

## Invasive species threat abatement planning - consultation with Indigenous communities

### Purpose

Threats to biodiversity may be managed through Threat Abatement Plans (TAPs) developed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Indigenous consultation on TAPs is mandated under the EPBC Act (s271 [3e]) which requires that “regard must be had to the role and interests of indigenous people in the conservation of Australia’s biodiversity”.

This guide sets out the principles and processes for Indigenous consultation which will enable the development of realistic and sustainable actions to manage the threats caused by invasive species and which are in accord with Indigenous roles and interests.

### Stakeholders

The aim of Indigenous consultation is to learn the relevant views, needs and aspirations of Indigenous communities which may directly or indirectly be affected by invasive species and to incorporate these into threat abatement planning. The diversity of invasive species, their range of impacts on biodiversity and habitat, and the possible measures to manage them will vary greatly.

The first point of consultation for any TAP will be the Indigenous Advisory Committee (IAC). The IAC will provide advice on the development of a strategy identifying Indigenous stakeholders, modes of consultation and timing. Where possible, existing Departmental networks should be identified and employed. Such networks may include the Indigenous Land Management Facilitator network and Parks Australia. Other key Departmental organisations are identified at Attachment A.

### Guidelines for Indigenous consultation

Legislation	TAPs establish a national framework to guide and coordinate Australia's response to key threatening processes registered under the EPBC Act. TAPs identify the research and management priorities necessary to assist the long-term survival of native species and ecological communities affected by key threatening processes. Under subsection 279(2) of the EPBC Act, the Minister for the Environment, Heritage and the Arts is required to review TAPs at least every five years. If the TAP is revised, the community may comment on the draft TAP under section 275, noting that regard must be had to the role and interests of indigenous people in the conservation of Australia’s biodiversity.
Who to engage	Government representatives should take care to identify who has the right to speak for any Indigenous community on a particular issue. A number of Indigenous communities and/or representatives may need to be engaged in order to canvass all interests and issues, in particular across genders. Indigenous land owners, land managers, rangers and Caring for our Country facilitators may have useful roles when developing and implementing TAPS. In the case of the Torres Strait, the Torres Strait’s Regional Authority’s Land and Sea Management Unit would be the most appropriate initial contact point.
How to engage	Consultation should take into account cultural preferences, noting that it may not be appropriate or effective to use technical or bureaucratic consultation media. Consultation can be more effective if meetings are held ‘on-country’ through community meetings, workshops or site visits arranged through the Caring for our Country Facilitator - Indigenous Land Management framework.

The remoteness of many Indigenous communities can result in limited communication infrastructure. Realistic time frames and resources must be made available for consultation. Generally, Indigenous engagement will be enhanced when relationships can be established and developed through a continuity in the government contacts with whom Indigenous people deal.

**Different values** Recognition of different values, interests and relationships is a critical first step in consultation. Holistic approaches, taking into account the cultural values and community resources that invasive species may threaten, can offer a fresh perspective and complement science-based ecosystem protection approaches.

**Native Title** Where Native Title right has been established the Australian Government respects the rights of Indigenous peoples to utilise species which may be threatened.

**Providing capacity** Implementation of TAP outcomes will usually require a variety of resources and skills. Integrated pest and disease management may provide economic opportunities for Indigenous people. Management of invasive species in Indigenous Protected Areas (IPAs) is an important consideration for most invasive species TAPs. IPAs are areas of Indigenous-owned land or sea where traditional Indigenous owners have entered into an agreement with the Australian Government to promote biodiversity and cultural resource conservation. The 25 IPAs that have been declared in Australia cover more than 20 million hectares, more than twice the size of Tasmania.

### The steps for consulting Indigenous communities for threat abatement planning

**1. Issues paper** An issues paper, collating key information on biology and the nature of threat processes due to the invasive species, is drafted, often by engaging the services of an external consultant.

Concurrent with the drafting of the issues paper, meetings are to be held with the IAC as part of the process of scoping Indigenous issues and to seek its advice on the consultation and timing that would be appropriate to address them. Broadening the focus of threat management is often desirable as it allows:

- Assessment of landscape implications rather than just the species level threat
- Examining community awareness and traditional knowledge rather than just technical information
- Planning at an integrated pest management level rather than a specific species control level
- Addressing issues relating to the appropriate use and publication of such information.

The Biological Diversity Advisory Committee (BDAC) may also assist in the identification and promotion of opportunities for Indigenous and scientific communities in relation to a specific TAP. Opportunities may include addressing specific issues such as threat identification, monitoring and mapping, control and habitat management and opportunities and specific options that would be appropriate for Indigenous owned or managed lands.

**2. Peer review** A draft issues paper is peer reviewed for scientific and technical accuracy.

	<ul style="list-style-type: none"> <li>- Indigenous referees should be identified and consulted in the peer review process. Discussion with interested Indigenous groups may also be facilitated to ensure consultation is effective.</li> </ul> <p>The language used in issues papers must be culturally appropriate. This may include using traditional species names as well as biological and common names.</p>
3. TAP drafted	A draft TAP and background paper are prepared by Departmental staff or a consultant, based on the findings of the issues paper.
4. TSSC comment	The draft TAP and background paper is made available to the Threatened Species Scientific Committee (TSSC) for further comment and approval.
5. Consultation	<p>The draft TAP and background paper are made available for a public and Ministerial comment period of three months. Indigenous liaison should be based on the consultation strategy identified in the drafting of the issues paper (step 1):</p> <ul style="list-style-type: none"> <li>- This consultation may include community meetings and communication material targeted at community needs and communication preferences. Departmental officers may be required to travel on-country and work with Traditional Owners, Land Council representatives, liaison officers and/or Indigenous facilitators to communicate the intent and content of plans.</li> <li>- The Department should provide the appropriate support for the Indigenous community to provide input to draft plans and issues papers. For example, this may include providing interpretation/language services or web access.</li> <li>- Where there are state or territory threat abatement processes under way for the same threat, coordination across government agencies will be essential to gain the support and involvement of the Indigenous community.</li> </ul> <p>The Department should explore appropriate avenues for training among Indigenous communities about integrated pest and weed management.</p>
6. Redrafting	Comments received on the draft TAP and issues paper are considered by the Department. The draft TAP and background paper may be revised and are then submitted to the TSSC for approval.
7. TSSC approve	If satisfied, the TSSC recommends that the Minister make the TAP. The Minister will consider the revised plans as well as the comments received when deciding on adoption of the plans.
8. TAP is made	Minister makes the TAP.
9. Publication	The Department publishes the TAP and Background Paper. Copies of both papers will be sent to all Indigenous parties involved in consultations.
10. Evaluation	The effectiveness of the process of engaging Indigenous communities, both in terms of involvement of Indigenous people and integration of Indigenous perspectives, should be reviewed through an appropriate process and at an appropriate time.

<b>Key Departmental organisations</b>	
Biological Diversity Advisory Committee	The Biological Diversity Advisory Committee is established under the EPBC Act. BDAC meets twice each year and is comprised of scientific, industry and community representatives who provide advice to the Environment Minister regarding biodiversity conservation.
Environmental Biosecurity Section	The Environmental Biosecurity Section administers policy and activities to manage invasive species which threaten, or potentially threaten, terrestrial, freshwater or marine biodiversity or environmental amenity. It provides secretariat services to AusBIOSEC's Environmental Biosecurity Committee.
Indigenous Advisory Committee	The Indigenous Advisory Committee (IAC), established under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). The committee advises the Minister for the Environment, Water, Heritage and the Arts on the operation of the Act, taking into account the significance of Indigenous peoples' knowledge of the management of land and the conservation and sustainable use of biodiversity.
Threatened Species Scientific Committee	The establishment of the Threatened Species Scientific Committee is provided for under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). The EPBC Act also sets out the functions of the Committee. These include advising the Minister for the Environment, Heritage and the Arts on the amendment and updating of lists for threatened species, threatened ecological communities, and key threatening processes together with the making or adoption of recovery plans and threat abatement plans.
Caring for our Country Facilitator - Indigenous Land Management	Caring for our Country facilitators - Indigenous Land Management work at a state or territory level, and have a detailed understanding of NRM and Indigenous land management policy and programs. Their role is to help governments and regional bodies understand the key Australian Government NRM policies, and to act as a voice back to policy makers.