



# Currie Country

Cultural Immersion Experience

Committee Secretariat

Senate Standing Committees on Environment and Communications

PO Box 6100 Parliament House

Canberra ACT 2600

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**Subject: Protecting the Spirit of Sea Country Bill 2023**

Dear Committee Secretariat,

*Protecting the Spirit of Sea Country Bill 2023 seeking to amend the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and Regulations.*

We support the proposed Protecting the Spirit of Sea Country Bill 2023, which seeks to amend the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and Regulations, in the commitment to recognise to enact the principles contained in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Concerning Traditional Owner (TO) engagement, we support TOs being engaged as key decision makers in consultation applying a totemic lens to impact and environmental assessment. We advocate for involving individuals with totemic connections as vital stakeholders or knowledgeable representatives. This group may or may not be directly affected, however, this will include an extended view regarding impacts on affected areas or species pathways

The context of First Nations relationship with waters and oceans needs to be understood that

**‘We Are the Ocean’,**

Recent scholarship asserts that Indigenous people reached Oceania some 30,000-50,000 years ago. DNA studies show that Aboriginal Australians are direct descendants of Africa’s first Diaspora more than 72,000 years ago. These communities traversed Papua New Guinea,



Australia and the Solomon Islands. The archaeological unearthing of Lapita pottery- distinct for its comb tooth designs has marked a second major migratory wave into the region via Southeast Asia some 3,000 years ago. Lapita communities navigated the Pacific across Melanesia and Polynesia sailing across Vanuata as far south as New Zealand, as far west as Tahiti, and as far north as Hawaii (and west to Madagascar), creating an Oceania diaspora based on the Lapita cultural complex”<sup>1</sup>.

The esteemed Tongan scholar of Pacific Studies, Epli Hauofa poignantly expressed this best and accurately in his “We are the Ocean” where he describes how Indigenous “myths, legends, oral traditions and cosmologies” reflected diverse worldviews, cosmologies, systems of governance, kinship networks, and ecological systems that stretched across and linked the region. Oceania communities saw themselves as being part of the ocean first, and the land second. Their world was an interconnected “sea of islands” rather than an isolated “island in the sea” dislocated far from the metropolises of power. Hauofa called for the use of the *Oceania* as opposed to the *Pacific* when referring to this region<sup>2</sup>.

It is for this reason that this submission made on behalf of traditional owner family who identifies themselves as ‘saltwater’ people highlights the sea and plant life totemic association of Aboriginal communities and structures and the right to be engaged in ocean matters far exceeding any notion of land boundary. Aboriginal people, like the communities of Melanesia (which etymologically means ‘island of Black people’ and consists of more than 11 million peoples including the 750,000 First Nations peoples of Australia), share totemic associations that link kinship, systems of governance and responsibility to tend to ecological systems as custodian.

We have a totemic association with dolphins, whales, turtles, sea mullet, crabs, fish, sharks, pipis, sand, soils, butterflies, trees, waters and all ecological systems within the seas and rivers and lands. The family name Currie is an anglicized version of a Minyunbul word for ‘Gurri Guraghan’: broken-down ‘Gurri/Goori’ means people and ‘Guraghan’ means a type of tree known as blackbutt. This tree is found in dry sclerophyll coastal forests which is our Aboriginal nation landscape, we are totemically represented by all animals, plants and living things that reside in these areas and the east coast extends into river systems from the oceans, some of ‘born totems’ include stingrays and dolphins and crabs which use these rivers and oceans to move between the two along our nation boundaries, linking waters and lands totemically.

The waters have a spiritual purpose and a key piece of our continual cultural practices from birthing to the development of men and women and the enduring connection to underwater oceans below the continent which are accessed via birthing holes and which link all human beings. These ceremonial aspects cannot be expressed in writing, but we can provide oral histories of these deep ocean association in contemporary practices which we continue now, and which are affected by ocean impacts posing a risk to birthing traditions and elements of development for us as salt water peoples.

The categories of totemic association need to be a part of the environmental impact assessment where an assessment identifies a species impact. It is then appropriate to engage with all First Nations peoples who have a totemic association with that impacted species. These are tangible and intangible cultural and heritage considerations. The definition of “intangible cultural heritage” should not only

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<sup>1</sup> Veronika Meduna. “Tracking the Lapita Expansion across the Pacific”, *Our Changing World*, Radio New Zealand, August 13, 2015 [www.rnz.co.nz](http://www.rnz.co.nz). Stuart Bedford, Christopher Sand and Richard Shing, *Lapita Peoples: Oceania Ancestors* (Port Villa: Vanuatu Cultural Centre, 2010): Stuart Bedford and M.Spriggs, “Northern Vanuatu as a Pacific Crossroads: “The Archaeology of Discovery,” *Asian Perspectives* 47, no 1 (2008): 95-120

<sup>2</sup> Epli Hauofa, *We are the Ocean* (Manoa: University of Hawai’i Press, 2008)



be limited to knowledge and practices concerning nature and the universe but also include contemporary cultural knowledge and practices.

For example, turtles along our coast which are a 'born totem' travel the length of the east coast across four states of Australia and beyond and many clans, groups and First Nation people here and within other parts of Oceania are connected to this species for different totemic reasons, including ceremonial and cultural linkages which affirm spiritual connection and practices so the impact to this animal life cycles irrespective of immediate coastline impact is significant and a tangible and intangible impact. It is appropriate that any impact upon this species is discussed in consultation with all these groups, clans and communities within Oceania who rely on the continuation of this animal for maintaining their spiritual and cultural connection. All these communities within Australia and Oceania are entitled to be protected by the UNDRIP regulations requiring free, prior and informed consent of traditional as a condition for accepting an environment plan.

Some components that need to be included in the bill are below:

**1. Consultation Requirements:**

- a. Consultation shall be conducted with both Native title holders and those First Nations respondents who appear as respondents.
- b. Respondents and applications of current native titles actions shall also be engaged until their title matters are resolved or dismissed.
- c. The environment plan must include: 15 (a) details of any intangible cultural heritage that may be 16 affected by the activity; and 17 (b) an evaluation of the impacts and risks to the intangible 18 cultural heritage; and 19 (c) details of measures that will be used to avoid destruction and 20 ensure preservation of the intangible cultural heritage.

This consultation must be applied using a totemic association lens and engage those affected by the links created by the species that hold cultural value and significance. This represents both tangible and intangible rights of Traditional Owners to continue to practice culture, ceremony and systems of land relations which sits as the centre of First Nations spiritual values and practices. This consultation process must include and recognise Oceania as a landscape and acknowledge these systems of connection across islands that sit within the Oceania.

**2. Minimum Consultation Requirements:**

- a. Consultation shall be held with traditional groups sharing waterways, spiritual, and totemic lines.
- b. Proponents of proposed developments impacting specific ecological entities (e.g., turtles) must consult with groups having totemic connections with said entities.
- c. Consideration shall be given to ecological systems transcending different coastal areas surrounding Australia, and an approach for totemic consultation needs to be developed and included.

We are very happy to meet with the secretariat to expand upon these views as they relate to us and impact us as saltwater peoples of the Bundjalung Nation. We are not unique in sharing these totemic association and we would recommend the committee seek to explore other impacts via totemic association if they wish to be thorough in their collation of Indigenous peoples impacts.

Currie Country is a Traditional Owner group and represents the descendants of James and Ellen Currie, and their eight children which is approximately 3000 peoples who reside from the Cape York QLD (Lama Lama), Palm Island to Tweed Byron Coast. Currie Country is an organization that protects and preserves our histories, cultural anthropology, and cultural integrity and collaboratively we work on matters of environment and education. We have explored our totemic associations across our land boundaries and how they interconnect into other Aboriginal nations and communities and clans, and we have explored our family kinships linkages across the continent assembling these linkages. We are peoples of Oceania, and as we de colonize ourselves we begin to strengthen our Oceanic connections which are factual, genealogical sound, environmentally interconnected, species and ecologically interdependent and this speaks to societies and trade and communities based on cultural systems of totemic association and connection throughout Oceania.

We support genuine consultation with First Nations peoples and ask the committee to ensure elements that respect the cultural integrity of our peoples.

Regards

Arabella Douglas

CEO

Currie Country Social Change