

4 – First Nations consultation

Recognising the importance of an equitable approach to involve First Nations in natural resource management (NRM) planning, all sixteen First Nations in the Fitzroy region were invited to participate in natural resource management consultations in March 2021, with the understanding that consultation would be a staged approach over time and require the leveraging of additional resources. Three consultations were anticipated between April and June 2021, to embed First Nation perspectives into the CQSS:2030 website update.

This involved contacting each First Nation through their nominated or preferred point of contact and sharing a project flyer for consideration. Ten of the sixteen First Nations showed positive interest in the project and were provided with a scope of work outlining the purpose, consultation questions and an invitation to quote to undertake the consultation with Fitzroy Basin Association (FBA).

Consultations were undertaken with Bidjara (May 2021), Wadja (June 2021) and Kanolu (July 2021) Peoples. As the new CQSS2030 website will function as a living document, updates will continue to embed consultations from other First Nations as they arise.

Appendix D contains a summary report outlining First Nations invitees, participants, and outcomes from the March-July 2021 consultation.

Appendix D: March-July 2021 First Nations' consultation summary report

Invitees

Sixteen First Nations were invited to participate in the consultation:

1. Barada Barna Aboriginal Corporation RNTBC
2. Barada Kabalbara Yetimarala People Native Title Applicant
3. Bidjara People (Cultural Heritage Party)
4. Bulganunna Aboriginal Corporation RNTBC (Jangga People)
5. Clermont-Belyando Area Native Title Applicant
6. Darumbal People Aboriginal Corporation RNTBC
7. First Nations Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda RNTBC
8. Gaangalu Nation People Native Title Applicant
9. Gangali Widi Aboriginal Corporation RNTBC & Widi Aboriginal Corporation RNTBC
10. Kanolu Country Connections Aboriginal Corporation (Cultural Heritage Body)
11. Nuga Nuga Aboriginal Corporation (Karingbal People Cultural Heritage Party)
12. Wadja People Native Title Applicant
13. Wardingarri Aboriginal Corporation RNTBC (Iman People)
14. Western Kangoulu People Native Title Applicant
15. Woppaburra People Native Title Applicant, Woppaburra TUMRA & Woppaburra Land Trust
16. Wulli Wulli Nation Aboriginal Corporation RNTBC

Consultations

1. Bidjara People – 15 participants – online statement published on CQSS2030.
2. Wadja People – 23 participants – online statement published on CQSS2030.
3. Kanolu People – 13 participants – online statement under negotiation and therefore, not included in key outcomes section below.

Key outcomes

Overwhelmingly the consultations were seen as positive, inclusive, culturally appropriate, and timely.

Consultation on the regional natural resource management (NRM) strategy (the CQSS2030) was expressed as long overdue but participants were willing to exercise trust and build a relationship with Fitzroy Basin Association towards a future partnership.

Responses to the consultation questions

Interests, responsibilities and relationships to land and water in the Fitzroy region

First Nations in the Fitzroy Region are represented by registered Cultural Heritage Bodies/Parties, Native Title Applicants, and Native Title Prescribed Body Corporates. The native title landscape still presents challenges to accessing land for caring for Country for several First Nations.

Key responses included:

- Recognition that the whole landscape should be considered a cultural landscape as people and Country cannot be separated. From this perspective, culture is seen as missing from natural resource management when they are interconnected. This is sometimes referred to as cultural and natural resource management.
- First Nations People were identified as missing from the management of the six natural assets when First Nations should be recognised as proper land managers of Country
- Recognition of traditional rights and interests to land through the maintenance of traditional laws and customs e.g., maintaining and protecting native flora and fauna, using the land for hunting and ceremony, camping, living on the land and sharing resources
- Inherent custodial rights and obligations to be involved in the management of traditional Country
- First Nations' role in educating others to respect traditional rights and interests, laws and customs and cultural obligation to care for Country
- Getting back to Country and connecting with Country by practicing culture, laws, and customs
- Protection of all waterways and rights to water
- Cultural heritage protection and management for future generations including respecting secret/sacred sites and the sensitive cultural knowledge about these sites and stories
- Speaking for Country
- Being part of all decisions in the management or development of our country
- Passing on knowledge when caring for Country
- Looking after biodiversity including rehabilitation of habitats, particularly of threatened species

Several concerns were shared including:

- Hurt experienced by First Nations because of not being on Country, managing Country and speaking for Country
- Lack of First Nations management of water across the Fitzroy catchment
- The health of Country; Country is sick, the catchment is blocked and not flowing
- Invasive species
- Pastoralist practices, e.g., impact of stock on endangered plants and animals, creeks, and grasses
- Lack of coordinated regional fire management on Country
- Impact of industries on the catchment, which is seen as at crisis point from the expansion of mining interests, the threats of gas fracking and the cotton industry
- Disappearance of species
- Protection of cultural heritage which is not well understood and respected, and the threat of damage to secret/sacred sites

Key recommendations shared:

- NRM organisation encouraged to foster partnerships between landholders/pastoralists and First Nations to facilitate access to Country
- NRM organisation to investigate, apply for funding and partner with First Nations on NRM projects that protect threatened and endangered species, and improve biodiversity
- Support for First Nations to get together to care for our waterways holistically because what happens upstream affects downstream. All neighbours need to get together to continue to rely on each other as we did traditionally through traditional alliances

Land and sea/water management aspirations and priorities for the next 3-5 years

Caring for Country aspirations and priorities varied across First Nations with some shared aspirations:

- Healthy Country including clean water
- Employment, enterprise, and education on Country
- Access to and ownership of Country
- Partnerships on projects
- Speaking for Country (being involved in decision making)
- Capital/funding to implement NRM projects
- Capacity building to care for Country through increased engagement and participation in sustainable NRM
- Weed management
- Fire management
- Stronger presence on Country
- Continue connection to Country
- Active participation in the proper management and control of cultural heritage and landscapes
- Rehabilitation of Country

Key recommendations included:

- Being informed and consulted about all matters relating to projects on or impacting First Nations Country and practices
- Partnerships with the NRM organisation to build the profile of First Nations regionally

Alignment of land and sea/water management aspirations and priorities with RLP 5-year outcomes

Key responses included:

- Generally, First Nations were not familiar with the Regional Land Partnership 5-Year Outcomes. There was genuine interest and requests for further consultation on how caring for Country practices can be supported through the RLP.

- There was particular interest in demonstrating how the program logic assumption that the RLP will deliver on the Australian Government's commitment to Closing the Gap by providing opportunities for stronger Indigenous participation in the planning and delivery of investment and outcomes, is being achieved.
- Outcome 1 was not relevant to the First Nations consulted to date.
- Generally, outcomes 2 and 4 were seen as particularly relevant, positioning the importance of all native species and ecological communities to First Nations.
- The Great Barrier Reef (Outcome 3) was identified as an important asset to First Nations, regardless of their physical connection to coastal country. They viewed themselves as having a responsibility to protect the health of the reef. This view recognised the interconnectedness of the waterways to the Fitzroy River and flow to the Great Barrier Reef.
- Outcome 4 was considered very important as soil, biodiversity and vegetation underpin the health of Country, people, and culture. Erosion and deforestation were seen as significant threats to address.
- First Nations consulted to date do not have a direct influence on agriculture systems on their Country.

Key recommendations shared:

- First Nation practices of land management need to be embedded across the 5-year outcomes, e.g., the very important role of fire management with regimes of resting and burning Country
- Partnerships with First Nations to deliver the RLP 5-year outcomes
- Informing and involving First Nations in projects and decisions that impact threatened species and ecological communities on Country

Sharing of Traditional Ecological Knowledge

Key responses included:

- Regarding the use of Traditional Ecological Knowledge (TEK), there was consensus that First Nations cannot share this information haphazardly with non-Indigenous people or organisations, without the establishment of significant trust, the respect of cultural and engagement protocols, and culturally appropriate agreements.
- Historically, First Nations have shared a lot of knowledge with non-Indigenous people, and it has been misused and not recognised appropriately. This hurt and mistrust is still felt by First Nations today. As such, the sharing of TEK through this consultation process was viewed as inappropriate.
- There was however acknowledgement that NRM projects in the Fitzroy region should be predominantly informed by TEK as it provides a more holistic and deep time view of the ecosystem. For example, several mainstream landholders have adopted many of the fire control practices from traditional burning as controlled burns avoid uncontrolled fire.
- There was also consensus amongst First Nations that informed consent should be obtained prior to putting in place programs or policies that affect Indigenous peoples' rights and interests.

- One First Nation advised that this can only be achieved through a culturally appropriate and adequately resourced consultation and negotiation process with demonstrated equitable involvement and participation.
- A concern was the observance of a clear procedure or policy around how TEK is to be stored, accessed, and shared, recognising the current legal system does not support the recognition of Indigenous cultural and intellectual property (ICIP) rights.
- It was expressed that First Nations would like to be supported by their NRM organisation to participate in the planning, design, and delivery of NRM and partner in projects.

Natural Assets

Key responses included:

The concept of the six natural assets under the CQSS2030 was supported by the First Nations consulted. However, it was recognised that earlier engagement and a more collaborative approach involving First Nations in the development of the CQSS2030 would have ensured representation of First Nations rights and interests. Notable gaps were identified including:

- First Nations People and their cultures is missing from natural resource management, sometimes referred to as cultural natural resource management (CNRM)
- Traditional ecological knowledge
- Right way fire

First Nations also emphasised the importance of trees, riparian areas, and native and endangered species, which were considered individual components grouped under one or more of the 2015 CQSS natural assets.