

GLaWAC – ROYAL COMMISSION SUBMISSION - 170420

In your experience, what areas of the bushfire emergency response worked well?

Gunaikurnai Land and Waters Aboriginal Corporation (**GLaWAC**) represents Traditional Owners in the Gippsland region of Victoria. Please refer to the more detailed description of GLaWAC later in this submission for further information.

GLaWAC was involved in the emergency response in the Gippsland region in the following ways:

- Invited into Incident Control Centre and shown maps of fire spread
- Contacted by DELWP Aboriginal Cultural Values Officer to check significance values for registered Aboriginal Places and to seek management recommendations for these sites.
- Request to undertake cultural heritage assessment for construction of a Strategic Bushfire Break Cowwarr to Bruthen.

In GLaWAC's view, in the Gippsland region, the following parts of the emergency response worked well:

- Five (5) Gunaikurnai people were trained to be firefighters by local authorities, and these individuals were linking into the Victorian State Bushfire Plan and deployed throughout the bushfires.
- There were many examples of Aboriginal cultural heritage sites that were protected by firefighters who had prior knowledge of the location of the sites. This knowledge was gained through work over many years of Cultural Heritage teams and sharing this knowledge through Aboriginal Victoria database. We note however, that often how this data is interpreted by Values Officers in emergency management teams may differ from that of a Traditional Owner

In your experience, what areas of the bushfire emergency response didn't work well?

GLaWAC's experience was that some areas of activity of emergency services under the Emergency Management Act 2013 (Vic) resulted in rushed actions that caused damage to Aboriginal cultural heritage sites.

Recommendations for improving management of Aboriginal cultural heritage during emergency bushfire response has not been implemented (see Freslov, J Post Wildfire Indigenous Heritage Survey Vo. 2

Management of Impacts from Wildfire Suppression Activities. 2004). This report provided a framework for management of Aboriginal cultural heritage including the following management principles.

Excerpt from this report

Wildfire Prevention and Preparedness

Principle:

Fire prevention planning and preparedness planning should take place in collaboration, and cooperation with Indigenous stakeholders to facilitate the protection of Indigenous cultural values

Objectives:

- Re-affirm the principles of the state-wide Code of Practice for fire management on public land.
- Develop, maintain and improve consultation and communication with Indigenous stakeholders in the fire district.
- Promote increased awareness of Indigenous cultural heritage values among fire managers and fire suppression personnel.
- Plan to provide the highest possible heritage protection during fire suppression activities

In your experience, what needs to change to improve arrangements for preparation, mitigation, response and recovery coordination for national natural disaster arrangements in Australia?

GLaWAC notes that a large amount of discussion and media coverage has related to hazard reduction and burning practices as a way to prevent further bushfires. However, GLaWAC and the Traditional Owners feel strongly that there must be a holistic approach to the management of natural disasters in Australia, including year-round management of Country that is properly resourced.

GLaWAC has previously made clear its goals in relation to management of Country during our native title and settlement negotiations in Victoria and was further articulated in our Whole of Country Plan (**attached** to this submission).

These goals include:

1. To heal country: this goal is underpinned by the notion that Traditional Owners should be partners in land and water management. The skills and knowledge that Indigenous Australians bring must be recognized and respected. However, healing Country in a culturally appropriate way requires resources and training opportunities to build capacity and capability on improved burning operations including cultural burning.

2. To have a strong focus on learning: Cultural knowledge is very important for the Gunaikurnai. The education system at its current state does not cater for the needs of the young. This is detrimental for Gunaikurnai and non- Gunaikurnai people because Gunaikurnai kids miss out on the opportunity to learn and understand their culture. For the wider community, this reduces culture and knowledge sharing. It is important that Gunaikurnai people develop the skills and qualifications required to work on Country.

GLaWAC believes that collaboration and knowledge sharing between Traditional Owners and government agencies is integral in generating an adaptive fire management practice. The Victorian Traditional Owner Cultural Fire Strategy ('Victorian Cultural Fire Strategy') (**attached** to this submission) is at the forefront of recognising traditional owners as *partners* in land and water management.

To support this development of capability the Gunaikurnai land and Water Aboriginal Corporation Board (GLaWAC) has supported an initiative to investigate the feasibility of setting up at Forestec near Lakes Entrance as a training center for burning including First Nation heritage based burning practices. Forestec is a joint facility for GLaWAC offices and operations and East Gippsland TAFE.

GLaWAC has sought advice from a management consultancy company and they have reviewed the scope of work and considers there is merit in conducting the work in a staged process. GLaWAC seeks financial and technical support from State and Federal Government to progress this initiative. GLaWAC will also work collaboratively to exchange cultural burning knowledge across the country.

The Victorian Cultural Strategy, facilitated by the Federation of Victorian Traditional Owner Corporations and led by Victorian Traditional Owner fire knowledge holders, was developed through funding from the Department of Environment, Land, Water and Planning to support Traditional Owner rights and interests in reintroducing cultural fire to the Australian landscape.

The purpose of the Victorian Cultural Fire Strategy is twofold: to reinvigorate cultural fire through Traditional Owner led practices across all types of land tenure and Country, and to allow Traditional Owners to heal Country and accordingly achieve their rights and obligations to care for Country. The

Victorian Cultural Fire Strategy's vision is that future generations of Victorian Traditional Owners will grow up observing their Elders being at the forefront of the use of the right to fire for Country.

Gunaikurnai fire management involved cool burning and reading the landscape "like a book".

We look at when the different plants and animals are breeding, and our elders said when to burn during the right cycles — like after the eggs have hatched. Or a certain tree flowered.

Indigenous cool burns were aimed at encouraging the right sort of regrowth and protecting animals.

You've got to read the country, and each country has its own language.

Gunaikurnai Elder, Glenys Watts

The six principles underpinning the Victorian Cultural Fire Strategy are as follows:

1. Cultural burning is right fire, right time, right way and for the right cultural reasons;
2. Burning is a cultural responsibility;
3. Cultural fire is living knowledge;
4. Monitoring, evaluation and research support cultural objectives and enable adaptive learning;
5. Country is managed holistically; and
6. Cultural fire is healing.

The Victorian Cultural Strategy delineates four objectives that allow Traditional owners to lead the way for cultural burning according to the six principles above. The four objectives are:

1. To develop pathways that allow Traditional Owners to lead the planning and to undertake cultural burns. The Traditional Owners acknowledge that this objective will require time frames and a transitional period.
2. To build Traditional Owner governance and capacity in cultural knowledge and practice.
3. To improve the management of state forest reserves and private land through collaborative management to build resilience and heal country.

4. To facilitate the development and strengthening of frameworks that sustain cultural fire practice.

During the emergency response, GLaWAC also observed that the inclusion of Aboriginal ways and knowledge appears to be treated differently across the states. This is we assume due to the different approached to Land rights and how they are implemented cross the states. The Victorian Model of direct involvement in Joint Management is a model worth exploring further.

Recommendations

Based on the above, GLaWAC makes the following recommendations to the Royal Commission:

1. GLaWAC recommends that similar frameworks to the Victorian Cultural Fire Strategy be implemented in every state and territory.
2. Recommendations suggested for improving management of Aboriginal cultural heritage during emergency bushfire response is implemented. (see Freslov, J Post Wildfire Indigenous Heritage Survey Vo. 2 Management of Impacts from Wildfire Suppression Activities. 2004)
3. The increased resources be provided to build capacity and capability on improved burning operations including cultural burning.
4. The increase Indigenous involvement in management of Country, including the employment of Indigenous Australians in ranger positions to properly manage Country.
5. That a burning and country management centre of excellence be established in East Gippsland at Forestec to drive future improvements.
6. That Fire Management Standard Operating Procedures are changed to ensure Traditional Owners have greater and earlier involvement in fire planning, response and recovery operations.

Is there anything else you would like to tell the Royal Commission?

The Gunaikurnai Land and Waters Aboriginal Corporation (**GLaWAC**) represents Traditional Owners from the Brataualung, Brayakaulung, Brabralung, Krauatungalung and Tatungalung family clans, who were recognised in a Native Title Consent Determination, made under the Traditional Owner Settlement Act 2010 (Vic), the first such agreement under that Act.

GLaWAC is a Prescribed Body Corporate (PBC) under the Native Title (Prescribed Body Corporate) Regulations 1999 for the Gunaikurnai people and claim area, as outlined in the Recognition and Settlement Agreement entered into with the State of Victoria, providing joint management of 10 parks and reserves within Victoria.

GLaWAC is the Registered Aboriginal Party for the Gunaikurnai claim area, as decided by the Victorian Aboriginal Heritage Council under the Aboriginal Heritage Act 2006.

GLaWAC has a membership of more than 600 Traditional Owners, all of whom have proven their ancestral links to one of 25 Apical Ancestors registered in the Native Title Consent Determination.

The Traditional Owners have strong views as to how Country should be managed, and GLaWAC is seeking to convey those views to the Royal Commission on behalf of the Traditional Owners.

We include three additional quotes from Gunaikurnai Traditional Owners.

Impacts on flora and fauna, it's part of our environment and our ecosystems and its quite significant to Aboriginal people and not to mention our totems. Also, our water ways including our water species and food source in lakes, rivers and the ocean, our food source is almost scarce from fires upstream, our beaches covered in debris from fires and effecting our fish and other species in the waters.

GLaWAC Women's Cultural Education Officer, Cathy Thomas

The bush was managed well with traditional burning and there is no oral history record of uncontrolled fire in Gunaikurnai history because of our bush management.

Advantages

- *Produces a cold burn can be done any time of the year safely.*
- *Traditional methods concentrate on understory removing scrubby growth to reduce possibility of hot wildfire in the lower and top stories.*
- *Promotes more accessible and appropriate feed for native wildlife.*
- *Does not destroy Cultural sites.*
- *Does not destroy native fauna (as in wildfire)*
- *Promotes growth of Native bush.*
- *Promotes Cultural Tradition within the Gunaikurnai community.*
- *Promotes stronger relationships with DEWLP and Parks as organizations work together.*
- *Promotes stronger ties between Traditional Owners and local communities, by keeping bush less prone wildfires.*
- *Provides training and work opportunity for Traditional Owners to oversee and perform Traditional Burning.*

GLaWAC Cultural Heritage Officer, Nicky Moffat

We're looking at 180 years of neglect and change.

There are trees where there used to be grasses and the other way round.

Now we're trying to adapt the old ways to a new landscape — but we have to work together.

“We want to bring back the old knowledge — but do we want to walk alone? No, we don't want to walk alone, we want to walk with other professionals in this field and learn from each other.

What happens to the habitat if the cleanup is to brutal? The animals who may be creating homes etc... the plant regrowth....

Gunaikurnai Elder, Glenys Watts

Should the Commission feel it appropriate, a GLaWAC representative would be happy to speak regarding this submission.