



**Aboriginal Water and Environmental Advisory Group  
Meeting No 7– 27 July 2021**

**Communique**

The Aboriginal Water and Environmental Advisory Group (AWEAG) held its seventh meeting on Tuesday 27 July 2021 at the Department of Water and Environment Office in Geraldton. Michelle Andrews, the new Director General of the Department of Water and Environmental Regulation met with members for the first time and chaired the meeting.

Main items presented and discussed include the following:

**Regional Overview Gascoyne**

Ms Fleur Coaker, Regional Manager Gascoyne, provided an overview of the region, including core functions of the regional office, and some of the key areas that are managed in the Mid West Gascoyne.

Core functions are primarily water focused. They include water licensing, planning advice, water monitoring and measurement, and the Yamatji Nations projects on water.

The group discussed the importance of presenting Aboriginal boundaries on maps while presenting the state government planning boundaries. This includes always identifying Country when presenting (going by boundaries required by Native Title law, acknowledging social/cultural boundaries are more fluid) and showing images, maps/boundaries, and photos.

Discussion continued after the morning break.

Ms Coaker outlined the way the department assesses risk on an ongoing basis (through review), monitors various impacts (for example, climate change and development) on the environment and water, and then assess the department's management plans and activities on an ongoing basis.

Ms Coaker outlined some of the ways the department can work with Aboriginal communities to protect sites. For example, knowing sites exist and understanding what is required to sustain them, means the department can work with traditional owners to maintain the water quality and water level

Members raised the issue where some sites might be kept secret, and cultural water may be defined differently to the department's definition. The group agreed to ongoing discussions and to work in partnership to protect sites.

Minister Sanderson agreed that this was important information to build into success criteria for programs, and to build co-design into the design and roll-out phases to support Noongar enterprises.



Ms Petterson proposed a meeting of elders and including DBCA Director General and those responsible for rolling out the Aboriginal Rangers program.

Ms Chontarle Bellottie supported Carol's position on the importance of evaluation and improvement of ranger programs. In addition, there needs to be more focus on sustainable programs where there are jobs at the end of traineeships, with suitable pay grade, and with a strong focus of building structures and supporting training and advancement of Aboriginal people already employed who have the skills and experience to get Aboriginal people into decision-making and influencing roles across government and private organisations.

Ms Bellottie also outlined her and Ms Anne Poelina's role on CAWI (Committee for Aboriginal Water Interests for the National Water Initiative refresh). The committee is currently outlining the centrality of Aboriginal people in economic development, which is always linked to cultural, social, environmental outcomes. Ms Bellottie would like to see AWEAG and other groups work together to support each other and work out best how to negotiate and build each other up.

Action: Ms McNeair to email the issues and

#### **Hon Amber-Jade Sanderson, Minister for Environment**

Hon Amber-Jade Sanderson, Minister for Environment and Climate Action met with members and outlined her interests in improving engagement, increasing co-design, increasing commitments to ranger programs, and to addressing climate change.

Members introduced themselves and raised issues of interest including climate change and collaboration between traditional owners and scientist, collaboration between Aboriginal corporations and government and industry to manage impact of development on land. Other concerns include evaluation and improvement of ranger programs, sustainable programs ... long terms projects and opportunities for Aboriginal enterprises... environmental management and Aboriginal ranger programs...

#### **Yamatji Nation Indigenous Land Use Agreement (ILUA): Building connection and a better future Opportunities**

Chair of Yamatji Southern Regional Corporation, Ross Councillor, sent his apologies due to illness.

Mr Jamie Strickland outlined how the ILUA is now being implemented, and how the Yamatji Southern Regional Corporation is planning to set up. This includes growing capacity of the Corporation, including increasing employees (Mr Alan Bradley currently works with them one day a week to link water in with their operations and planning).



Three main projects with water components:

1. Training program
2. Joint program to protect cultural water sites
3. Strategic Aboriginal Water Reserves.

The group discussed issues around supporting ongoing employment of local people, working with others who have already set up training programs (eg. Yawuru), bringing lessons from other states in cultural water sites mapping and protection, promoting co-design to ensure the outcomes will meet Southern Yamatji peoples' needs as well as (equally to) government.

Ms Coaker emphasised that the department and government are willing to be as flexible as they are able within the terms of agreement to make sure we get things right.

Ms Coaker then took members to view a painting depicting the value of water displayed at the DWER offices in Geraldton. It is the result of a collaboration between junior and senior artists and staff from DWER. It was produced during the negotiations of the ILUA and provided a strong link between staff and the Southern Yamatji people they were working with

### **Future Opportunities**

Ms Michelle Andrews suggested that this may be a good time to take stock, reflect on the last two years, and identify opportunities to further strengthen the role of, and support for, AWEAG.

All members supported the suggestion, while recognising and respecting that some members were not present and that it would be important to test the proposal with all members early.

AEWAG group members then met privately with chair. Ms Andrews made a commitment to summarise her understanding of what was agreed, and to get the process underway.

In brief, it was agreed that:

- AWEAG will initiate a review of its Terms of Reference and recommend changes to strengthen its role partnering with DWER to protect the State's water resources and environment;
- members will identify possible facilitators to assist with the review, and provide a shortlist to the Director General;
- the Department will undertake a process to select and engage a facilitator to assist with the review;
- the review process will be co-design, and the review outcomes will be implemented by January 2022;
- the review will commence with a joint AWEAG - facilitator 1 hour teams meeting to confirm the co-design process;



- matters that may be considered during the review include membership and chair, representation vs expertise, support for members, strategic focus and priorities of AWEAG, alignment with other reforms, engagement with Aboriginal Advisory Council of Western Australia, Department of Premier and Cabinet and Ministers.

### Reconciliation Action Plan

Ms. Humera Rind presented to the Group on the Department's progress towards its second Reconciliation Action Plan (RAP). The RAP is close to being finalised and Members are invited to provide comments and feedback. Members were interested in receiving further updates on how the Department is tracking. There was a question around whether the tracking system could be shared with others. DWER to provide interested members with a copy.

### Key elements of the RAP:

- any unfinished elements from the last RAP have been rolled into the current version;
- Key aims are to improve collaboration and consistency and break down silos within the department and government;
- To contain strong internal controls to ensure staff are equipped to engage well;
- RAP aligns with DWER strategic plan and state and national priorities.

### Members raised several concerns. These included:

- the RAP is an internally focused and does not sufficiently provide avenues for engagement with Aboriginal people. Ms Rind and Ms Andrews discussed its relationship with the Aboriginal Engagement Strategy which AWEAG members have also provided input and advice into.
- Ms Pettersen commented that that DWER should consider a Memorandum of Understanding (MOU). An MOU could ensure better engagement and communication with Aboriginal groups and the community.
- Members discussed use of language and noted that some actions could be interpreted in several ways. Ms Rind commented that certain phrasing is used to meet Reconciliation Australia requirements.
- Artwork of the Waugyl could be considered problematic and confronting for many. The Waugyl is usually portrayed within water. DWER to provide feedback to artist. Members suggested formal recognition for artist and other Aboriginal contributors in the RAP
- Ms Andrews noted this is a principle about how to better identify reconciliation actions.

Ms. Andrews thanked the group for their contributions and commented that this feedback was very valuable to the Department and can apply to a range of different work/projects the Department is undertaking.

Ms. Andrews noted DWER should consider how feedback from AWEAG can be captured and shared more broadly with the agency so others can benefit.



Actions:

- Members
  - invited to provide feedback on the RAP document over the coming weeks
- RAP project team
  - Provide a copy of the RAP to the group immediately after the meeting.
  - Feedback to be provided to members on how DWER actioned feedback at next meeting of the group.
  - Details on how DWER will track the actions will also be provided once finalised.
  - Quarterly progress reports on RAP implementation will be provided to members.
  - RAP artwork (the image of the Waugul) to be reconsidered. The group's feedback about the Waugyl usually being portrayed within water will be provided back to the Artist.
- Strategy and Engagement team
  - Artwork for DWER's forthcoming Annual Review will be provided to AWEAG members.
- DWER Staff

All staff presenting and attending the day will consider how they can share the advice they have been provided with to the broader agency so the wider Dept can benefit

**Study: Cumulative impacts on the environmental, social and cultural values of Exmouth Gulf**

Ms Wendy Thompson outlined the study that she had undertaken on cumulative impacts on the Exmouth gulf and noted it was not a full assessment.

Ms Thompson described the work of the Environmental Protection Authority, which is separate from DWER.

The Exmouth study took place following a request from the then Minister for Environment to provide advice and recommendation on the potential cumulative impacts of proposed activities and developments on the environmental, social and cultural values of Exmouth Gulf. It included significant community consultation, including regular workshops with traditional owners.

The study considered key environmental, social and cultural values under the Environmental Protection Act 1986.

Members asked for further information and discussion around how the EPA make decisions, and how/why/when they have direct relationships with traditional owners, and how they share data and information that informs their decisions.

**Native Vegetation Policy Consultation**

Mr Richard Newman delivered a shorter presentation due to time constraints.



Feedback on the Native Vegetation Referrals guideline received feedback outlining the need for improved engagement. No substantive change to the document.

Mr Newman gave an overview of how previous consultation on the Native Vegetation issues paper has been incorporated into the draft policy, to be released for public consultation in September. Government has given an 8-week timeframe, which may coincide with the next AWEAG meeting. Members are interested in being kept up to date, but will provide feedback via their own organisations and/or verbally at the next AWEAG meeting.

Action: Native Vegetation policy and roadmap will be discussed at the next meeting (no special meeting required). Feedback from members on policy will be recorded at meeting.

Action: DWER will write to Land and Sea Councils to advise on the Native Vegetation policy consultation (and will meet with any, if requested).

Action: DWER will engage with the AWEAG on subsequent consultations relating to bioregional approaches

#### **Update on National First People's Gathering on Climate Change, Cairns March 2021**

Ms Bianca McNeair provided a summary of her experience as co-chair of the National First Peoples' Gathering on Climate Change. It was co-designed with First Nations people across Australia with researchers, and they worked to make sure there were traditional owners representing bioregional areas.

Traditional owners worked together with university researchers to develop a statement which is currently in draft form.

Ms McNeair outlined stories of working together at a national scale, and the importance of sharing stories. She used the example of working with researchers to regenerate sea grass beds after the 2011 heatwave.

She outlined the impacts on traditional owners, such as changes to their ability to fish in the places and techniques they had previously utilised. In addition, environmental impacts included sex ratios of turtle hatchlings. By working together with researchers, traditional owners learn how to support regrowth of seagrass. Collaboration and input from traditional owners has meant a significant increase in seagrass regrowth (compared to scientists attempting it on their own).

Ms McNeair described this as a matter of 'expansion and inclusion', working together to learn from each other, and to mutually support indigenous communities to become more involved in climate policy and program design and discussions, and so creating genuine value and increased output.

Action: Ms McNeair to distribute Update on National First People's Gathering on Climate



Change, Cairns March 2021 report to members once published

### Climate Change

Mr James Duggie outlined the current climate change program, noting this is the first time ever a WA Minister has had a climate action portfolio.

Key areas of the program include:

- *Western Australian Climate Policy (2020)* implementation;
- Development of Climate Resilience Strategy: seeking members input on consultation and way forward;
- Overview of key Government Carbon farming initiatives.

Mr Duggie noted the State Government's aspiration of net zero emissions by 2050.

Members raised key issues to follow up on:

- Ranger programs could link in with carbon farming and could provide longer term outcomes that avoid the short-term vision mentioned in discussions with the Minister.
- It was confirmed that benefits are for the long term.
- A trial and research project is considered a good way to introduce the concept and figure out the best ways for traditional owners to engage in it.
- Members were interested in the opportunities of the carbon farming programs, including the new DWER administered Carbon Innovation Grant program may provide. Suggested DWER should consult with AWEAG as the program's Framework is development.
- Government should also think about carbon program criteria beyond certain standards (e.g. often a focus on native vegetation, but additional criteria could relate to traditional owner and other co-benefits. They could provide short and long term benefits if other options are considered. For example, planting fruit trees can allow traditional owners to sell the fruit and gain economic value in the shorter term.
- Other areas that may be subject to wildfire means alternatives and long-term vision will be required when examining the methodology for each individual project.
- Question regarding whether sea could be included (e.g. seagrass beds). Not currently included, but it would be possible if we had a better understanding of the sequestered value in dollar terms.

The group discussed the importance of being up front with all the issues, including constraints on consultation processes such as resourcing and government timeframes.

Members shared stories and lessons learned from engagement with Government and industry (including the Department). Members noted challenges associated with lack of clarity in decision making when navigating across government structures and emphasised the importance of genuine consultation in early stages of development. Members also highlighted the challenges associated with



defining and interpreting terminology between organisations and what is understood by the community generally and by Aboriginal people.

The Department noted the importance of working across Government to ensure engagement with Aboriginal communities is coordinated and consolidated where possible. The Department is also committed to listen, empower, and keep working together with Aboriginal people.

### **Strategic Aboriginal Water Reserves**

Members were informed of the progress of the Department's work on developing Strategic Aboriginal Water Reserves (SAWRs). The Department is working with Aboriginal people to investigate opportunities to create SAWRs in areas of the State where water is available.

The group noted the importance of SAWRs for future economic development for Aboriginal people. The group also acknowledged the discussions that are currently taking place nationally in relation to the development of targets for Closing the Gap initiatives.

### **Green Jobs Plan**

A presentation on the Department's work on *Green Jobs – Environmental Revegetation and Rehabilitation Fund* provided information about the opportunity for Aboriginal communities in the Great Southern, Peel and Wheatbelt regions to get involved in the plan and access funding.

Employment opportunities will be created through funding on-ground works that form part of revegetation and rehabilitation projects. The Department will distribute detailed information about the Fund and liaise directly with interested members.

### **Hon Dave Kelly, Minister for Water**

Minister Kelly met with members and provided an update on priorities of the new Government including water resources legislation reform. Current legislation will address climate change by enabling water licence allocations to be adjusted depending on the changing availability. The Minister noted that the RIWI Act is inadequate when seeking to develop Strategic Aboriginal Water Reserves. Minister Kelly committed to sharing more detail on the principles of the new bill with the group.

Members noted the need for the legislation to consider the drying climate and the need to manage water sustainably. Members also highlighted the need for the Department to improve its cultural competency and have more discussions around the cultural and spiritual values related to water.

### **Hon Amber-Jade Sanderson, Minister for Environment**

Hon Amber-Jade Sanderson, Minister for Environment and Climate Action sent her apologies. Cameron Barnes (Environmental advisor) and Marije Van Hemert (Climate change advisor) represented the Minister.

Members were informed about key priorities in the environment portfolio which include focus on learning how best to consult and seek feedback from Traditional Owners when developing and/or expanding new maritime and terrestrial parks. The Minister wants to include local communities into management programs via links to Aboriginal Ranger programs and focus on young, marginalised





members of the community. The Government is seeking to build knowledge of biodiversity across the state and is looking to consult with community on the native vegetation policy.

Members highlighted the importance of working with local groups in landscape restoration and aligning cultural ecological knowledge and practices with western scientific data for successful management approach. They also noted the challenges associated with reporting requirements for various funding programs and emphasised the need for more support.