



Transport
for NSW

Principles and Framework for Aboriginal Engagement

Ngiyani Winangaybuwan Bunmay

Pronunciation:

gner-nee wina-nay-born buun may

Translation:

“We all broadened each other minds”

Language group:

Ngemba



A statement from the Deputy Secretary

“Supporting strong and connected Aboriginal communities is a key commitment of our Future Transport Strategy 2056.”

In June 2019 of last year, Transport for NSW (TfNSW) launched its Reconciliation Action Plan 2019-2021. One of the key actions included in the plan was to *Develop and implement a Transport cluster Community Engagement Framework and Principles to work with Aboriginal and Torres Strait Islander stakeholders, communities and organisations.*

The following Guiding Principles and Framework for Aboriginal engagement is our delivery on that commitment and evidence of our will to deliver on our key Aboriginal engagement objectives right across the cluster.

TfNSW is building transport infrastructure and services to support a multi-modal mobility future for NSW that is a complex undertaking involving work on many fronts. At each stage of development, we will be engaging with Aboriginal people and seeking their feedback. We do this because Aboriginal perspectives enhance planning, policy & project outcomes and it is the right thing to do.

Engagement with Aboriginal people also provides an opportunity to culturally enrich the process of place-making improving the destination appeal and amenity of our towns, regions and cities. In addition, we are growing our Aboriginal employment and business engagement and our commitment to cultural inclusion across our organisation.

I encourage our people to closely review this engagement framework, drawing on the spirit of the Rainbow Serpent and be inspired to engage with and learn from our Aboriginal stakeholders.

Aboriginal people will continue to be an integral part of our business as we walk together in “two-way” trust and partnership.

Joost de Kock

Deputy Secretary
Customer Strategy and Technology



A message from the Deputy Chair, Reconciliation Action Plan Committee

I remember my first time catching an overnight train. It was from Brewarrina to Sydney with my family in the 1970s. Mum and Dad had booked the whole dog box (carriage), and as kids we would sleep on the luggage racks above the seats and the door, whilst our parents would sleep on the long seats. It was a long trip but great to see the ocean and visit family in Sydney and on the South Coast. When I was 12, I went to boarding school and regularly caught buses as trains had stopped running from our town. As I grew older, I realised the buses and trains we caught back in those days, were part of a much bigger network that spread right across NSW.

Connecting with Aboriginal people is important for TfNSW because we are an organisation that moves people. Aboriginal people have been carrying our children, culture and history across this country for thousands of years. We know the seasons, water, and the land that speak to us in tones that we understand.

For Aboriginal people the idea of engagement is linked to the meetings between people that occur among families within and between clan groups during corroborees that are seasonally enabled due to the availability of resources.

The corroborees were a time for trade, celebration and dance but also an opportunity for people to bring forward inter-clan disputes and have them settled. Improved relations between clans brought about by corroborees provides opportunities for a joining up of Aboriginal governance and high level policy discussion about the sustainable use of resources that ranged right across our Country.

Similarly, by working together in two-way partnership, the Aboriginal community and the TfNSW cluster can grow a sustainable passenger and freight journey system across NSW.

A high quality, low cost transit network that helps to level the playing field for Aboriginal people and all communities. As deputy chair of our Reconciliation Action Plan steering committee, I invite you to walk with us on our shared journey of discovery, respect and engagement.

A stylized, handwritten signature in black ink, appearing to read 'George Shearer'.

George Shearer

Principal Manager, Aboriginal Engagement
Deputy Chair, Reconciliation Action
Plan Committee



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Executive Summary

Effective engagement with Aboriginal people is a cornerstone of being able to provide safe, flexible and culturally inclusive transport infrastructure and services for NSW.

Aboriginal people have a key role to play in helping TfNSW better understand the land, waters, community, language, heritage and history of NSW.

TfNSW respects the choice of Aboriginal people to share information in ways that are culturally consistent and chosen by them as the owners of their own intellectual property.

The following Guiding Principles and Framework for Aboriginal engagement have been developed to assist our people facilitate appropriate Aboriginal engagement that informs the continuous improvement of our policies, projects and programs.

This is a constantly evolving field and the following TfNSW Guiding Principles and Framework for Aboriginal engagement are not meant to be an exhaustive or all inclusive authority on Aboriginal engagement.

Rather, we are seeking to inspire TfNSW staff with a resource needed to deliver effective Aboriginal engagement, bringing a greater richness to their work. Opening up opportunities for personal change, cultural knowledge and lasting community impact.

If our people have questions about any of the items contained in this document, then they are encouraged to make contact with the TfNSW Aboriginal Engagement team via the contact information at the rear of this document.



Guiding Principles

Co-design

It is vital that Aboriginal people are equal partners and contribute to the development of policies, programs and projects by working in partnership with TfNSW staff.

Assess

Prior to engaging with Aboriginal people, we should take time to assess the status of our agency's relationship with the community, organisation or individual we wish to engage with. The process of asking questions and listening to answers is likely to provide insights about what may have taken place earlier, including factors we need to be aware of.

Aboriginal Experience

People who are managing and delivering an Aboriginal engagement process should have experience engaging with Aboriginal people.

Clarity

It is important to distil our engagement content into simple plain English prior to the engagement. By removing jargon and unnecessarily long words, we can avoid people being distracted from the message we are trying to convey.

Culture First

Aboriginal engagement should create spaces that allow for the expression of culture, including the personal and human experience of Aboriginal people present. Non Aboriginal people attending should understand that such cultural expression and storytelling is valid and as much a part of the meeting process as the discussion of business items.

Authenticity

Seek genuine collaborative relationships with Aboriginal people by taking a dedicated and long-term view to the relationship, delivering on promises and having realistic feedback timelines for the engagement.

Respect

When planning your engagement, consider that Aboriginal people's time and knowledge is valuable and if they choose to share that with you, then they should be accorded an appropriate level of acknowledgement and goodwill.

Customise Engagement

Ask for advice about which types of engagement work best with the Aboriginal community or Aboriginal organisation you are seeking to engage with. Adapt and customise your engagement to fit in with Aboriginal preferences, priorities and shared objectives.

Cultural Knowledge

Aboriginal people who choose to share their cultural knowledge with Transport for NSW should have input into how that information is used by the cluster.

Empower

Be mindful to ensure that your engagement discussion items are open-ended in such a way that enables Aboriginal people to contribute equally to the formation of policy and planning. Start a positive conversation at the commencement of your engagement that seeks to include Aboriginal people in a manner that is friendly, respectful and aspirational.

Business as Usual

Engaging with Aboriginal people should be seen as "business as usual" and a necessary & normal part of doing one's job effectively.

Diversity

There is no "one-size-fits-all" approach to working with Aboriginal people and communities. NSW contains more than 80 different clan groups each with their own perspectives. For example, the meanings of some Aboriginal words can vary greatly from community to community and so it is advisable not to make assumptions.



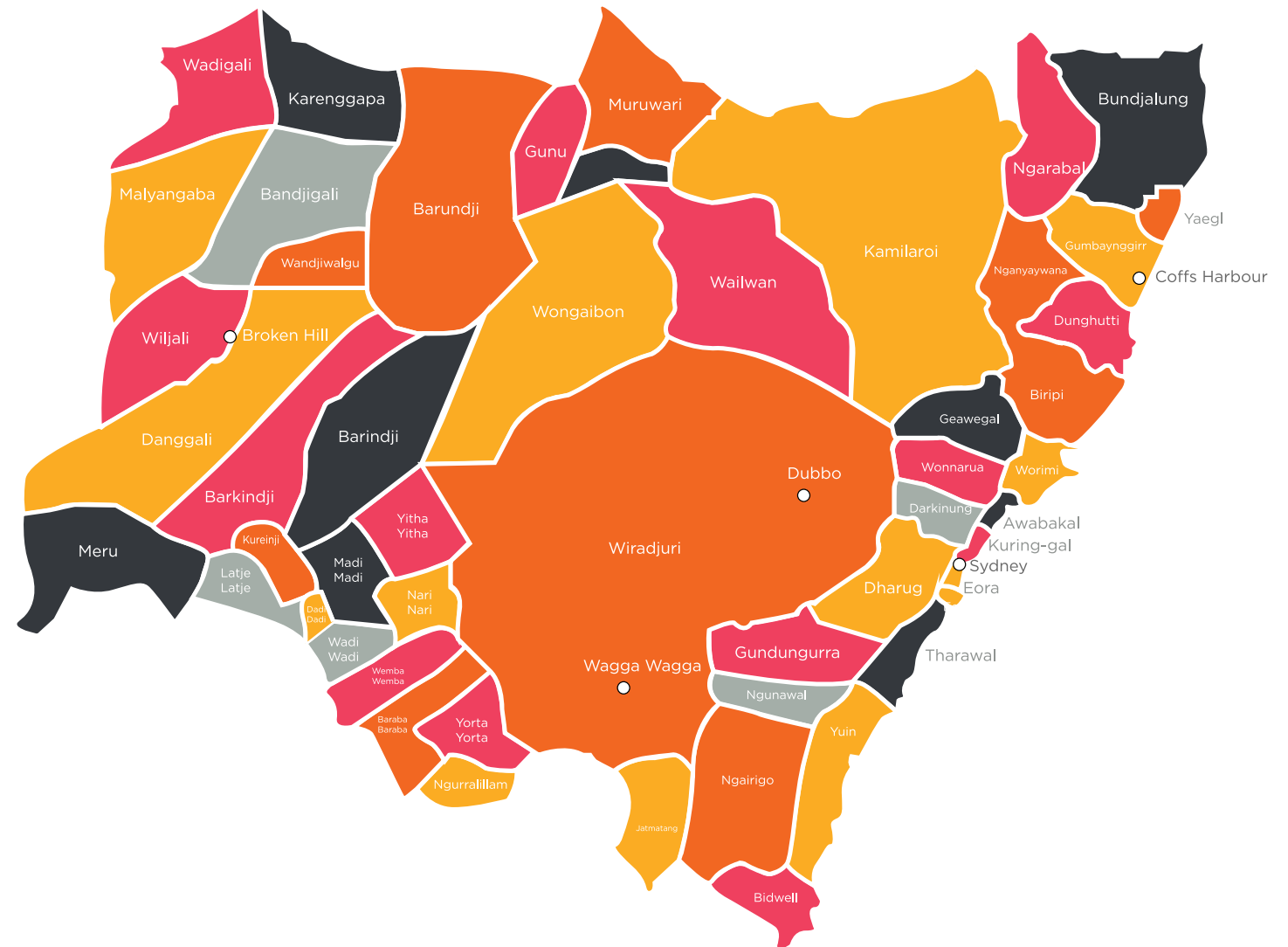
“Aboriginal engagement not only supports economy building in our communities but it also allows people from all walks of life to gain a deeper understanding and appreciation for the country they live in.”

Clark Webb
Gumbaynggirr

Aboriginal Language Groups of NSW

This map is based on published map resources and is just one representation of Aboriginal NSW.

It indicates only the general location of larger groupings of people which may include smaller groups such as clans, dialects or individual languages in a group. Boundaries are not intended to be exact.





“Before engaging with Aboriginal and Torres Strait Islander communities, it is worthwhile taking the time to reflect on your own values, principles and beliefs; and to understand the way our shared history impacts relationships between Aboriginal and non-Indigenous Australians today.”

NHMRC (2019)

Definitions

Welcome to Country

A process whereby a culturally appropriate Aboriginal representative with local cultural connections and knowledge welcomes an event audience by sharing Aboriginal experiences, language, culture and history to open proceedings and culturally explore the meeting topic.

Acknowledgement of Country

A verbal acknowledgement given by an Aboriginal or non Aboriginal person that recognises the traditional Aboriginal clan or language group of the local area where the event is being held.

Culture

Ways of being, doing, expressing and relating to others that are at the centre of Aboriginal identity.

Country

A physical area or region that holds special cultural significance and meaning for an Aboriginal person including, but not limited to, a birthplace, family home, local area, hunting or fishing region, place of ceremony, or an area that forms part of a songline.

Transport for NSW

Consists of:

- Greater Sydney Division including Sydney Trains and State Transit Authority
- Regional and Outer Metropolitan including NSW Trains
- Customer Strategy and Technology
- Corporate Services
- People and Culture
- Safety, Environment and Regulation
- Infrastructure and Place
- Sydney Metro

Aboriginal person means a person who:


- i. is a member of the Aboriginal race of Australia, and
- ii. identifies as an Aboriginal person, and
- iii. is accepted by the Aboriginal community as an Aboriginal person (NSW 1983).

Aboriginal engagement

A “two-way” process of sharing information, knowledge, technical experience and cultural expertise between Aboriginal community members and Transport for NSW.

Native Title Holder

An Aboriginal person or group of people who have been recognised by The Federal Court to have common law rights and interests in land or waters within a given area or claim (AIATSIS 2020).



“People talk about country in the same way that they would talk about a person: they speak to country, sing to country, visit country, worry about country, feel sorry for country, and long for country.”

Lee (2015)

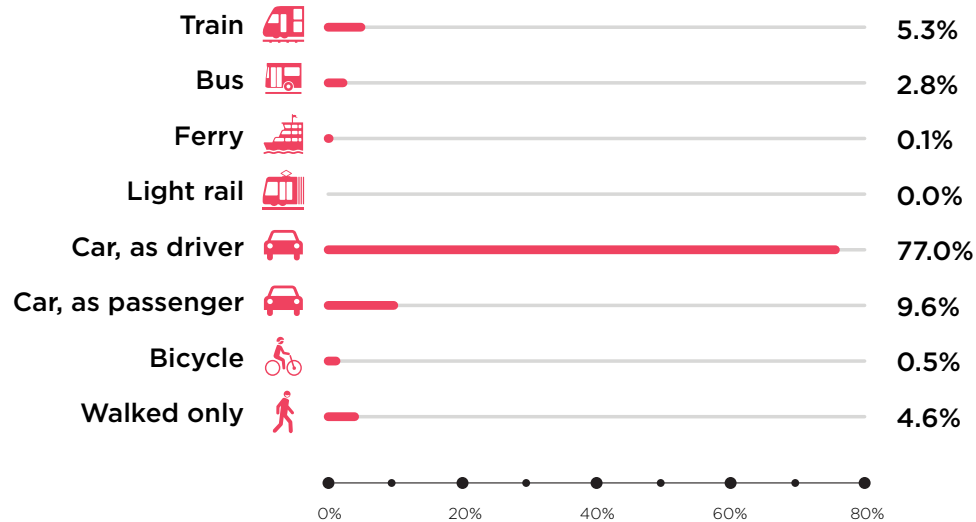
Engagement Insight 1

Method of Travel to Work



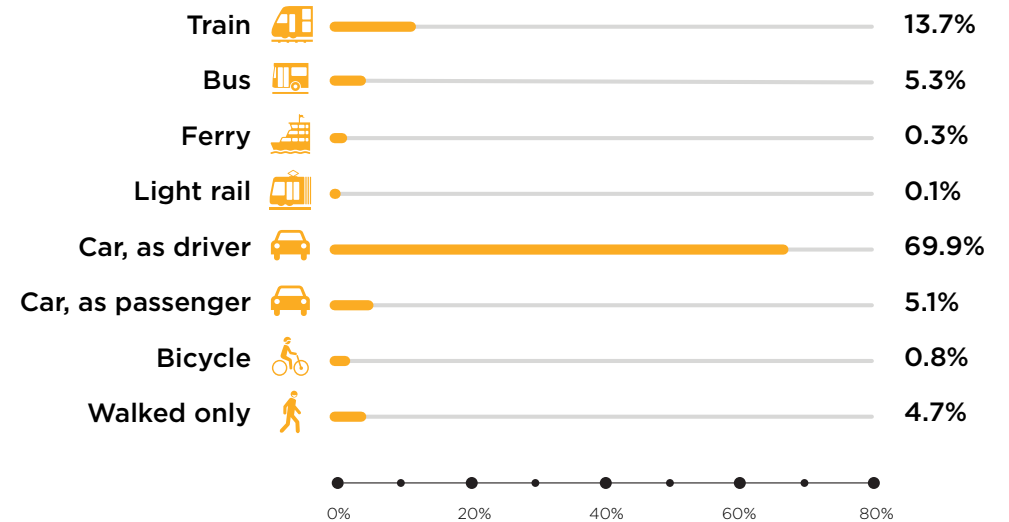
Aboriginal households

New South Wales



Non-Indigenous households

New South Wales



Source: ABS 2016 Census

Insight: Aboriginal people are less likely to use public transport to travel to work than non Aboriginal people.

Why is this significant? If you are holding an engagement activity that is aimed at Aboriginal people using public transport, consider developing a customised Aboriginal engagement plan that speaks to that community.





“Aboriginal Engagement is a two-way street and there’s always two sides to the story. It’s best to have an open mind, listen, find the middle ground and come to a mutual agreement in partnership with community.”

Allen Madden
Gadigal

Engagement Insight 2

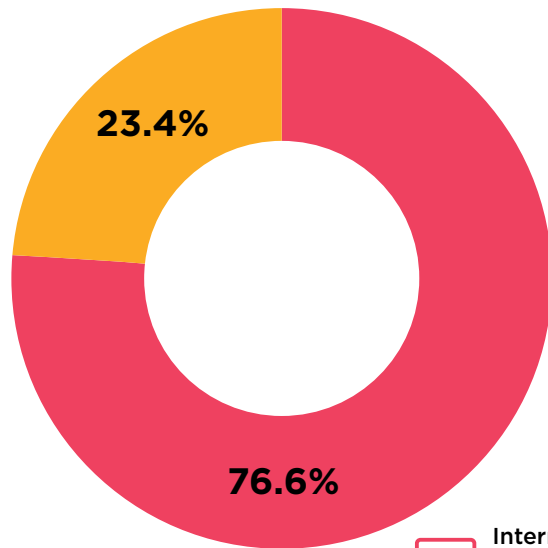
Internet Access

Aboriginal households

New South Wales



Internet not accessed from dwelling



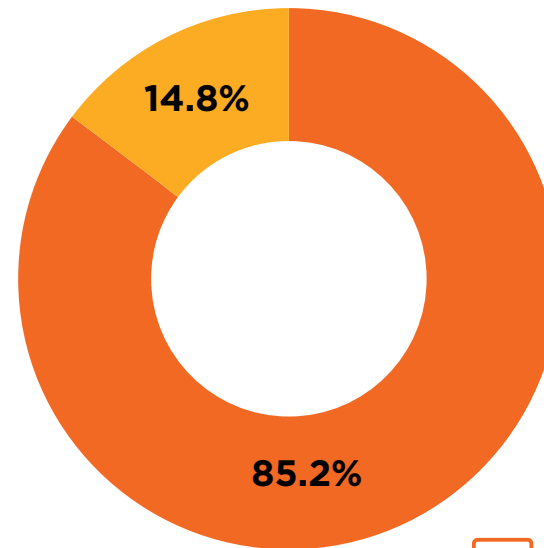
Internet accessed from dwelling

Non-Indigenous households

New South Wales



Internet not accessed from dwelling

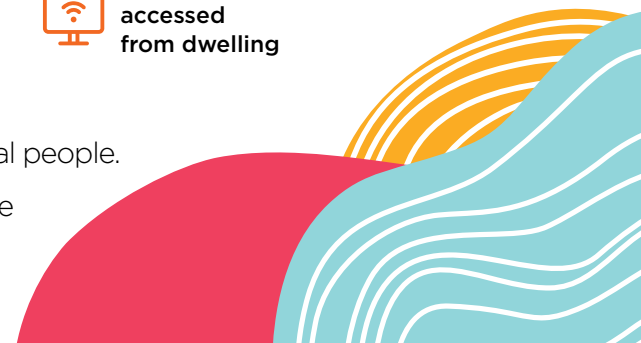


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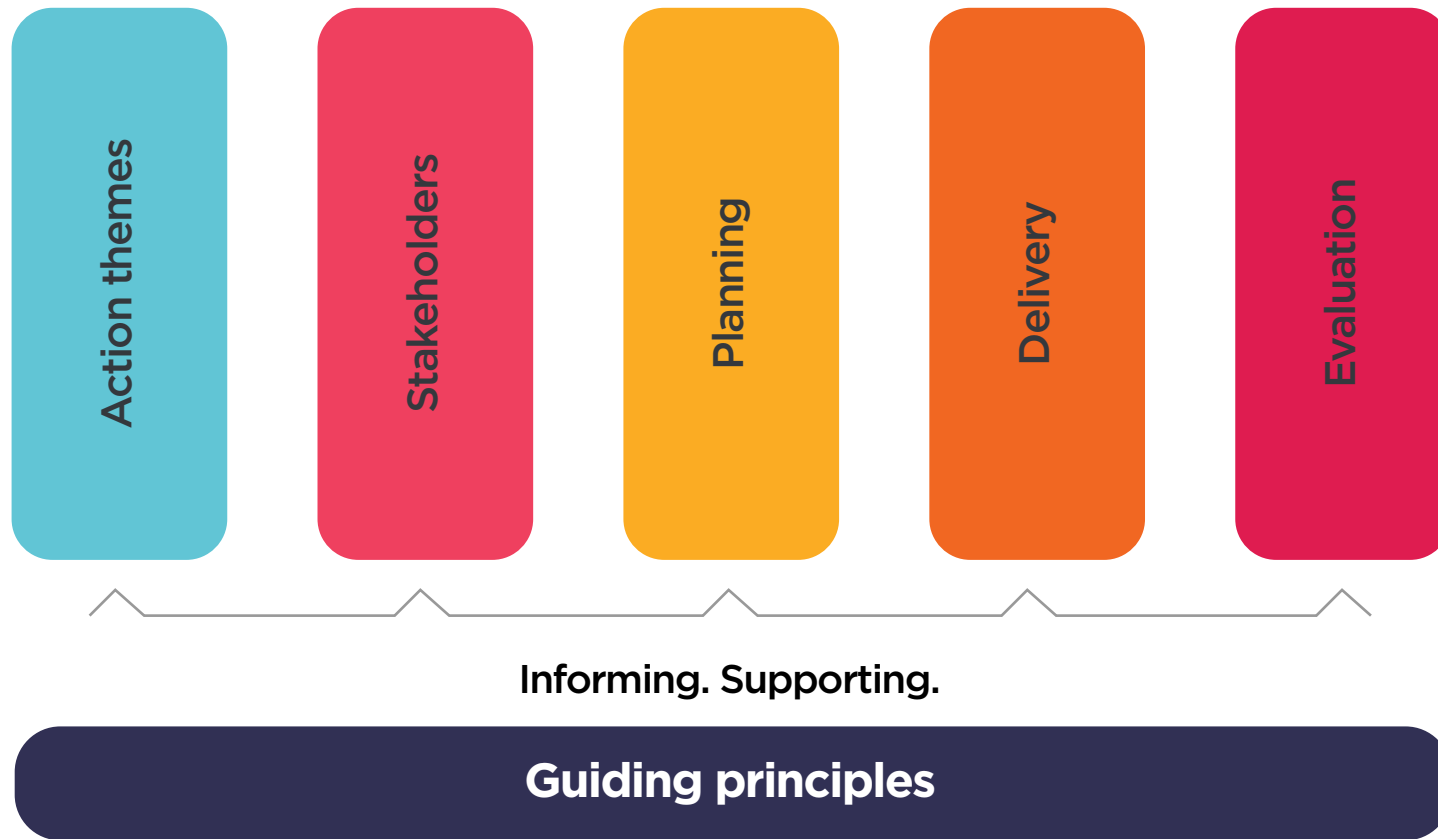
Source: ABS 2016 Census

Insight: Aboriginal people are nearly 10% more likely to access the internet using mobile means than non Aboriginal people.

Why is this significant? If you are planning an online Aboriginal engagement activity it's best to ensure that you are using a mobile-friendly platform.



Five Pillars of Aboriginal Engagement



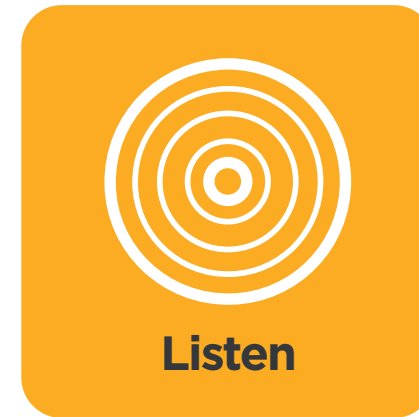
Aboriginal Engagement Action Themes

Ask the community about their aspirations, ideas and concerns.

Listen to what the community is saying. Empathise and celebrate with them.

Discuss and use the opportunity of genuine engagement to reach improved understanding about our projects and the community we serve.

Update and revise our plans and activity based on the feedback received and communicate outcomes to the Aboriginal community.



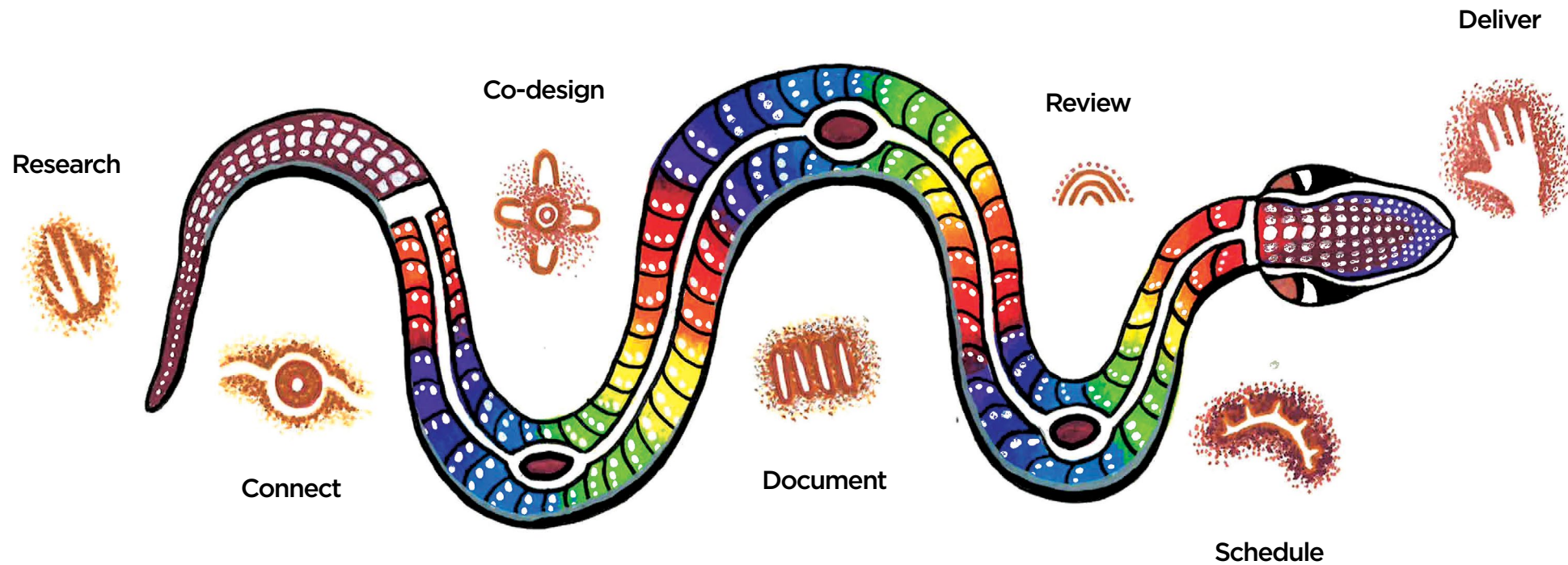
Aboriginal Stakeholders



Stakeholders are Aboriginal people, groups and organisations who are either affected by the project being discussed or whom are related to the Aboriginal people who are affected. Equally, there may also be Aboriginal stakeholders who have an interest in the work being done by TfNSW.

Aboriginal engagement is an inclusive activity where each Aboriginal stakeholder group is made to feel a valued part of a process that wishes to Ask, Listen, Discuss and Update with them.

Aboriginal Engagement Planning Process



The Rainbow Serpent is an important spirit animal in Aboriginal culture and has been found in rock art thousands of years old, representing the creation and reshaping of the land into the waterways, hills and valleys that flow into the ocean. A powerful cultural transformer, the Serpent shows us how to move in ways that are respectful and sustainable for the greater community.

Alison Williams, Gumbaynggirr

Aboriginal Iconography Glossary



Research

investigation/observation symbolised by nunguu (kangaroo) tracks



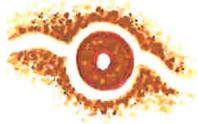
Co-Design

collaboration symbolised by people gathering around a fire to yarn



Schedule

the symbol of a sunrise that represents a new day or day to come



Connect

meeting symbolised by the joining of two paths



Document

tally marks represent the recording of a significant event/information



Delivery

stencil handprint is a mark of presence & participation



Review

mountains representing a vantage point to assess the 'big picture'.



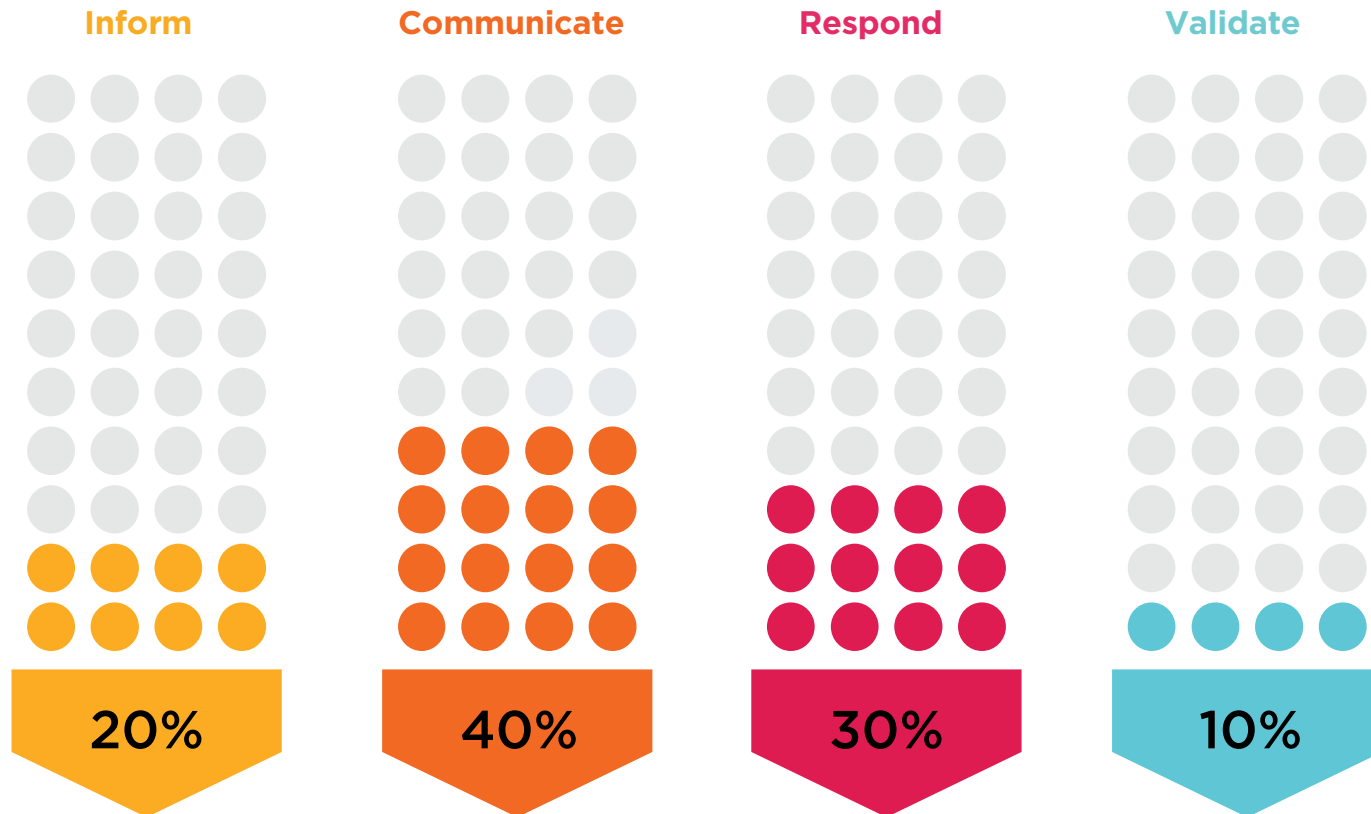
“Aboriginal people are still here today after thousands of years and we can tell you our story, if you will listen.”

Barbara Simms Keeley
Bidjigal



Aboriginal Engagement Delivery

Aboriginal Participation Index



Inform the Aboriginal community about the purpose of the engagement and the opportunity for feedback.

Communicate and interact in a genuine two-way exchange with Aboriginal people who are comfortable to voice their feelings and ideas.

Respond transparently and confidently to questions and concerns so they are addressed comprehensively and in a timely manner.

Validate the role and participation of the Aboriginal community in the engagement process by informing them of the outcomes.

The adjacent Aboriginal Participation Index is a representative model designed to indicate changes in Aboriginal Participation intensity as you progress through your engagement activity. The key take-away is to understand that if you are doing your engagement effectively, then the level of Aboriginal Participation should be higher during the stages of “Communicate” and “Respond”. The actual levels of Aboriginal Participation are likely to vary from project to project and the figures cited above should be used for reference purposes only.

Aboriginal Engagement Evaluation Matrix

Measure

Measure the quality and outcomes of your Aboriginal engagement activity.

Summarise

Summarise your Aboriginal engagement activity. Identify what worked and also the parts that could be improved.

Communicate

Communicate the findings of your Aboriginal engagement evaluation to your colleagues and community so they can benefit from your insights.

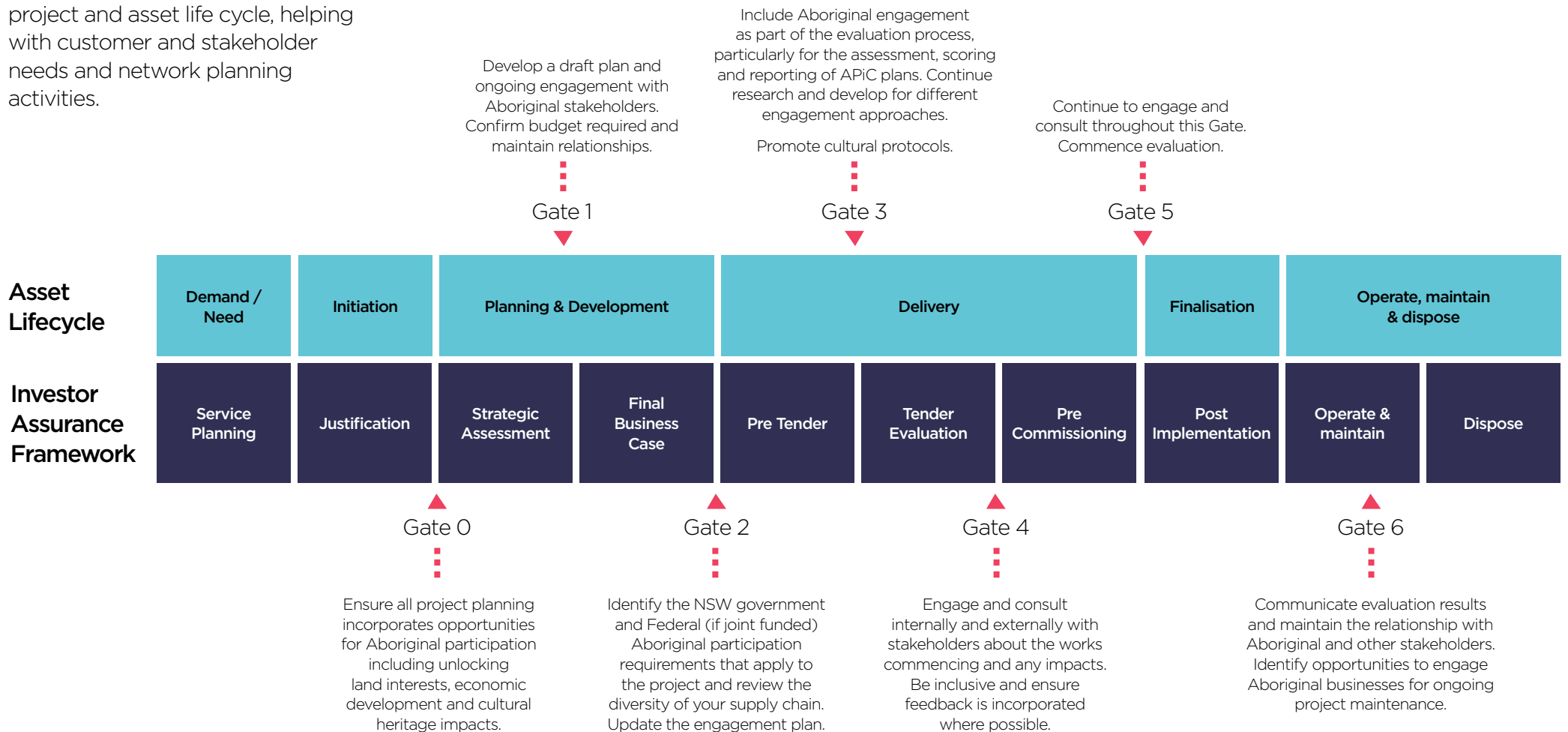
Integrate

Integrate the Aboriginal engagement outcomes into the formal TfNSW consultation report.



Embedding Aboriginal Perspectives into TfNSW project management

Aboriginal engagement and input should be across all stages of the project and asset life cycle, helping with customer and stakeholder needs and network planning activities.



Case Study

Mungle Back Creek

“The main success factor for the project was early engagement, listening and taking the time to build trust by incorporating community aspirations into the project’s design and delivery.”

Carl McGrady
Kamilaroi

Community engagement

Two Aboriginal communities in Northern NSW, Boggabilla and Toomelah, were involved in upgrading the Newell Highway between Mungle Back Creek and Boggabilla.

Boggabilla and Toomelah have been valued partners in this project since 2018.

TfNSW and its delivery partner held meetings early with the Aboriginal community to understand their needs and seek input into the road design.

The project team built a meaningful relationship with the community and became involved in community working parties and local school activities.

Respecting Elders

A community Elder was employed as a staff mentor to engage the elders across the district.

Monthly meetings were held with community leaders to discuss updates and ensure that the Aboriginal participation outcomes were being delivered.

Long term relationship

Aboriginal project participants were linked with other organisations and supported through training to improve their skills for further work after the project.



2.8%

of total project spend expended on Aboriginal businesses



50

Aboriginal people employed



2

Aboriginal businesses engaged

Legal and Policy Requirements to Engage

Choice or Requirement?

There are a number of NSW and Commonwealth (CTH) laws and regulations that require Aboriginal people to be consulted before certain types of land-use activities are commenced.

All of the following Acts contain various requirements for the consultation and engagement of Aboriginal people.

- National Parks and Wildlife Act 1974
- Environmental Planning and Assessment Act 1979
- Heritage Act 1977
- Aboriginal Land Rights Act 1983
- Native Title Act 1993 (CTH)
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (CTH)

If Aboriginal engagement is legally required for your project, then it is advisable to familiarise yourself with the relevant laws and regulations that guide and inform the process of Aboriginal consultation that is to take place.

For example, Transport for NSW have an existing guidelines document “Procedure for Aboriginal Cultural Heritage Consultation and Investigation” (TfNSW 2011) that contains detailed instructions relating to the recognition and preservation of Aboriginal Heritage.

Policy Requirements

In addition to legal requirements, NSW government policies such as the Aboriginal Procurement Policy (APP) have minimum requirements for Aboriginal participation in TfNSW funded infrastructure projects and government goods and services spending.

In order to meet these NSW government-wide policy requirements, staff are advised to undertake an engagement exercise to familiarise themselves with Aboriginal business providers, who could assist them to deliver on the policy.

At its most basic, this could consist of staff taking the time to identify procurement approved Aboriginal businesses listed in e-tender. Or culturally credentialled Aboriginal businesses listed in the online and searchable databases of Supply Nation or the NSW Indigenous Chamber of Commerce.

Another Aboriginal engagement approach worth including in your agency’s engagement plan is holding or attending Aboriginal focussed industry events that facilitate personal connections to Aboriginal businesses. Interactions, that are likely to lead to the development of greater levels of information and knowledge about the diversity of Aboriginal service providers in the marketplace.



Aboriginal Events Calendar

Events

Depending on the nature of the Aboriginal engagement you wish to undertake, events can represent an effective way to connect with Aboriginal people.

Each event has its own theme and it is advisable for staff to understand the purpose of the Aboriginal event they are attending and why that theme is important to Aboriginal people.

Most of the major Aboriginal events have information booth and stall options that make it easier to conduct a range of engagement activities such as information provision, quizzes, competitions, questionnaires, one-to-one feedback, group feedback and even workshops. (NSW Public Service Commission 2017).

Date	Event	Theme
26th Jan	Survival Day	Celebrating survival after colonisation
13th Feb	Apology Day	Anniversary of the National Apology
19th Mar	Close the Gap Day	Dedicated to closing the life expectancy gap between Aboriginal and non Aboriginal people
26th May	Sorry Day	Acknowledges the mistreatment of Aboriginal people who were forcibly removed from their families
27th May - 3rd June	Reconciliation Week	Commemorating two significant milestones in our shared reconciliation journey - the successful 1967 referendum and the High Court Mabo decision
3rd June	Mabo Day	Celebration of Eddie Mabo's Native Title win overturning "terra nullius"
3-10 July	NAIDOC	A celebration of Aboriginal history, culture, achievements and community
Oct ong weekend	Koori Knockout	Statewide Aboriginal Rugby Championship weekend

NSW Aboriginal Organisations

Organisations

There are a number of key NSW Aboriginal organisations who are empowered to provide a representative service on behalf of their Aboriginal members.

Depending on the requirements of your Aboriginal engagement activity, it can be beneficial to make contact with these organisations and partner with them.

If partnering is not a convenient or suitable option then some of these Aboriginal peak bodies may consent to put you in touch with Aboriginal people relevant to your engagement.

If you wish to engage with a number of Aboriginal organisations in your activity, then consider whether it's possible to consult with all of them at once, for example in a forum. Or whether it would be more effective to engage with them separately on an organisation by organisation basis.

NSW Aboriginal representative organisations come in a range of structures that are influenced by the Act under which they are incorporated (State or Federal) and the rules and objects of their organisations. We have prepared a short list of Aboriginal organisations opposite to help you get started with your NSW Aboriginal engagement journey.

Acronym	Role	Contact
NSWALC	NSW Aboriginal Land Council	02 9689 4444
NSWAECG	NSW Aboriginal Education Consultative Group	02 9550 5666
AHMRC	Aboriginal Health and Medical Research Council	02 9212 4777
FPDN	First People's Disability Network	02 9267 4195
ACHAC	Aboriginal Cultural Heritage Advisory Committee	HeritageCouncil.Secretariat@environment.nsw.gov.au
ALS	Aboriginal Legal Service (NSW/ACT)	02 8303 6600
NTS Corp	NSW and ACT Native Title Service provider	02 9310 3188
CAPO NSW	NSW and ACT Native Title Service provider	caposecretariat@alc.org.au

References

- NSW Government (2019) Aboriginal Land Rights Act 1983 - Act 42
- ABS (2016) Census
- Transport for NSW (2020) Future Transport Strategy 2056
- Transport for NSW (2020) Reconciliation Action Plan 2019-2021
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- Australian Human Rights Commission (2012) Aboriginal and Torres Strait Islander Peoples - engagement toolkit
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- TfNSW (2011) Procedure for Aboriginal Cultural Heritage Consultation and Investigation
- DAA (2019) OCHRE - Growing NSW's first economy
- Jackson, Golson, Douglas, Morrison (2013) Indigenous engagement in the Tropical Rivers and Coastal Knowledge program: A review of policies, strategies and research activities, TRaCK, Darwin
- NHMRC (2019) Engaging Aboriginal and Torres Strait Islander people in guideline development. Engagement is a relationship built on trust and integrity
- TfNSW (2017) Consulting with Aboriginal communities and organisations
- AIATSIS (2020) What is Native Title? Native title, rights and interests.
- <https://nativetitle.org.au/learn/native-title-and-pbcs/native-title-rights-and-interests>

For more information contact

Transport for NSW Aboriginal Engagement
aboriginal_engagement@transport.nsw.gov.au