Aboriginal Heritage Protection

Report on consultations with the Combined Metropolitan Native Title Working Group regarding the Aboriginal Heritage values of the Gnangara Water Mound

This report is not a Heritage Clearance Survey Report as outlined in the Guidelines for Aboriginal Heritage Assessment in Western Australia (2002) and is not sufficient for any proposed development to proceed.

Report prepared for Estill & Associates
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Map 1: The Gnangara Water Mound
The research brief

On 1 June 2005, Estill & Associates (Estill) on behalf of the Department of Environment (DoE) confirmed the engagement of Fisher Research Pty Ltd (Fisher Research) to consult Elders of the Combined Metropolitan Native Title Working Group (CMNTWG) regarding the Aboriginal heritage values of the Gnangara Water Mound (GWM) (Map 1).

The brief stipulated that Fisher Research’s responsibility would be limited to conducting on-country consultations with CMNTWG Elders, and preparing written advice on the results of the consultations. Consequently, this research has only considered the Aboriginal heritage interests of CMNTWG constituents.

It was agreed that Fisher Research would not undertake archival or other background research in relation to this consultancy and would not be required to produce a Heritage Survey report as defined in the DIA Guidelines for Aboriginal heritage assessment in Western Australia (2002).

All parties agreed that Stuart Fisher BA (Hons Anthropology UWA) (the anthropologist) would conduct the consultations.

Fisher Research heritage consultant Morgan Morris BA (Hons Anthropology UWA) (the assistant anthropologist) assisted with the on-country consultations.

The brief provided that all matters regarding selection and payment of Aboriginal consultants were to be managed by Fisher Research.

On-country consultations with CMNTWG Elders were conducted by the anthropologist and the assistant anthropologist on 17 June 2005.

Methodology

The research comprised:
1. Preliminary consultations with Estill, DoE and CMNTWG Elders;
2. a field trip to Lake Gnangara with CMNTWG Elders and DoE officers;
3. reporting of the results of the field trip.
Preliminary consultations

Between 8 and 14 June 2005, the anthropologist held preliminary consultations with senior CMNTWG constituents to outline the rationale of the research and to establish which Elders would require to participate in the field trip.

During these consultations, the anthropologist advised the Elders that the DoE was seeking advice from Aboriginal stakeholders regarding:

- Aboriginal cultural values of the GWM which relate to the groundwater and surface water resources, groundwater dependent environmental features and ecological processes.
- Possible Aboriginal involvement in the development of a management plan.
- The impact of water level changes on the Aboriginal cultural values of the GWM.
- Ways to avoid negative impacts on the Aboriginal cultural values of the GWM.
- Ways to involve Aboriginal people in future monitoring, assessment and management of the GWM.

On-country consultations

Participants

- 21 constituents of the CMNTWG from the Bropho, Corunna, Garlett, Warrell and Wilkes family groups.
- Ron Colman, DoE A/Manager, Allocation Planning.
- Barry Johnson, DoE Native Title negotiator.
- Dr Sandie McHugh, DoE hydrogeologist.
- The anthropologist.
- The assistant anthropologist.

A map of the research area was prepared by Estill prior to the meeting (Map 1) along with a list of registered Aboriginal sites (Appendix 1).
The meeting convened at 10 am on Saturday 17 June 2005 on the eastern bank of Lake Gnangara. The anthropologist welcomed the CMNTWG Elders, introduced the DoE officers, and handed out copies of Map 1 and the list of registered Aboriginal sites (Appendix 1).

Ron Colman advised the CMNTWG Elders that the State Government had become increasingly concerned that the sustainability of the GWM was being jeopardized by the current rate of water extraction. He said the government now accepted that more water was being taken than is environmentally sustainable. To remedy this, the government proposed to develop a new management regime under which the resource of the GWM would continue to be used, but in a more sustainable way. Two planned desalination plants will assist with this, but it is accepted that additional measures will be necessary.

He said that the DoE had been given the task of preparing a management plan to safeguard the GWM and maintain its water dependent ecosystems (such as wetlands, groundwater sources, caves, underground streams and indigenous vegetation) at a low level of risk. The aim was to protect and maintain the current level of the water resource and develop strategies and tactics to reclaim what has been lost.

To facilitate the preparation of the management plan, a Gnangara Mound Coordinating Committee had been established, comprising representatives from DoE, CALM, Department of Planning and Infrastructure, Department of Agriculture, Department of Premier and Cabinet, Forrest Products Commission, City of Wanneroo and the Water Corporation. The City of Swan was also involved, but at this stage only as an observer.

Ron Colman said that DoE acknowledged that the GWM was important to Nyungar people and was seeking the assistance of Nyungar Elders to identify areas of particular concern or sensitivity in Aboriginal heritage terms.

He said that DoE was seeking to establish a long-term partnership with the CMNTWG. He said the first objective was to create a snapshot of areas which were of particular importance to Nyungar people, and believed that putting these areas into the management plan was the best way to protect them. He emphasized that DoE regarded this meeting as
the first step towards a continuing dialogue which would engage Nyungar Elders in the process of developing and implementing a Gnangara Mound Management Plan (GMMP).

**Matters raised by the CMNTWG Elders**

Aboriginal Elders expressed satisfaction that DoE had acknowledged their rights as stakeholders in the GWM and had consulted them at this early stage in the development of the GMMP. They saw this as a constructive way to build partnerships and recommended that all government departments should consult them at the earliest stages of any future developments.

Elders agreed that proper planning was needed to ensure that the GWM does not deteriorate further, and welcomed this opportunity to make their feelings known. They said they had serious concerns regarding the activities of the Swan River Trust and its refusal to appoint indigenous people to its board and committees. They were also critical of the activities of local councils, who allowed developers to destroy wetlands and native vegetation. Elders said that local councils were the worst offenders for wasting water and allowing the landscape to be damaged. They were particularly concerned at the damage to the wetlands resulting from housing subdivisions occurring to the west of Wanneroo Road, to which they had objected. They said they had also protested to the City of Wanneroo that planting pine trees in the area was inappropriate, but their protests were ignored and now 'Wanneroo looks like Cottesloe'.

Elders also expressed concern that a wetland and traditional hunting area near the corner of Pinjar Road and Yandella Prom at Tapping had been bulldozed. They said this amounted to environmental vandalism. They said it was essential to the future health of the GWM that people were prevented from living too close to wetlands and waterways, and adequate ‘no disturbance’ buffer zones should be established and enforced.

They said residential blocks should not be allowed to intrude onto floodplains. Farmers should be made to replant suitable indigenous trees to lower the water table and reduce salinity instead of constructing
drainage channels which merely shifted the problem to other properties and created further problems downstream.

Elders said they had long believed that successive governments had allowed too much ground water to be extracted. They said that the extraction of groundwater should be monitored and drastically reduced, that the number of existing bores should be reduced, and the issue of new licences curtailed. They expressed concern that governments had allowed market gardeners carte blanche access to water, which was then used in a wasteful way, and this had to stop.

Elders complained that landowners and government authorities had been allowed to clear native vegetation and alter contours without any thought for the consequences such work would have. This kind of work dramatically changed the landscape and disturbed the natural flow of water. Elders said Nyungars believed that such ground clearing was responsible for the changed climatic conditions which were producing droughts. They said Midjul, the spirit of the rain, always looked for natural vegetation to drop rain on. If land is cleared, Midjul has no reference point and therefore has no incentive to drop rain because no plants or animals would benefit from it, so moves on looking for places where there is vegetation and the rain can do some good.

Elders were critical of the current practice of removing surface water and pumping out underground water, which they said created havoc throughout the interconnected system of waterways. They said all remaining wetlands should be protected by suitable buffer zones and not be further disturbed. They said Nyungars believed that the wetland system was sustained and kept moist by underground water resources which the Waugal pushed out to keep them moist during dry seasons. The Elders considered it essential that all existing wetlands were prevented from drying out because plant and animal life would be destroyed and acid sulphurate soils created if they did. These poisonous soils would then be washed into the Swan River by the next rains, resulting in further damage to one of the most significant Aboriginal sites on the Swan River Coastal Plain.

Elders said unsustainable water extraction threatened wetlands all the way to Gingin and beyond. They said that as the Traditional Owners of
the area, it was their responsibility to monitor the health of the GWM and make recommendations to protect it. But they were seldom consulted about developments, and even when they were consulted their advice was generally ignored.

Elders said to ask them to pick out areas of highest Aboriginal heritage significance was meaningless, because the whole of the GWM is of heritage significance to Nyungar people. They said that according to Nyungar spiritual beliefs the waterways and wetlands are not conceptualised as separate features of the landscape, but as an interconnected whole in the same way that Creative Ancestral Beings such as the Waugal and other spirits connected to their spiritual Dreaming are unified.

Elders said that Nyungar people had always known that the underground water system was connected to the surface water system. They said Nyungar people believed the Waugal had created the underground waterways on its journey south from Mogumber (Moore River) to the Swan River, and where it had surfaced it had pushed the waters out to create the chain of lakes, rivers and wetlands.

Elders said that another chain of creeks and wetlands, which ran south from the Irwin River to Mogumber, are part of the bigger water mound picture. They said the Irwin River was where the Wagyl started on its journey to the Swan River, and the interconnected system of wetlands, lakes and rivers it created is sustained by water from the Irwin. They felt that the Water Corporation didn't understand or care about this bigger picture.

\(^3\)The widespread belief in the Nyungar community that a Waugal, a Creative Ancestral Being which manifests as a mythic water snake, was responsible for creating the Swan River and other bodies of fresh water in the southwest of Western Australia has consistently been reported by researchers (see, among others, Armstrong, 1979: Bates, 1912: Berndt, 1979: Brown, 1983: Fisher et al 1998, 2001, 2002, 2003; O'Connor et al, 1985: Tilbrook, 1985; Wilkes, 1996). Mythic beings of this type are fundamental to the ceremonial practices of the area, and to the customary system of land tenure (Sutton, 2001: 15).
picture, and was only interested in a bandaid approach by seeking easy solutions.

Elders noted that market gardeners, who earned millions of dollars from the water resources they had been given, had been selling their properties to developers for subdivision and making even more money. Elders thought that the profits from such developments should be used for rehabilitation work to keep the water system intact and healthy. They said the government should take back ownership of the waters and protect them for the benefit of the whole community.

In response to some of the concerns raised by the Elders, Ron Colman acknowledged that, in the past, development planning hadn't acknowledged the need for watercourse buffers. He said that DoE hoped that the proposed management plan would regulate future planning approvals and prevent further development on wetlands.

He said that the government had allocated $6 million for a three year programme to install bores and flow meters to monitor water usage, and he saw this as a measure that would help to control water wastage by local authorities and market gardeners.

Barry Johnson said that the Swan River Trust now refuses many water licence applications, and that licensing officers are very conscious of future water needs and are trying to correct damage already done, so that future generations are not disadvantaged. He said that as a child he enjoyed playing in the bush at Lake Gwelup, and he is very keen to conserve the remaining natural environment so that his grandchildren would be able to experience the same pleasure.

Referring to the concerns expressed by the Elders regarding the environmental damage at the Pinjarra Road development, Ron Colman said the local authority responsible had breached all development conditions and had been fined for its actions. He saw this as an indication of the government's commitment to protecting the remaining environmental values in the area, and assured the Elders that if they agreed to become involved in the development of a management plan, their knowledge and advice would be valued and acknowledged.
CMNTWG Elders confirmed that they would agree to engage in the management process on the understanding that DoE was committed to protecting what was left of the GWM. They thought that a series of meetings would be required to develop a working partnership with the other stakeholders, and recommended that a broadly based advisory committee that included Nyungar women should be established. They also stipulated that all Elders involved should be paid the standard Aboriginal consultant fee for their participation.

In regard to the proposal to install monitoring bores and flow meters to more accurately assess the levels and usage of the water in the GWM, Elders reiterated that all of the GWM is of heritage significance to Nyungar people, and as Traditional Owners of the Swan River Coastal Plain, they required all ground disturbing activity to be monitored by them.

At the conclusion of the meeting, Ron Colman thanked the Elders for their constructive contribution and assured them that their views would not be ignored. He gave an undertaking to hold further consultations with them and utilise their knowledge in the development of the proposed management plan.

After the conclusion of fieldwork, the proceedings and recommendations of the Elders at the meeting, as detailed in this report, were provided to the CMNTWG constituent families in writing for comment. CMNTWG Elders have advised the anthropologist that this report accurately represents their views regarding the proposed development of a management plan for the GWM.

**Results of the consultations**

All Combined Metropolitan Native Title Working Group Elders consulted have stated that:

- The whole of the Gnangara Water Mound is of heritage significance to Nyungar people and should be protected in terms of the Aboriginal Heritage Act (1972 and amendments).
- In Aboriginal heritage terms, surface water and underground water is equally significant and valued.
• Reduction in the levels of the groundwater in the Gnangara Water Mound has already damaged the Dreaming Tracks of their Creative Ancestral Being, the Waugal.

Recommendations

All Combined Metropolitan Native Title Working Group Elders consulted have recommended that:

• No further water licences should be issued.
• Extraction of water from the Gnangara Water Mound under existing licences should be reduced in order to protect the remaining wetlands.
• Residential blocks should not be allowed to intrude onto floodplains.
• Adequate ‘no disturbance’ buffer zones around wetlands should be established and enforced.
• Farmers should be made to replant suitable indigenous trees to lower the water table and reduce salinity.
• All remaining wetlands should be quarantined from further development and prevented from drying out.
• The State Government should take back ownership of the waters of the Gnangara Water Mound and protect them for the benefit of the whole community.
• All ground disturbing activity should be monitored by CMNTWG Elders.
• In order to meet their responsibilities as Traditional Owners to care for country, male and female CMNTWG Elders should be appointed to the Gnangara Mound Co-ordinating Committee and other relevant government bodies. All Elders involved should be paid the standard Aboriginal consultant fee for their attendance at meetings.
Appendix 1 Registered Aboriginal sites in the Gnangara Water Mound
References


