buffer zones and adequate banks to protect coastal areas.- Narrabeen Lagoon, previously a freshwater lagoon, is now a brackish water lagoon and facing problems because of saltwater coming into the lake due to bulldozers dredging the estuary. This has altered the natural ebb and flow of water flows. The local committee of Metropolitan LALC are aware of this problem and are trying to address it with a local group. A further consequence of this is that brackish water species such as cockles are affected.- The lakes at the back of Dee Why may also need attention. Metro LALC intends to speak to a local member from that region.
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La Perouse LALC	<p>There were a number of examples given by the La Perouse Local Aboriginal Land Council regarding circumstances or particular projects that have had a noticeable and negative effect on coastal habitats and wildlife.</p> <ul style="list-style-type: none">- Dredging of Botany Bay disrupts the seasonal cycle of particular marine life, and therefore the time of year they can be found in the water. This means the timing for fishing season is also disrupted.- One example given was in regards to the presence / seasonal cycle of when lobsters can be found in the water. For the La Perouse Aboriginal people, the seasonal cycle of lobsters is linked to the flowering of the wattle plant. However, in recent times, the lobsters have not been present at the usual time of year as their natural habitat has been destroyed through dredging. This is having an impact on the passing down of cultural traditions from generation to generation. While parents can tell their children of the tradition when they take their children diving to see / capture the lobsters, they are no longer there.- Similarly, it is a traditional cultural practice to use the wood from the mangrove plants to make Boomerangs. However, restrictions on cutting down the mangrove plants are impacting on Aboriginal people's ability to continue this cultural practice.
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Option Three: Marine research to address shipping and fishing knowledge gaps

Meeting	Feedback
Wollongong City Council	Any education that can illustrate how fish and wildlife species are disturbed by shipping and anchoring activities would be welcome in the community. As part of this is the range of traditional fish species to understand which are still common and which are now rare.
Wollongong Traditional Owner Groups	<p>The topic of shipwrecks and ship containers off the coast was raised in relation to how the number of these may affect the coastline. While some shipwrecks are used for tourism, others contribute to marine pollution.</p> <p>The impact of ships anchored off the coast and their influence on seagrass habitat was discussed as a point of concern.</p> <p>Participants agreed that a research option such as a series of reports that examined Wollongong water quality, habitat, biodiversity, and Aboriginal history and culture, would be a positive step forward in understanding how the region has changed/is changing.</p>
Metro Sydney	<p>Further knowledge around the impact of anchors on seagrass would help in understanding the wider impact of shipping.</p> <p>With regards to Cooks River, the question raised was – “As Sydney’s most industrialised river, are the current levels of toxicity known? Is the river still polluted after 100 years of industrial use?” The more knowledge on the health of the river the better.</p>
La Perouse	Members from the La Perouse LALC expressed enthusiasm for supporting marine research projects particularly focused on scientifically ‘testing’ aspects of cultural knowledge and practices. It was their opinion that undertaking scientific research to test particular cultural observations could help verify and legitimise cultural practices they have been undertaking for thousands of years, in turn proving them as ‘scientifically valid’ and supporting the marine conservation and biodiversity outcomes that MEMA have prioritised.



Option Four: Spatial management for biodiversity conservation and use sharing

Meeting	Feedback
Darkinjung	<p>Cultural importance of the landscape through Spatial Mapping</p> <p>While Darkinjung maps all their land holdings, sites and boundaries, Aboriginal places of natural significance are not mapped. However, this could be possible through Google Earth which shows details of sites, where registered middens are and areas of cultural significance.</p> <p>This could indicate where shellfish have been caught and eaten and could lead to further study to show how shellfish numbers have changed over the years. In the future this may affect the closure of certain areas for shellfish gathering or fishing which are in danger of being overfished.</p> <p>This work would also build on the work of archaeologists, especially in the Sydney region, who have studied middens. In particular an archaeologist by the name of Lorna Head was raised.</p> <p>This type of mapping could also lead to important shellfish areas that have been degraded to become targeted for rehabilitation. Or if an area that was important for Aboriginal communities that is no longer known about or where they do not have exclusive right to this area. Drones perhaps could also be used as part of this land mapping process.</p> <p>[Example given: when critical cultural information was not passed to the relevant authority (possibly Urban Growth NSW) which led to the approval for a marina to be built on top of a midden and burial site ... example used to highlight failings in how cultural heritage information is gathered and used .. further details needed.]</p>
Wollongong City Council	<p>The subject of the marina which was built at Shellharbour was raised as this is still causing distress in the community. In brief, the location of the marina was known as a culturally significant place but the decision to build did not take into account the cultural and sacred issues raised by the local community. Furthermore it was claimed that the Aboriginal Cultural Heritage Management Development Assessment Toolkit created by Shellharbour, Wollongong and Kiama Councils, also do not address the concerns of the local Aboriginal community.</p>
Wollongong Traditional Owner Groups	<p>In relation to conflict of use, participants encouraged OEH to take a more 'hands-on' approach and visit some of the significant sites in the field. "We would love to take you to these places we are describing," said one participant, a view applauded by other traditional owners. OEH emphasised that while that may not be practical, this document is still under review and these options can be changed/amended/improved through active engagement with communities. Furthermore OEH encouraged participants to make a submission identifying sites that they would like to work on or rehabilitate, as grants will be available. Representatives stated that they would like to see more sustainable programs that provide employment for local Aboriginal people, and that these programs could include assistance in building community capacity at all levels.</p>



Metro Sydney	<p>The topic of spatial biodiversity raised the question of, “How to use and map the space – particularly with regards to where fish are breeding.” If greater knowledge was known, this could lead to education of the Metropolitan LALC members, to encourage them to regenerate and conserve certain areas, rather than over-fish.</p> <p>Based on early 19th century records which indicate that dugongs were living in Sydney waterways (near Alexandria) and also depicted above Narrabeen Lagoon in rock art, it is important to show the evidence of what species lived in this area. Similarly the eel at Kerikil Creek represents a dreaming story with the actual creek symbolising the shape of an eel. For future generations, these stories can help maintain connection to the local marine and aquatic life.</p> <p>An extension of this is to introduce the idea of different fishing areas. This reflects the traditional cultural practices in those areas and makes them a site that shows practice of use. In turn, this would encourage “First Nation fishing today” and be another way to support keeping young Aboriginal people connected to the country.</p> <p>It would be helpful if there could be more opportunities for boat mooring, i.e. in Rozelle. Furthermore if there was better monitoring of the number of cruise ships in Sydney Harbour as this potentially increases turbulence and churning up of water. This is especially so at the terminal at White Bay or where you have swimming areas in the same vicinity as where international cruise liners release their waste into the water. An urgent call for action around this was stressed.</p> <p>Metro LALC further raised the fact that there are numerous empty boats around the harbour. Could they be housed in a better storage capacity or removed?</p> <p>These issues are related to the idea of a better ‘mixed-use’ system for who has the priority in the harbour: individuals or the international liners or other harbour users?</p>
La Perouse	<p>In regards to access to restricted areas for diving, it was suggested that pre-identified sites should be determined in conjunction with community.</p> <p>Similarly, any cultural mapping should be done in conjunction with the community. La Perouse LALC would be supportive of such a process.</p> <p>The option also brings opportunities to implement “Caring for Country” programs (or similar). They would support the implementation of programs that are similar to those currently running in communities such as Wreck Bay, where local Aboriginal people are employed as “Sea / Land” Rangers, to help look after protected areas in a way that support the continuation of cultural practices.</p>



Option Five: Improving boating infrastructure

Meeting	Feedback
Darkinjung	Importance of seagrass friendly moorings and better storage for people to stop damage to seagrass on the seabed (which takes generations to recover). (Note: Transport Department has funds to address this issue through environmentally friendly moorings.)
Wollongong 1	<p>The question of boating was not high on the list, however it was agreed that there needs to be better management of where to gut and scale fish to avoid pollution. This is particularly relevant in Shellharbour where there is apparent conflict between traditional, recreational and commercial use of the same area.</p> <p>It was also raised generally that speeding pleasure boats and jet skis can also be a nuisance and cause conflict in shared areas.</p>
Wollongong 2	The importance of boat storage was not raised as a major concern, however commercial and recreational boat speeds can be problematic in the region.
La Perouse	The Land Council in response to this option did mention as an unrelated but similar subject about it currently exploring opportunities to discuss building a boating wharf at La Perouse. It is exploratory and the Land Council are pursuing separately.

Option Six: Reducing user conflicts in Pittwater

Meeting	Feedback
Metro Sydney	The issue at Pittwater seems to be related to the issues raised in #5 option because people are competing for use in potentially over-used spaces; for example commercial fishing in competition with recreational fishing.



Option Seven: Improving accessibility

Meeting	Feedback
Darkinjung	<p>Need to improve access to areas, especially Aboriginal sites on private property and access to waterfront in some areas. While in other areas, access needs to be restricted. This is particularly in reference to Nora Head where the whole area is suffering erosion because of major sea events which are exposing these middens.</p> <p>The Darkinjung LALC successfully stopped a surf event at Gravelly Beach and other exercise classes on these sand dunes because of the degradation caused.</p>
Worimi	<p>This was raised in particular to Station Creek off Bundabah where one attendee recently saw a big wire across the water which claimed to be electrified and stated: 'Private, keep out.' However, accessibility in general was raised as an issue because participants stated that they wish for greater access to land because they are the best custodians of this area.</p>
Wollongong City Council	<p>Accessing the beach is a problem for some members of the local Aboriginal community, mainly in terms of a mobility issue and the fact that people cannot drive close enough to certain beaches. It was agreed that this is under the jurisdiction of National Parks but that it is also about competing use for the beaches. Reference was made to a recent project where the Wollongong City Council wanted to limit some paths to a beach in order to reduce access to culturally significant sites, but despite changing the paths the general public still walked over the sensitive areas.</p> <p>The height of trees is also a big issue in the Wollongong area as coastal trees are apparently being poisoned if they block beachfront views.</p>
Wollongong Traditional Owner Groups	<p>Further engagement on improving accessibility may be needed depending on which areas are in question. Overall however, accessibility was not seen as an issue.</p>



Metro Sydney	<p>It was agreed that this option is key and could be very pertinent to the Aboriginal group who have had a successful Native Land claim on Bare Island. It could also be relevant to the Metropolitan LALC with regards to their freehold title on a small island (named 'Friendly Island') which they are trying to use for cultural fishing as a means to get "the mob back to the waterways." At the moment, discussions are in place with National Parks to run groups for oyster collection around the island, but in the long run it is vital that none of the options adversely restrict access or their connection to the island now or into the future. Furthermore that there is not open use or overuse of the island. Or that any change in the future marine park affects management or the status of Bare or 'Friendly' Islands.</p> <p>Access is also key for the Metropolitan LALC. "For us to maintain and demonstrate cultural practice, cultural education, tourism and training, we require access". Access can also be viewed in terms of the bigger educational campaign around Aboriginal knowledge, retaining and regenerating that knowledge. This ranges from where litter ends up in the waterways, to where people are swimming, to site of traditional stories and to better understand the mosaic of the larger story. A survey that examined and explored these topics could be undertaken with the La Perouse Local Aboriginal Land council with an intention to consider a possible joint management arrangement in areas possibly affected like the two islands mentioned as examples.</p> <p>Access was also raised in terms of how the Metropolitan LALC can get better access to the foreshore of Sydney Harbour. They have registered their expression to do this for some time, but because so much of the foreshore has been sold off or is in private hands, all people including Aboriginal people have limited access to the foreshore. While the Metropolitan LALC has a partnership with the Sydney Foreshore Authority, and agreements with the Botanic Gardens and Government House, this is an on-going issue. Metro LALC stated that they would be putting in a submission in relation to Sydney Harbour and access to foreshore areas.</p>
La Perouse	<p>It was the opinion of the LALC representatives that the community should be working with the Marine Estate Management Authority and universities to determine "no go" zones (i.e. areas needing specific protection for cultural reasons). The Land Council would welcome the opportunity to be a part of this process.</p>



Option Eight: Land use planning for coasts and waterways

Meeting	Feedback
Wollongong City Council	While this option is mainly in relation to Sydney Harbour, the marina was raised again in terms of 'what lessons can be learned from the marina experience' especially where there are competing interests for one site. Furthermore it was suggested that other learnings could also be derived from the development and application of the Aboriginal Cultural Heritage Management Development Assessment Toolkit for future options in order to avoid future disagreements.
Wollongong Traditional Owner Groups	Although this option is mainly in relation to Sydney Harbour, the matter of the marina built at Shellharbour was discussed in terms of a previous example where the community was not consulted, which still causes mistrust. OEH asked that based on what happened, what lessons could be learned looking forward? The community welcomed this approach as they are seeking answers on how to become more empowered, raise their capacity and initiate programs that benefit and create a thriving sustainable environment for present and future generations.



7. Other Issues

Cultural fishing

Meeting	Feedback
Darkinjung	<p>Cultural fishing was raised as a general issue of concern even though MEMA does not regulate or deal with cultural fishing rights <i>per se</i>. While the impact of Aboriginal cultural fishing is deemed as low risk in the HS (see p.13 in <i>HSDP</i>), it remains a divisive issue in the community particularly with regards to abalone and poaching; and how the fish is used, i.e is it bartered or sold for economic reasons or shared with family.</p> <p>Cultural fishing is much more than just spearing or catching fish; it is also a way to keep relations strong as an obligation and for community to practice culture.</p> <p>Some of these issues may be resolved through the Aboriginal cultural fishing regulation reforms in process at the moment but it is a complicated issue.</p> <p>Furthermore, while Aboriginal cultural fishing represents minimal risk at the moment, the HS management options have the potential to become a higher risk. For example even if an area of a marine park were closed to fishing, Aboriginal people will as a consequence need to get permission to fish in such designated areas. The underlying message is that while the HS Assessment does not deal directly with fishing rights, there exists an opportunity through the assessment (region-specific and statewide) for complementary talks to occur in order to avoid future problems.</p>
Worimi	<p>Cultural fishing rights were raised from the start, with reference to a 2009 report that the Worimi and Karuah LALCs submitted to the DPI. Despite agitating since then and setting up a Knowledge Holders Group, none of the recommendations in this report have been acknowledged.</p> <p>In the Worimi and Port Stephens area fishing is particularly affected by a high level of industrial pollution because of the impact of the Williamstown RAAF base and chemical contamination. The chemicals - perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) - used at the RAAF base have now been found in surface water, groundwaters and some fish species and oyster farms in nearby waterways. As the Port Stephens region has high biodiversity, these sorts of environmental events will have a long-lasting effect on the region.</p> <p>Similar to Darkinjung LALC, fishing is much more than for food, it is a cultural practice, a way for family to come together and to share fish with elders who cannot afford to buy fresh fish locally. As it can take up to three weeks to get a permit, this deeply affects the local Aboriginal community.</p>



Wollongong City Council	<p>The issue of cultural fishing was mainly limited to the discussion of abalone. This has been a big issue in the area with local community members being fined for the taking of abalone which then ends up being pursued through the courts.</p>
Wollongong Traditional Owner Groups	<p>There was consensus among participants that sustainability rated as the most important point in order to maintain cultural fishing practices. Furthermore, access to traditional foods as a way to improve general health of Aboriginal communities in the region was raised.</p> <p>Participants also stated that it is important to recognise women as knowledge holders of local fishing practices, both generally and in particular with regards to fishing for mullet. Furthermore, historically fishing practices were a form of initiation rite for local Aboriginal women. [Evidence of this can still be seen in the burial grounds where interred women were found to have the top of one little finger missing as this was given as a “ceremonial sacrifice” when catching mullet.]</p> <p>With regards to the powerful role that women played, it was suggested that local Aboriginal women in particular, be shown gratitude and respect and that their voices be heard when addressing current practices of cultural fishing. Unlike other Aboriginal clans which may follow a patriarchal system, in Wollongong “the mother’s law” predominates. This point illustrates a need to adopt different approaches to different areas, reinforcing a grass root sentiment that a ‘one-size-fits-all’ approach does not work.</p> <p>The other main issue raised was with regards to abalone and the fact that a local community member was fined for catching abalone for an elders’ gathering.</p>
Metro Sydney	<p>A wide-ranging discussion of fishing covered issues including:</p> <ul style="list-style-type: none">- Where there are areas that are restricted or limited to fishing?- Where there is an opportunity to increase fish stocks.- How the marine biodiversity could be improved which would encourage traditional native species in coastal regions (this point is also relevant to #2 option). Linked to this is the fact that sometimes an area needs to be restocked with one native fish, but without clear education the local Aboriginal community may go and fish there anyway.



Regulation or education

Meeting	Feedback
Darkinjung	<p>The importance of education was highlighted several times, both in terms of educating Aboriginal communities about their rights, their need to practice culture and to be pro-active.</p> <p>This education could also include:</p> <ul style="list-style-type: none"> - suggesting areas for marine research in areas of particular significance; - how communities can get more involved in sea country management (there is currently a lack of training for government staff for this); - ways to work with a liaison officer from DPI to analyse fish stocks in a region; - putting messages out through Facebook and social media to find out what fish species LALC members catch; which species are culturally important and, - how they use their local coastline and marine resources. <p>Education about Aboriginal cultural practices within the wider Australian community was also stressed as part of this process.</p>
Worimi	<p>The importance of education was highlighted throughout the engagement period in terms of how the local Aboriginal community can educate Federal and State government, public service departments and the broader Australian community on how best to jointly manage land and care for country.</p> <p>This was in contrast to the Darkinjung LALC where education was seen in terms of educating the Aboriginal communities about their rights, their need to practice culture and to be pro-active.</p> <p>This marked difference in approach highlights the difference in Aboriginal communities and that a 'one-size-fits-all' approach is not effective. It also emphasises that different regions with particular ecological sensibilities will require a specific and tailored response.</p> <p>For the Worimi and Karuah communities an education option could include:</p> <ul style="list-style-type: none"> - Approaches to maintain and jointly manage the region. - Cultural competency programmes which the Worimi LALC have done for teachers and RAAF servicemen. This could be expanded for other government departments such as DPI Fisheries or OEH. - Ways that local knowledge can be used to advise commercial fisheries to become more sustainable i.e how oyster farms operate could be underpinned by cultural knowledge. - How the government addresses changing use of marine coastal areas. i.e in this area there is a decline of fish / abalone / seagrass stocks and commercial fishing, yet the tourism is increasing. If Aboriginal knowledge was taken into account, particularly a holistic worldview, new government policies could be initiated that reflect the changing nature of marine environment use.



Joint Management of Marine Estate

Meeting	Feedback
Worimi	<p>For the attendees, it was vital that their side of the story was heard and acknowledged because they are the people living on the land. This need to be consulted by government was reiterated throughout the engagement period.</p> <p>Ways in which this joint management could evolve include:</p> <ul style="list-style-type: none"> - Accumulation of knowledge can lead to changes in practice and joint knowledge agreements (e.g a comparison was made to the Gulf Country where the local Aboriginal community has been involved in cleaning up pollution caused by ghost fishing nets) - Engaging with young people to create connection to country, particularly to the dunes and to understand better local plant species - Other best practice outcomes

Cultural story and how stories are a way to pass on knowledge

Meeting	Feedback
Darkinjung	<p>While Darkinjung LALC does not know specifically how its members and how many of its members interact with the coastline, the whole region does have stories connected to the coastline. A creation story starts in Broken Bay and travels all the way into Walpiri country, Western Desert, Central Australia, NT/WA. There are also middens up and down the coast and coastal rock art sites reflect the transition from sea to land. So there are images of fish with a tail that becomes an animal, or ancestral beings coming out of the sea and travelling across the land.</p>
Worimi	<p>The importance of cultural story is directly related to the practices in an area. In Port Stephens the traditional fishing practice is shallow water fishing in water no more than 3 – 6 metres deep. This means that Aboriginal stories are related to those regions close to the shore, not to deep-sea fishing areas.</p> <p>When looking at cultural story, it is crucial that the government and wider community understand that “culture is more about place than about time.” This means that if Aboriginal communities are restricted from going to a particular place to fish, either with their old people or children, “you are not just stopping the story of an elder, you are stopping the passing on of knowledge.”</p>



Government process in relation to consulting with Aboriginal communities

Meeting	Feedback
Worimi	<p>The last issue raised was the fact that Aboriginal communities often feel that they are not given enough time for feedback. A representative from Karuah LALC pointed out, most of the attendees only received the notice of the meeting that morning and they had not had time to look through the Hawkesbury Shelf Discussion Paper, nor did they know it existed. Furthermore government often sets a date and pays lip service to consultation.</p>
Wollongong City Council	<p>Consultations were generally seen in a positive light as “a great opportunity to get things really right” adding that, consultations are “about being heard.” It is also about having ‘the why’ explained in order to make sense of the bigger picture. Attendees wished to know how far into the ocean the HS assessment covered and whether it covered specific fish species. She also stated that the boundaries suggested by the government are not always recognised by the local Aboriginal groups who do not have the same definition of government borders as they view the entire southern coastline as Aboriginal ‘country’. Furthermore participants wished to be clear on who is represented on the Marine Estate Management Authority and whether there is an Aboriginal member present.</p> <p>OEH clarified that the authority is jointly responsible to the Minister for Primary Industries and the Minister for the Environment. The authority is made up of four NSW Government agencies: OEH, DPI, Planning and Transport for NSW and is led by an independent chair. Furthermore a scientific advisory board and other experts can be called upon. OEH did recognise that “there may be a need to get more Aboriginal expertise” further down the track.</p> <p>Participants agreed that although the engagement process is helpful and valid, they cannot always answer the questions put to them and encouraged government to explain issues in more detail so that local groups can be better informed. It also stressed that for programs to be effective, relationships need to be built with local Traditional Owners and elders in the area. “It is never about one project but about reciprocation.”</p> <p>Furthermore, it would be beneficial if the NSW government recognised that a traditional elder may not have an academic (or programmatic) understanding of the issues involved. In this way, there needs to be interpretation of what a community wants and needs, in order for that to be understood within bureaucratic and government language. Representatives offered to assist in future with a list of names of Traditional Owners and elders who she is regularly in contact with.</p>
Wollongong Tradition Owner Groups	<p>While the group did acknowledge that there is an opportunity for them to submit their views, participants did raise the question of capacity among the traditional owner groups present to write, submit and win tenders and grants. As part of any future processes, assistance for Aboriginal communities in this regard would be welcomed.</p>