

# PRACTICE NOTE

## ENGAGING WITH ABORIGINAL COMMUNITIES

### Social Impact Assessment Practice Notes



Image: People sitting around UoW Yarning Circle, Illawarra. NSW DPIE

### Value of Aboriginal engagement

Engaging with Aboriginal communities is a specialised area which requires a culturally sensitive approach, and relies on a commitment from the project team to two-way learning.

This practice note supports the department's 'Social Impact Assessment Guideline for State Significant Projects'.

Like all community engagement for state-significant projects, engaging with Aboriginal communities should occur as early in the project development and planning phase as possible, and continue throughout the project approval and development lifecycle. This can assist to build trust between communities and project teams over the long term, helping to deliver positive outcomes for Aboriginal communities.

Aboriginal communities may also be engaged at different phases and for different reasons throughout the project development (e.g. for other EIS studies such as Aboriginal cultural heritage assessments). It is important to coordinate engagement activities with Aboriginal communities to avoid duplication and 'consultation fatigue'.



## Principles for engagement



The following principles should guide the project team's approach to engaging with Aboriginal communities.

### Relationship and trust

Aboriginal culture is built on the foundations of relationship, respect, and reciprocity. When engaging with communities it is important to invest time into building relationship and sharing about who you are personally, not just professionally. The history of government policies has led to a sense of distrust towards government projects amongst many Aboriginal communities.

Culturally, knowledge has always been a privilege and an individual was required to show their character and build trust over time for knowledge to be shared. Project teams need to engage in this practice of building trust and relationship prior to seeking knowledge and information from communities.

### Ongoing conversations

An important part of building relationship and trust is ensuring there are multiple opportunities for conversations with communities at different points throughout the project. Discuss this with the community early in the process so they can choose how, when and where they want to be engaged about the project.

It is important to continue sharing information about the project to keep the community up to date with progress over time. Project teams should 'close the loop' from previous conversations and ensure that what the community shared is appropriately understood and captured.

### Flexible approach

Engaging with Aboriginal communities requires a flexible and agile approach. Project teams need to show a willingness to adapt to the needs of communities.

Approaching an engagement activity with a set outcome or agenda in mind can result in disappointment. While project teams may have some questions or topics in mind, it is important to allow for open conversation that enables community to respond and lead as desired.

It is important to allow time for relationship building, the possibility for meeting locations and timing to change at short notice, and follow up discussions. This will help to foster a more relaxed environment.



Image: Natures infinity pool. NSW DPIE / Dayle Green.

## Finding common ground

Within any community, there is generally a range of opinions and perspectives. It is important to speak to a range of community representatives and organisations to understand different perspectives and to listen for topics that reflect general agreement.

When you encounter a topic that seems divisive during discussions, be sensitive to this and reflect that sensitivity in how you discuss and report on the subject.

## Accessibility

Consider the location of discussions and seek advice on this from local community representatives. This may require holding meetings within communities and/or people's homes, holding meetings on Country, finding places in a location that is considered neutral, providing transport and meals, and considering if payment is appropriate.

Communities always prefer face-to-face meetings, however if online engagement is required additional support may be needed with the technology platforms.

The tone and design of engagement materials is also vital for success. Plain English should always be used and it is important to limit text heavy documents. Using visual aids and focusing more on the relational dialogue will help to increase participation and response.

## Transparency

When working with Aboriginal communities it is important to be transparent about the negotiables and non-negotiables of the project. Always commit to being honest about what is achievable, and outline how the engagement with Aboriginal communities will inform project outcomes.

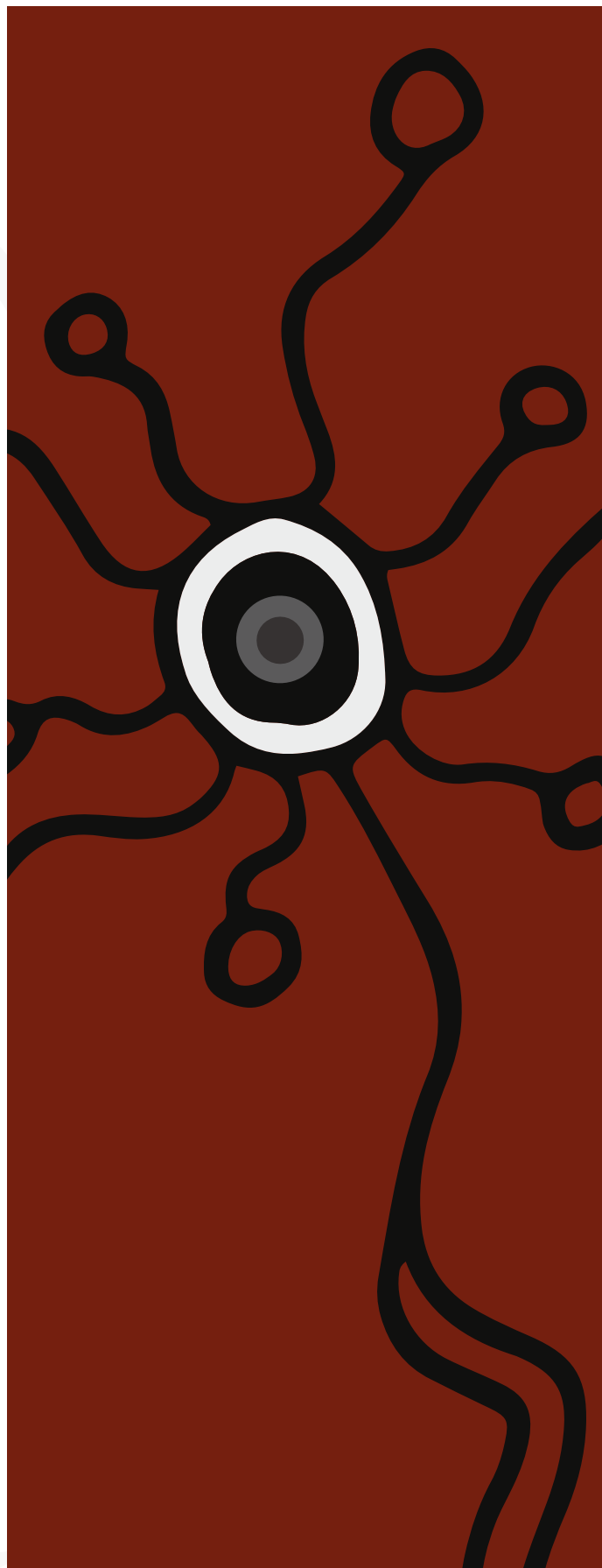


Image: Artist Nikita Ridgeway, Aboriginal Branding Imagery. NSW, DPIE.

## Protocols



### Body language

It is important to take the lead from the people you are meeting with and reflect their eye contact and body language. Some may avoid eye contact. Remain open and respectful in your body language.

### Indirect questions

Limit direct questions and allow space for people to respond to a level they feel comfortable. Before you ask a question, make sure the group knows you only want them to disclose what they feel comfortable sharing. Allow time and space for silence, as it may take some time for people to respond to some questions. Be aware that some topics may also be uncomfortable and/or inappropriate. Avoid repeating or returning to questions when you are not receiving a response. Choose a different topic to discuss or just leave space for people to clarify.

### Listen rather than justify

Many Aboriginal people will use time to express their concerns and frustrations, which may not be directly related to the project. Allowing space for people to share their perspectives without you needing to justify with a response is important. There is much to learn in simply listening.

## Cultural protocols and community dynamics

Within community, it may not be appropriate for some people to speak about a certain topic, because of either gender, community politics or authority. It is important to allow people to provide feedback on whether they are not the right people to talk to or if they need to take the conversation offline for discussion with others. There are complex social structures that guide who can speak on different topics and who can be present when information is discussed.

If a meeting starts to become challenging or complex, seek advice from the group or individual on how best to work with the community or them and their preference for engagement going forward.

### Right to privacy

All engagement activities should be open and transparent. Everyone should have the right to engage and also be offered anonymity. Ensuring that people feel safe and free to speak is important, which can be achieved by allowing people to inform you of how they wish to be engaged, with who and determine the location.

It is also important to confirm consent for the reporting of engagement outcomes, particularly sensitive information. This should align with the requirements of free and prior informed consent.

### Dress code

Many Aboriginal communities dress casually but conservatively. Project teams should dress in a way that reflects this, avoiding anything revealing, and following a comfortable, casual business attire approach which is suited to the environment (e.g. long pants or skirts, and longer-sleeved shirts and tops).

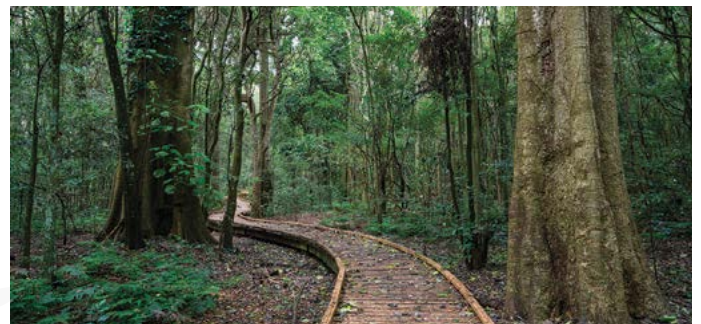
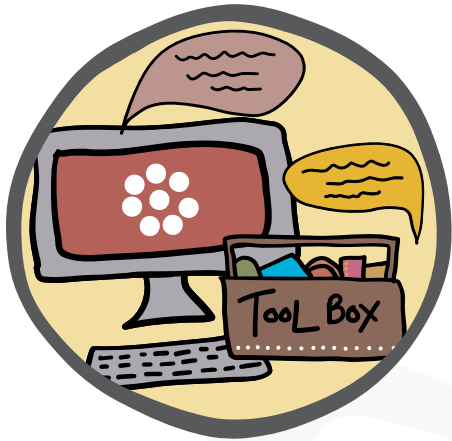


Image: Walking path in Wingham Brush Nature reserve. Taree, NSW. NSW, DPIE / Jaime Plaza Van Room.

## Preparing for engagement



### Stakeholder mapping

Building a robust and broad understanding of the diverse stakeholders within each Aboriginal community is essential to a successful outcome. For example, most projects in NSW will be located in an area which is associated with a Local Aboriginal Land Council (LALC), which is a key starting point for any Aboriginal engagement process. However, there are many other Aboriginal stakeholders within each community who may not be represented by the LALC and may have other interests and views that should be considered.

Other key Aboriginal stakeholders to consider in communities include:

- Traditional Custodians (also sometimes called Traditional Owners) and knowledge holders for the project area
- Elders
- native title holders/claimants
- community leaders
- service providers
- the broader community.

It may be helpful to work with the local council as well as an Aboriginal cultural heritage specialist to build the stakeholder list. It is also important to research organisations that operate within community and see if their functions align with the project outcomes. When you begin making contact, ask stakeholders for recommendations of who else to meet with and allow input from the community to inform your stakeholder mapping.

### Local partnerships

Identifying local community members or organisations that can help to engage community may also be useful. Having a local partner can assist with stakeholder mapping, introducing project teams to communities, understanding community dynamics, locations and timing for meetings, and encouraging participation.

It is important to consider and discuss with potential community partners whether payment for their assistance is suitable. This is likely to vary between communities and projects.

### Early engagement

Don't expect to get robust feedback from the community the first time you meet with them. Dedicating time to an early round of engagement that is based on building relationship and identifying the right people to consult will be invaluable. This will help you to identify any local partners and inform the best approach to working with the community.

This round of engagement will help to inform the project team of the level of interest within the community and highlight the topics to discuss during further engagement.

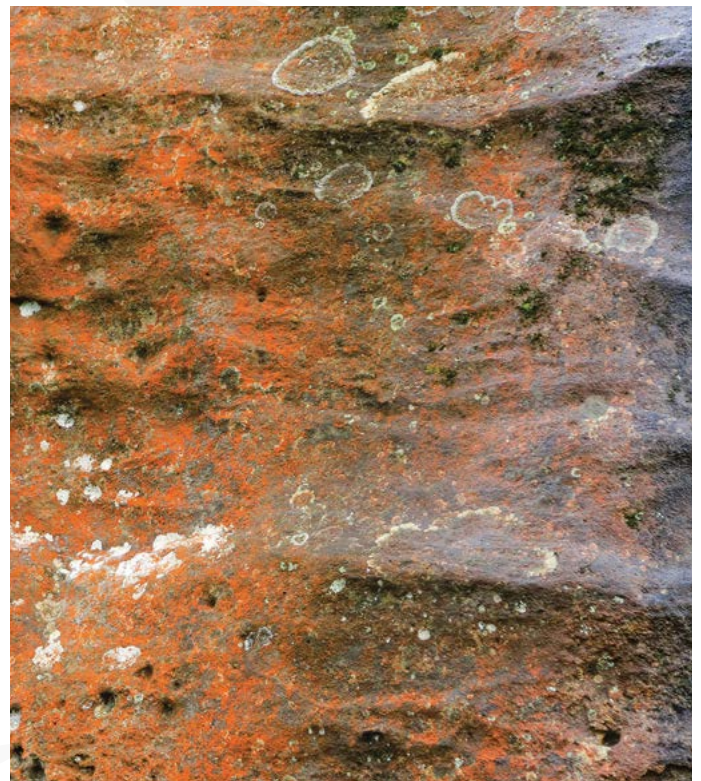


Image: Rock at Harold Reid Reserve, Middle Cove, Sydney.  
NSW DPIE / Salty Dingo

## Desktop research

Invest time in reviewing relevant studies and reports related to the community. There has been a range of research and project work in every community and being informed of the outcomes will help to manage consultation fatigue and build a strong platform of knowledge. An Aboriginal cultural heritage specialist can often assist with this research, especially if they have worked in that community previously. However, it is also important to seek information outside heritage databases, which often only record tangible heritage items and do not reflect intangible cultural values.

## Engagement tools

It is important to consider developing a range of engagement tools that will increase accessibility for diverse community members. This can include a range of activities such as interviews and meetings, community meetings, surveys or walks on Country. These activities should be supported by diverse tools such as written media, pictures, diagrams, videos and visual tools. It is generally best to avoid reliance on PowerPoint presentations and print out copies of important information to discuss with communities.

## Engagement planning

The timing of engagement is very important. Understanding other priorities within community will ensure that you have the best participation and involvement. When a community member passes away there will be requirements for Sorry business, which can limit availability. Additionally, important dates like NAIDOC Week can limit the capacity of the community to engage. During early engagement, work with the community to identify the best time to plan engagement activities and allow sufficient time in organising the schedule.

Consider meeting outdoors and in places requested by community members. Some locations might not be appropriate or comfortable for some community members. Where possible, attend community events that are already taking place (in agreement with local communities) and arrange with the organiser to share information and seek feedback where appropriate.

## Managing consultation fatigue

As noted in the department's Social Impact Assessment Guideline, it is important to avoid duplication and manage consultation fatigue for communities. There may be opportunities to rely on or coordinate with other engagement activities planned for the project, such as the broader community engagement process, and any cultural heritage studies. To do this, it is important to:

- identify areas of duplication with other studies and project activities
- prepare engagement activities in a way to serve dual purposes
- share engagement activities and outcomes as appropriate
- manage key messaging for the community
- establish a single point of contact.

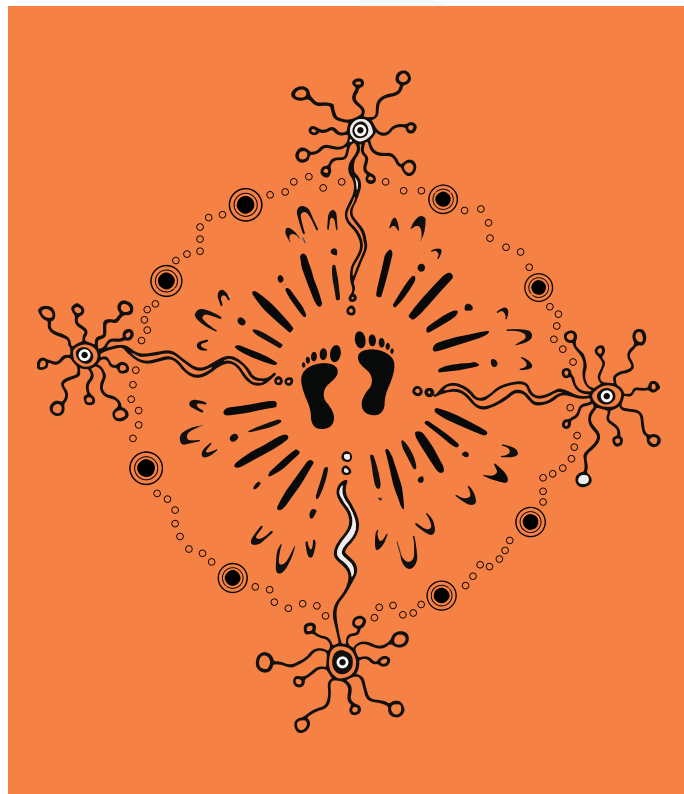


Image: Artist Nikita Ridgeway, Aboriginal Branding Imagery. NSW, DPIE.

# Engaging with Aboriginal communities to understand social impacts and benefits



The department's Social Impact Assessment Guideline notes 2 objectives of engaging Aboriginal communities to understand social impacts of a project. These are to:

1. consider potential impacts on Aboriginal communities resulting from the project, including their livelihoods and wellbeing
2. help identify the likelihood for a project to cause intangible harm through **'cultural or spiritual loss'**.

Aboriginal communities may experience the social impacts and benefits of a project differently to non-Aboriginal communities.

All social impacts of a project should consider the livelihood and wellbeing of Aboriginal communities, beyond potential impacts to culture. Different steps in a social impact assessment may require different information and inputs from Aboriginal communities, and different considerations by the project team. These are outlined below.

Steps in SIA	Information that may be gathered through desktop research	Information that may be gathered through engaging with Aboriginal communities
<p><b>Understanding the project's social locality and characteristics of communities</b></p>	<ul style="list-style-type: none"> <li>• The Country the project is located within and its Traditional Custodians</li> <li>• History of Aboriginal communities</li> <li>• Socio-economic data</li> <li>• Availability of Aboriginal services and organisations</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of potentially significant Aboriginal community and cultural values of the area</li> <li>• Challenges and opportunities currently experienced by the Aboriginal community</li> <li>• Capacity of Aboriginal services and organisations</li> </ul>
<p><b>Predicting, analysing and evaluating potential social impacts and benefits</b></p>	<ul style="list-style-type: none"> <li>• Impacts of past projects or other projects in the area on Aboriginal communities</li> </ul>	<ul style="list-style-type: none"> <li>• Perceptions about the project and its impacts</li> <li>• Identify impacts or benefits specific to Aboriginal communities</li> <li>• Identify likelihood of potential cultural or spiritual loss or opportunities for strengthening cultural spiritual outcomes (through engaging with knowledge holders, Traditional Custodians, Native Title claimants etc)</li> </ul>
<p><b>Develop avoidance, mitigation or enhancement measures</b></p>	<ul style="list-style-type: none"> <li>• Relevant local and/or government policies, programs and strategies</li> <li>• Experience from other projects</li> </ul>	<ul style="list-style-type: none"> <li>• Work with Aboriginal community to understand how potential negative impacts could be avoided, and benefits enhanced</li> </ul>



## A note on likelihood of cultural or spiritual loss

The department's Social Impact Assessment Guideline defines cultural or spiritual loss as 'loss or diminution of traditional attachment to the land or connection to Country, and associated cultural obligations to care for Country, or loss of rights to gain spiritual sustenance from the land'.

Potential cultural or spiritual loss may need to be assessed in the preparation of a social impact assessment. The project team should be aware of the following when considering potential impact on cultural or spiritual loss:

- This is a very sensitive subject and is not necessarily appropriate for the project team to determine alone. An Aboriginal cultural heritage specialist may be able to provide advice, however engaging with Aboriginal communities and particularly knowledge holders may be required during the scoping phase to confirm this.
- Although 'cultural or spiritual loss' has been defined in the Social Impact Assessment Guideline, it can mean different things to different communities. It may need some discussion with communities to understand what it means to them.
- Not all Aboriginal people would be able to speak about potential cultural and spiritual loss resulting from a project. As discussed above, stakeholder mapping will assist with understanding who can discuss this topic in each community.
- Be aware of historic and ongoing trauma, and how discussion of impacts to Country and culture may impact the health and wellbeing of Aboriginal communities. Cultural and spiritual loss may not ever be able to be mitigated or returned, so be mindful of language used when discussing the mitigation of potential impacts to Aboriginal communities.



Image: Australian bush at Canal Rocks. istock / AbhijitGhate.