



Australian Government



MURRAY-DARLING
BASIN AUTHORITY

First Nations participation in water for the environment 2020–21

December 2021

Published by the Murray–Darling Basin Authority
MDBA publication no: 51/21
ISBN (online): 978-1-922396-83-9



GPO Box 1801, Canberra ACT 2601



engagement@mdba.gov.au



1800 230 067



mdba.gov.au

© Murray–Darling Basin Authority 2021

Ownership of intellectual property rights



With the exception of the Commonwealth Coat of Arms, the MDBA logo, trademarks and any exempt photographs and graphics (these are identified), this publication is provided under a Creative Commons Attribution 4.0 international licence. (<https://creativecommons.org/licenses/by/4.0>)

The Australian Government acting through the Murray–Darling Basin Authority has exercised due care and skill in preparing and compiling the information and data in this publication. Notwithstanding, the Murray–Darling Basin Authority, its employees and advisers disclaim all liability, including liability for negligence and for any loss, damage, injury, expense or cost incurred by any person as a result of accessing, using or relying upon any of the information or data in this publication to the maximum extent permitted by law.

The Murray–Darling Basin Authority’s preference is that you attribute this publication (and any Murray–Darling Basin Authority material sourced from it) using the following wording within your work:

Cataloguing data

Title: First Nations participation in water for the environment 2020–21, Murray–Darling Basin Authority Canberra, 2021. CC BY 4.0

Accessibility

The Murray–Darling Basin Authority makes its documents and information available in accessible formats. On some occasions the highly technical nature of the document means that we cannot make some sections fully accessible. If you encounter accessibility problems or the document is in a format that you cannot access, please contact us.

Acknowledgement of the Traditional Owners of the Murray–Darling Basin

The Murray–Darling Basin Authority pays respect to the Traditional Owners and their Nations of the Murray–Darling Basin. We acknowledge their deep cultural, social, environmental, spiritual and economic connection to their lands and waters.

The guidance and support received from the Murray Lower Darling Rivers Indigenous Nations, the Northern Basin Aboriginal Nations and our many Traditional Owner friends and colleagues in the planning and decision-making in water for the environment reflected in this report is greatly valued and appreciated.

Aboriginal people should be aware that this publication may contain images, names or quotations of deceased persons.

Contents

Executive summary	1
Introduction.....	3
About this report.....	3
Background and interpretation.....	4
Murray–Darling Basin Authority Indigenous Member appointment.....	4
First Nations participation in environmental watering.....	5
Connection to Country.....	5
Environmental watering framework.....	5
Participation in 2020–21	7
Context for the reporting year	7
How environmental water holders involve First Nations	7
Consideration of Indigenous values and uses	8
Environmental Watering Plan	8
Environmental watering strategy.....	9
Annual environmental watering priorities	9
Engaging First Nations across the Basin.....	10
Northern Basin	10
Southern Basin	11
The Living Murray Indigenous Partnerships Program.....	14
Managing water for the environment.....	15
Water resource plans	15
Cultural flows.....	16
Keeping culture strong	16
Summary	19
Abbreviations and acronyms.....	20

Executive summary

Every year, the Murray–Darling Basin Authority (MDBA) reports on how the values and uses of First Nations were considered in the planning and delivery of water for the environment in the Murray–Darling Basin (the Basin). This report covers the water year of 2020–2021.

Information in this report has been sourced from the Commonwealth Environmental Water Office (CEWO), the MDBA, Basin state governments and First Nations from across the Basin. This report will be complemented by a companion publication, *Rivers, the veins of our Country*, that will contain a compilation of stories from across the Basin and will be available in 2022. These stories explore how First Nations are working to achieve shared cultural and environmental benefits through the delivery of water for the environment. Many of these case studies were written by First Nations and provide an opportunity to share their stories in their words.

The ongoing disruptions caused by the COVID-19 pandemic continued to cause stress to communities and challenge all Basin governments to find new and innovative ways to engage and support First Nations in the planning and delivery of water for the environment.

The health of the Murray–Darling Basin benefits from meaningful partnerships with First Nations who were involved in water planning, coordination, delivery and monitoring during the 2020–21 water year. From influencing site-scale real time decisions to Basin-wide strategic policy setting, engaging with First Nations is a priority for environmental water holders.

During the 2020–21 water year, the MDBA agreed to formalise incorporation of First Nations' ecological objectives and outcomes into:

- the next update of the Basin-wide environmental watering strategy in 2022–23
- the next opportunity for legislative amendment of the Environmental Watering Plan within the Basin Plan.

The environmental watering plan and strategy supports environmental water holders, Basin state governments, water managers and river operators to plan and manage water for the environment at a Basin scale and over the long term. Accordingly, these changes will help First Nations have more influence in how water for the environment is managed to protect and restore the Basin environment.

The 2020–2021 water year was the *first time* the Basin-wide annual environmental watering priorities explicitly included objectives and benefits for First Nations from the delivery of environmental water on Country. The planning for this occurred in the 2019–2020 water year, through the First Nations Environmental Water Guidance (FNEWG) Project.

In the northern Basin, environmental water holders are continuing to strengthen relationships with First Nations groups at a local scale. In the Barwon–Darling, a workshop attended by the CEWO, New South Wales Government and Northern Basin Aboriginal Nations (NBAN) representatives identified key ecological outcomes, including indicator species and significant sites, which will be used to inform future water for the environment planning. In response to First Nations' concerns about

stagnant and shrinking waterholes in sections of the Barwon–Darling (Baawan–Baaka), water for the environment was released into the Barwon River to the Walgett region.

In the southern Basin, a forum on Latji Latji Country brought together First Nations from the southern Murray–Darling Basin to share information about the health of Country and discuss the management of water for the environment. This was in response to a recognised need for cultural guidance to inform larger multi-site watering actions that support river connectivity and outcomes across Nations. The Murray Lower Darling Rivers Indigenous Nations (MLDRIN) worked in partnership with the CEWO and MDBA to establish a new mechanism for First Nations to have direct input into system scale environmental water planning.

Other outcomes include a statement on water for the environment that has been incorporated into the:

- CEWO’s 2020–21 water management plan
- Victorian Environmental Water Holder’s seasonal watering plan
- South Australian Department for Environment and Water’s annual planning documents
- Southern Connected Basin Environmental Watering Committee (SCBEWC) operational scenarios.

In combination, this work and the associated relationships will guide future opportunities to better align water delivery that supports First Nations’ objectives and demonstrate that input has a meaningful impact on decision-making. The relationships between Basin governments and individual First Nations are being built. While mutual trust and respect will grow from this, it will take time to develop. All Basin governments have demonstrated a strong commitment to strengthen partnerships and participation of First Nations in environmental water planning and management across the Basin. While good progress was made to integrate the interests of First Nations, there is still more to be done to achieve the aspirations of First Nations and the outcomes being sought.

Introduction

This section provides context for the report including the legislative background and interpretation.

About this report

This report sets out how environmental water holders considered First Nations' values and uses in environmental water planning across the Murray–Darling Basin between 1 July 2020 and 30 June 2021. It reflects the reality that water is an important part of the wellbeing, culture and livelihoods of First Nations Australians across the Murray–Darling Basin.

Environmental water holders are the government organisations or entities responsible for managing water entitlements that are held for environmental purposes. Across the Basin there are 5 environmental water holders:

- Commonwealth Environmental Water Holder¹
- NSW Department of Planning, Industry and Environment
- Victorian Environmental Water Holder
- South Australian Department for Environment and Water
- The Living Murray Program, managed by the Murray–Darling Basin Authority on behalf of the Victorian, New South Wales, South Australian and the Commonwealth governments.

While the Queensland and Australian Capital Territory governments do not currently have held environmental water, they are included in this report as they manage planned environmental water, collaborate with environmental water holders and consult with First Nations in planning for water management. Additional examples of how different water managers engage with First Nations are also provided.

This report was developed from a variety of sources, including web pages, media releases, official reports released in the public domain, approved case studies and annual implementation reporting in accordance with schedule 12 of the Murray–Darling Basin Plan (available at [Publications | Murray–Darling Basin Authority \(mdba.gov.au\)](#)). These annual reporting matters relate to the objectives and outcomes against which the effectiveness of the Basin Plan will be evaluated. This report will be complemented by a companion publication, *Rivers, the veins of our Country*, in 2022 and will contain case studies prepared by, and in partnership with, First Nations.

¹ The CEWH is a statutory position established under the *Water Act 2007* (Cth) responsible for managing the Commonwealth environmental water holdings. The CEWH is supported by the staff of the Commonwealth Environmental Water Office (CEWO).

Background and interpretation

In June 2018, the Minister for Agriculture and Water Resources issued the Water (Indigenous Values and Uses) Direction (2018) (the Direction) to the MDBA pursuant to section 175 of the *Water Act 2007* (Cth). The Direction requires:

- (1) *For each water accounting period, the Authority must report on how, when planning for environmental watering in the Murray–Darling Basin, holders of held environmental water:*
 - (a) *considered Indigenous values and Indigenous uses; and*
 - (b) *involved Indigenous people.*
- (2) *The Authority must publish the report prepared for subsection (1) on its website within 6 months after the end of the water accounting period.*
- (3) *Subsection (1) applies to each water accounting period that commences after the water accounting period ending 30 June 2018.*

For the purposes of the Direction, the definitions applied are those under section 10.52 of the Basin Plan 2012. Under 1 (a) of the Direction, the Authority must report on how holders of held environmental water considered Indigenous values and Indigenous uses (see Box 1).

Under 1(b) of the Direction, the Authority must report on how environmental water holders involved First Nations in the planning for the use of environmental water. Basin governments were already required to consider and report on how Indigenous values and uses are considered through various Basin Plan mechanisms.

Box 1: What are Indigenous values and Indigenous uses?

- **Indigenous values** – means the social, spiritual and cultural values of First Nations that relate to the water resources of the water resource plan area
- **Indigenous uses** – means the social, spiritual and cultural uses of the water resources of the water resource plan area by First Nations.

Murray–Darling Basin Authority Indigenous Member appointment

In December 2020, the MDBA welcomed the appointment of Nari Nari man, Mr Rene Woods to the permanent Indigenous Authority Member board position. The appointment recognises the important role of First Nations in contributing to the management of water resources given their strong spiritual connection to water and longstanding moral obligation to care for it. This is a significant position of great importance to the work of the MDBA and to the voices of First Nations.

First Nations participation in environmental watering

First Nations of the Murray–Darling Basin have an intricate and enduring cultural connection to land and water. They are the original custodians of the Murray–Darling Basin where the lands, waters and biodiversity provided resources that sustained life and underpinned trade and commerce.

Connection to Country

The health and wellbeing of First Nations is intrinsically linked to the health of Country. Caring for Country is fundamental to the spirituality and lore of First Nations, who over thousands of generations, have inherent rights and interests to manage land and water.

Since European settlement in Australia, First Nations have been generally excluded from land-use and water planning and management activities. This has created significant inequity in the ownership and decision-making that First Nations continue to experience in relation to land and water. The shared history and inequity must not be forgotten.

In modern Australia, the rights of First Nations are underpinned by a combination of natural justice, international conventions to which Australia is party and under Australian common law, legislation, and inter-governmental agreements.

First Nations can also help in better understanding and the approach to land and water management across the Basin. There are significant synergies between what environmental water holders want to achieve and what First Nations would like to see happening across the landscape as part of caring for and healing Country. This fosters authentic and genuine consideration of how all Basin governments collaborate with First Nations in broader water planning and management decisions. While positive progress has been made it is acknowledged that these are early steps that will continue to evolve over time.

Environmental watering framework

Water for the environment aims to protect and restore Murray–Darling Basin rivers, wetlands, and floodplains and to maintain or improve ecosystem function, biodiversity, water quality and water resource health. In various sections, the Basin Plan recognises that water for the environment contributes to outcomes for First Nations while acknowledging that environmental and cultural flows are not the same (see Box 2). This means different approaches are required for the identification and delivery of cultural flow requirements to support the values and uses of First Nations.

The Basin Plan sets out several requirements to ensure environmental watering is undertaken in a way that considers First Nations' values and uses.

These include:

- Chapter 8 – Environmental Watering Plan where the MDBA must have regard to Indigenous values and uses when preparing the Basin-wide environmental watering strategy and the Basin annual environmental watering priorities.
- Chapter 10 – Water Resource Plan Requirements of the Basin Plan, which sets out the requirements that water resource plans need to comply with to be accredited or adopted. This includes the objectives and outcomes based on Indigenous values and uses as determined through consultation with relevant Indigenous organisations, including (where appropriate) MLDRIN and NBAN. This chapter also provides direction on the consultation and preparation of water resource plans, including the active and informed participation of Indigenous people, native title rights, claims and Land Use Agreements, registered Aboriginal heritage, cultural flows and the retention of current protection.

Box 2: How do First Nations environmental outcomes differ from cultural flows?

Two key areas for First Nations’ aspirations for water management are:

- **Cultural flows**, which are water entitlements legally owned by Aboriginal people to improve the spiritual, cultural, environmental, social and economic conditions of those Aboriginal Nations. Cultural flows are currently out of scope for environmental water holders to influence.
- **First Nations’ environmental outcomes** from environmental watering. This is about using water for the environment to protect cultural values that also have environmental value. Identifying cultural values can be a crucial first step on the path to achieving Aboriginal environmental outcomes from water for the environment and is a key area that environmental water holders can influence.

Cultural values may not always align with ecological values, although at times they may overlap or be complementary. It is important for planners to ‘test’ the assumption that environmental flows can meet cultural objectives.

Participation in 2020–21

This section shows how First Nations have been involved in environmental water management during the 2020–21 reporting period.

Context for the reporting year

The 12 months between July 2020 and June 2021 have seen some welcome relief with relatively cooler and wetter conditions than the previous 3 years. However, this was inconsistent across the Basin, with rainfall still below average for much of the mid and lower Murray, especially in South Australia. A weak La Niña event contributed to higher rainfall and increased stream flows for many areas, with central and northern NSW recording average rainfall across the year. This contributed to good inflows to the Barwon–Darling River and boosted the storage volume in the Menindee Lakes. Releases into the Lower Darling continued throughout 2020–21 and provided important connection between the northern and southern Basin.

Inflows to many river systems relieved some of the pressure on communities and the environment and resulted in improved water allocations for both consumptive users and the environment. However, flows were not enough to reach large parts of the thirsty floodplains and despite the above-average rainfall, the Basin was still recovering from its hottest and driest years on record between 2017 and 2019. Recovery of many rivers and wetland systems will take time and require large flows. Environmental water holders plan to capitalise on increased water availability in storages in 2021–22 to deliver watering events to stressed high-value wetlands and floodplains without having an impact on third parties.

The ongoing COVID-19 pandemic, restrictions, border closures and requirements for social distancing continue to cause stress to communities and has added engagement challenges for all Basin governments. Programs and initiatives, particularly those involving face-to-face consultation, have been affected. Despite these disruptions, collaboration between First Nations and water holders across the Basin has continued.

How environmental water holders involve First Nations

Environmental water holders use regionally relevant networks to engage directly with local communities and First Nations groups on-ground. This ensures there is active and effective community input to inform environmental flow planning and delivery, and that local knowledge and priorities are incorporated into the management of wetlands and waterways.

Formed in 1998 and 2010 respectively, MLDRIN and NBAN each represent over 20 Nations in the Murray–Darling Basin. One of their main functions is to be a primary conduit for the MDBA – and to a lesser extent the CEWO and Basin state governments – to engage with and seek input from First Nations on issues that cover multiple Nations and require coordination and general advice. The MDBA also engages with individual Nations on issues that relate to their specific interests as well as the Basin Community Committee and its Indigenous Subcommittee.

The CEWO works directly with individual First Nations groups who can propose, plan, deliver and monitor watering events. In other cases, collaboration relies on State and local delivery partners who have working relationships with local communities and established processes for First Nations' participation in management of important environmental sites, including use of water for the environment.

Community information and views are used as input into watering proposals developed by jurisdictions as part of their annual planning. This flows through to coordinated planning across all environmental water holders via the SCBEWC and the Northern Basin Environmental Watering Group (NBEWG). Local knowledge is also sought via groups such as the Environmental Watering Advisory Groups in New South Wales, Catchment Management Authorities in Victoria and the Community Advisory Panel in South Australia. First Nations are also actively involved via the Indigenous facilitator network across The Living Murray Icon Sites.

For key sites and reaches throughout the Basin, Operational Advisory Groups or Technical Advisory Groups facilitate conversations between water managers, site managers and river operators. When a watering event is underway, regular meetings (often weekly) are established so that flow rates, ecological objectives, emerging risks, early monitoring results and on-ground observations are shared in real-time. The MDBA's network of regional engagement officers also provides a feedback loop to MDBA staff on local knowledge related to planning and delivery of water for the environment.

Consideration of Indigenous values and uses

The Basin Plan seeks to ensure that the stated objectives and outcomes of First Nations, based on their values and uses, are considered in the water planning process and at least the same levels of protection (for these values and uses) are retained. This builds on the intent of the National Water Initiative that includes First Nations' participation in water planning and management.

Environmental Watering Plan

The Environmental Watering Plan (EWP) is the legislative framework that guides and fosters coordination for environmental water holders, Basin state governments, water managers and the Commonwealth to achieve the environmental objectives in the Basin Plan. Its purpose is to achieve the best possible environmental outcomes using the increased, but still finite, amount of water made available by the Basin Plan. The EWP provides both long-term planning and annual prioritisation for the Basin as a whole (Basin-scale) and for each water resource plan area (regional-scale) through state and Basin annual environmental watering priorities, long-term water plans and the Basin-wide environmental watering strategy.

A review of the EWP was undertaken by the MDBA in the 2020–21 water year. This review found that while the Environmental Watering Plan is working well, it was unclear how some parts have 'regard to' First Nations values and uses. The review also found that there are opportunities to strengthen First Nations values and uses, including working with First Nations to develop an overall objective on First Nations ecological values. The MDBA will continue to work with First Nations and environmental water holders to strengthen the incorporation of First Nations' objectives into environmental watering. For more information, go to [Environmental Watering Plan Review | Murray–Darling Basin Authority \(mdba.gov.au\)](#).

While there remains further useful improvement to be made, the annual planning cycle is more responsive. As an example, the CEWO's annual watering plans have been produced with input from First Nations across the Basin. These plans consider the objectives of the EWP, the Basin annual environmental watering priorities, lessons learnt from previous antecedent conditions and range of watering options under different climatic scenarios.

Environmental watering strategy

The Basin-wide environmental watering strategy builds on the environmental objectives in the Basin Plan. It sets out the improvements that we expect to see for river flows and connectivity, native vegetation, waterbirds and native fish when water is recovered for the Basin environment and other measures to improve flows in the river system.

The MDBA continued to formalise incorporation of First Nations' ecological objectives and outcomes into the Basin-wide environmental watering strategy and identified improvements that may be considered in the next legislative amendment of the Basin Plan. As the environmental watering strategy directs the CEWO and Basin state governments with respect to watering priorities, these changes will help First Nations have more influence in how water is managed to protect and restore the Basin environment.

Annual environmental watering priorities

Basin-wide environmental watering priorities build on local, regional, and state priorities and represent the annual steps needed to achieve the Basin Plan's long-term goals for native vegetation, waterbirds, native fish, river flows and connectivity.

The 2020–21 water year was the *first time* the Basin-wide environmental watering priorities explicitly included objectives and benefits experienced by First Nations from the delivery of water for the environment on Country. Planning for this commenced in the 2019–20 water year through the First Nations Environmental Water Guidance (FNEWG) Project.

The MDBA and the CEWO partnered with NBAN and MLDRIN to share information, collaborate and integrate First Nations' outcomes directly into current water management practices. In trying to find a common language between traditional ecological knowledge and western science, this process identified the additional complementary theme of Connecting with Country. For First Nations, water for activities such as fishing, gathering, swimming, teaching and storytelling, cannot be separate from water for the environment, so objectives for this theme were also collected. Through the FNEWG Project, NBAN and MLDRIN worked with other First Nations groups to participate in the decisions on water for the environment in their regions.

This collaboration provided opportunities for First Nations to influence Basin-scale prioritisation of environmental outcomes with complementary cultural benefits. Recognising that independent, culturally authoritative and strategic input from First Nations people can improve decisions regarding water for the environment, the MDBA will be working with First Nations to ensure that the 2022–23 Basin-wide environmental watering strategy (3rd edition) will include First Nations' objectives and outcomes for shared benefits of water for the environment. More information on the FNEWG Project can be found at: [First Nations environmental water guidance | Murray-Darling Basin Authority \(mdba.gov.au\)](#)

Engaging First Nations across the Basin

The Murray–Darling Basin covers 14% of Australia’s land area. It covers large areas of New South Wales and Victoria, all of the Australian Capital Territory, and some of Queensland and South Australia. The Basin is divided into 2 parts:

- Water in the northern Basin runs into the Darling River and includes northern New South Wales and southern Queensland in a complex network of people and places, industries and organisations with many and varied needs.
- Water in the southern Basin runs into the River Murray. The southern Murray–Darling Basin encompasses approximately 40% of the Murray–Darling Basin. It is comprised of the Murray River and its tributaries in New South Wales, Victoria and South Australia, the Lower Darling River upstream of the Menindee Lakes to the Coorong, a shallow lagoon at end of the Basin.

Northern Basin

First Nations representatives from across the northern Basin identified environmental objectives for their Country for the 2020–21 water year. These objectives were developed through the First Nations Environmental Guidance Pilot project. The project was led by the New South Wales Government with input coordinated by NBAN and involvement with the CEWO. It was an important first step in incorporating First Nations’ objectives into environmental water planning and identified priority sites such as the Mehi River sites and the Valetta swamps, and indicator species such as Brolga and Magpie Geese.

The New South Wales Government and the CEWO also participated in workshops run by the Barkandji Native Title Group Aboriginal Corporation to support the development of their Healthy Country Plan. The objectives and values identified in the Barkandji Healthy Country Plan will inform where water for the environment in the Darling (Baaka) River will be delivered.

The CEWO worked with the Gomeroi Water Engagement Committee and other local First Nations groups, such as Mungindi Local Aboriginal Land Council, to support the Gomeroi Nation become more involved with management of water for the environment. A key outcome of this is a project being developed for the Gomeroi Nation to provide environmental water guidance advice in 2022–2023.

Following on from this work, the CEWO, in collaboration with Basin state environmental water managers, will continue to work with First Nations to learn from them, to better understand and include First Nations’ objectives and values when planning and managing environmental flows. As the next steps, the CEWO will develop and implement a work program to work with First Nations groups in the northern Basin. This work will also ensure First Nations are able to actively participate in the planning and management of environmental flows.

Sharing the outcomes from environmental flows with First Nations is a key step in this process and will include a two-way exchange of knowledge. This information exchange and collaboration will improve the outcomes achieved from providing water for the environment, while also ensuring First Nations’ values are part of the environmental water decision-making and management processes. For more information, go to [First Nations input to planning - DAWE](#).

Established in 2019, NBEWG is a forum to coordinate planning and delivery of water for the environment across the northern Basin. During the 2020-21 water year, NBEWG agreed in-principle to invite First Nations to participate as an observer at future NBEWG meetings. First Nations representative's attendance at NBEWG meetings will provide an opportunity to explore and coordinate connectivity, cultural and environmental outcomes. This approach builds on the SCBEWC model in the southern Basin.

Basin governments continue to strengthen their relationships with First Nations to ensure they are involved across the entire environmental watering cycle, from strategic planning to real-time decisions. As an example, after an unseasonably hot and dry spring in the northern Basin, sections of the Barwon–Darling (Baawan–Baaka) river system were drying up and becoming a series of stagnant and shrinking waterholes. First Nations groups, along with other community members, expressed concern about the health of the river. Based on this concern, in 2020–21 water year, the CEWO released water for the environment in the Barwon River to the Walgett region, an area that was considered at significant risk.

Southern Basin

During the 2020–21 water year, substantial effort was made across the southern connected Basin to continue the momentum for First Nations' involvement in the planning of water for the environment.

An important forum held on Latji Latji Country in April 2021 brought together First Nations from many parts of the southern Murray–Darling Basin to share information about the health of Country and discuss preferred outcomes from the management of water for the environment. At least 12 Nations were represented and emphasised the need for strengthening partnerships between water agencies and First Nations. Organised by the CEWO, the MDBA and MLDRIN, the forum was convened to give First Nations an opportunity to share ideas and information about their Country's watering needs to form guidance for system-scale watering.

Participants at the forum collaborated to produce a powerful statement ([First Nations input to planning - DAWE](#)) on environmental water use for 2021–22. With the consent of participants, the statement was directly reproduced across many environmental water planning documents for 2021–22. Examples include the CEWO's [2021-22 water management plan](#), the Victorian Environmental Water Holder's [seasonal watering plan](#), South Australia's Department for Environment and Water's [annual environmental watering plan and priorities](#), and [SCBEWC's](#) Operational Scenarios document. This work will guide future opportunities for strengthened alignment of water delivery to support First Nations' objectives.

Another outcome was the refinement of SCBEWC's watering proposal template to better collect information on cultural objectives and outcomes associated with proposed watering actions at key sites. This provides a site-based overview of individual First Nations' advice and priorities and improves SCBEWC's line-of-sight to how cultural values have been considered. More information can be found at [First Nations input to planning - DAWE](#).

The SCBEWC's First Nations Engagement subgroup met regularly in 2020–21 to coordinate engagement across agencies. This subgroup coordinated annual case studies on First Nations involvement in the management of water for the environment and undertook a scan of First Nations

participation across Basin governments. This scan, reported to the Environmental Water Committee, revealed important information including, but not limited to:

- that culturally appropriate approaches need to be ensured
- that many of the current collaborations have been established through government mechanisms that are not designed with First Nations in mind
- that there is no 'roadmap' or single destination, as agencies have to work with individual First Nations on the unique pathways they want to progress that will respect First Nations' knowledge systems, culture and lore
- that more work is needed to understand and remove the legal and policy barriers to increase First Nations involvement.

Representatives from MLDRIN were invited to attend SCBEWC meetings to support two-way learning. This provides MLDRIN with transparency around SCBEWC's operational coordination role and has resulted in SCBEWC's terms of reference being updated to formally include MLDRIN representatives as advisory members. MLDRIN's membership is intended to increase First Nations' influence in water management, including how cultural objectives, values and outcomes are considered in the environmental water planning process, management and use. The MLDRIN advisory role aims to maximise system-scale benefits through complementing the existing engagement that occurs with individual First Nations in water planning at the site/local scale.

The CEWO have been working with the Wamba Wamba and Perrepa Perrepa Nations through Yarkuwa Indigenous Knowledge Centre to identify First Nations' values and objectives for the Edward/Kolety–Wakool River systems. While some of the identified First Nations' objectives sit outside the scope of being able to influence water for the environment, environmental flows will aim to contribute to identified values and uses where possible.

Traditional Owners from Ngaywang, Maraura and Yorta Yorta Nations attended a workshop in June 2021 with the Environmental Water Committee. They provided advice and guidance for management of water for the environment, including the distinct role of Women's Business in looking after water, and the essential role water plays in the lives of all First Nations Australians. This workshop focused on activities that included First Nations in managing water for the environment, the strengths of different approaches, gaps and opportunities to improve.

The Australian Capital Territory Government worked with established groups to facilitate ongoing collaboration and input of local knowledge into water resources policy and planning. The Environment, Planning and Sustainable Development Directorate and Icon Water facilitated an 'Aboriginal Waterways Assessment' with members of the Ngunnawal community to help First Nations assess the cultural health of their Country. Information from this, and future waterway assessments, will be used increasingly to inform water resource planning, policy and program delivery.

The Australian Capital Territory Government has committed to continue including local knowledge and solutions to inform implementation of the Basin Plan. The Water Policy team has recruited its first Ngunnawal Water Policy Officer to support further engagement with, and inclusion of, Ngunnawal interests in water management. The Australian Capital Territory Government is also

developing a Cultural Resource Plan and a Cultural Flows Plan, which will help inform the next review of their environmental flow guidelines in 2024.

The Victorian Government is committed to embedding First Nations' influence in all aspects of water management. The Victorian Government has committed to Treaty negotiations and the adoption of self-determination as the guiding approach in Aboriginal affairs. Current priorities to strengthen engagement with First Nations on environmental watering include:

- building the cultural competency of all government staff involved in environmental water management
- funding First Nations to participate in environmental water planning and delivery through Aboriginal Waterway Assessments, Environmental Water Management Plan development, Victorian Seasonal Watering Plan development and implementation, and The Living Murray program.

The Victorian Government funded 9 Aboriginal Water Officers (AWOs) from the Murray–Darling Basin in 2020–2021. AWOs play a significant role in promoting informed discussion to support First Nation's values and uses through Victoria's existing water resource planning and management processes. They deliver projects in partnership with Traditional Owner corporations, First Nations communities, catchment management authorities (CMA) and water corporations. The positions provide a dedicated water expert on Country who support First Nations to self-determine how they wish to partner with the water sector.

Working on local projects and programs enable AWOs support the Victorian Government to better understand and incorporate traditional ecological knowledge into water resource planning. The AWOs are situated in:

- Yorta Yorta Nation Aboriginal Corporation
- First People of the Millewa–Mallee Aboriginal Corporation
- Tati Tati Wadi Wadi Nations
- Dja Dja Wurrung Clans Aboriginal Corporation
- Taungurung Land and Waters Council
- North Central CMA in partnership with Barapa Barapa Wamba Wamba
- North East CMA
- Mallee CMA
- MLDRIN

The South Australian Government worked in partnership with several key reference groups, including the Ngarrindjeri Aboriginal Corporation and the First Peoples of the River Murray and Mallee Region. Consultation informed annual watering priorities, ecological objectives and targets; for example, the recruitment and survival of threatened small-bodied fish in the Lower Lakes. South Australia also amended its River Murray Long-Term Environmental Watering Plan to include updated First Nations' values.

During the 2020–21 water year, the CEWO and Basin state governments worked with First Nations to implement local watering actions. As an example, the Nari Nari Tribal Council partnered with the

CEWO to undertake watering in the Toogimbie Indigenous Protected Area. Water for the environment is overseen by Nari Nari rangers to ensure that environmental assets are being cared for in accordance with cultural protocols. The Victorian Government has been working with the Goulburn Broken Catchment Management Authority and Taungurung Nation to identify culturally significant off-channel wetlands that will benefit from water for the environment. In addition, following a planned water for the environment event in South Australia, Aboriginal Water Assessments were conducted with the First Peoples of the Millewa–Mallee (Latji Latji and Ngintait Nations). The assessments were done at Carparks Lagoon, Piggy Creek, Martins Bend and Disher Creek to assess the condition at these sites.

As with the northern Basin, the relationships between Basin governments and First Nations are being built on mutual trust and respect, and First Nations involvement in environmental water planning ranges from influencing strategic planning to real-time and local scale decisions. There is strong commitment by all Basin governments to support First Nations to share objectives for water management.

The Living Murray Indigenous Partnerships Program

The Living Murray Program is coordinated by the MDBA and focuses on maintaining the health of 6 icon sites along the river, chosen for their environmental, cultural and international significance.

A network of Indigenous facilitators operates across The Living Murray Icon Sites (as well as other Indigenous rangers employed via State governments) to help engage with local First Nations to inform environmental watering and monitor the outcomes of water use. Beginning in 2020–21, joint governments provided additional budget to The Living Murray Indigenous Partnerships Program, which has increased Indigenous facilitator employment opportunities and boosted First Nations engagement activities. As part of the joint government The Living Murray Indigenous Partnership Program, a forum was held in Barham during May 2021 to support Indigenous facilitators and site managers exchange information, build cross-site understanding and communicate directly on a regular basis.

A new template was created in 2020–21 for The Living Murray monitoring proposals. This template prompts site managers to broaden First Nations' interests and involvement outside of annual planning into other areas of adaptive management of water for the environment.

While routine community consultation was heavily affected due to COVID-19 disruptions throughout 2020–21, The Living Murray Program and partners were able to adapt and move to virtual meetings with information packages on proposed watering events distributed to key stakeholders. This enabled community engagement to continue in water planning and implementation, but it is no substitute for face-to-face discussions on Country.

Managing water for the environment

Managing water for the environment is a collective and collaborative effort, working in partnership with communities, First Nations, scientists and government agencies. Environmental water managers engage with First Nations on a variety of planning and management decisions. Some of this engagement is enacted through more formal processes required in the Basin Plan; others occur because there is genuine intent to address some of the injustices of the past and support First Nations achieve their objectives. Key themes to emerge from the reporting year include:

- connection to Country
- protecting important waterways and culturally significant species and sites
- opportunities to carry out cultural practices and for Elders and younger generations to share knowledge
- opportunities for shared, or two-way learning between First Nations science and western science
- learning, training and employment opportunities.

Collectively, these themes contribute to keeping culture strong and are discussed below including their interaction with water resource plans under the Basin Plan.

Water resource plans

Water resource plans (WRPs) are an important mechanism to manage and deliver water for the environment. Basin governments are responsible for working with First Nations when they prepare WRPs. There are 33 WRP areas in total: 14 for surface water, 14 for groundwater, as well as 5 that cover both. Thirteen WRPs have been accredited and are currently operational in Queensland, Victoria, the ACT and South Australia. When considering WRPs, the Authority consults with relevant Indigenous organisations, such as MLDRIN and NBAN in relation to whether the requirements in the Basin Plan on Indigenous values and uses (Part 14 of Chapter 10) are met.

The assessment of all 20 New South Wales' proposed WRPs has been completed, including formal advice from MLDRIN and NBAN on the adequacy of the Indigenous values and uses content of the proposed WRPs. The assessment of these plans identified potential inconsistencies with Basin Plan requirements. As a result, the New South Wales Government has withdrawn all 20 WRPs and advised they will be amended to make them consistent with the Basin Plan before being resubmitted for assessment. The MDBA looks forward to receiving the remaining WRPs and positive outcomes reflected in the planning processes.

Water management will continue to evolve over time, and changes to accredited WRPs are anticipated as new information comes to hand. The Australian Capital Territory Government has demonstrated an ongoing commitment to water reform and improving relations and outcomes for Ngunnawal Traditional Owners. The Environment, Planning and Sustainable Development Directorate meets monthly with the Dhawura Ngunnawal Caring for Country Committee to further

Ngunnawal participation and interests in water management in the Australian Capital Territory, including updating the WRP to represent Ngunnawal perspectives and provide input on the government's efficiency measure investigations. This included seeking support for the intent of the water efficiency investigations and identifying impacts and opportunities.

In Queensland, the *Water Planning Science Plan 2020–2030* recognises the need to effectively engage First Nations throughout the water planning process, and the need to improve understanding of the interactions between flow regimens and cultural values. The Queensland Government is in the process of developing a state-wide approach to ensure that water plans, including current approved WRPs, are underpinned by effective partnerships with First Nations that strengthen their involvement in the water planning process. More information can be found at [Water plan monitoring, reporting and review | Business Queensland](#).

Cultural flows

Cultural flows are water entitlements that are legally owned and managed by First Nations to improve the spiritual, cultural, environmental, social and economic conditions of these Nations. Cultural flows are not consistently part of the water management system in Australia and achieving this will take time.

The Australian Government has committed \$40 million to establish a water investment program that supports First Nations plan for and implement cultural and economic entitlements.

The National Cultural Flows Research Project is driven by, and for, First Nations and has sought, over 7 years, to establish a national framework for cultural flows. The implementation of the National Cultural Flows Research Project is currently underway. It is being administered by the MDBA on behalf of the Department of Agriculture, Water and the Environment. The project has suffered significantly from the impact of COVID 19 as it requires significant travel and face-to face consultation with First Nations.

Despite setbacks, the project is continuing to deliver very good results with NBAN producing management plans for 12 Nations, and 6 more Nations plans in draft. In the southern Basin, an example of the type of work being produced by the project can be found in the Margooya Lagoon Cultural Flows Management Plan produced by Tati Tati First Nations in partnership with MLDRIN. More information can be found at the [Cultural Flows Research Project](#).

Keeping culture strong

Water for the environment can support cultural practices and benefits can be achieved from environmental outcomes. Protecting and restoring waterways and species that are important to First Nations supports cultural practices, provides traditional food sources and raw materials for medicines. Involving First Nations in restoring and protecting important sites can assist with meeting cultural obligations to Care for Country. This includes protecting First Nations' Dreaming, and knowledge sharing between Elders and younger generations. Opportunities to implement cultural obligations and share knowledge are created whenever activities are held on country.

First Nations people across the Basin are continuing to play an active role in protecting and managing the land and their culture through the Murray–Darling Basin Indigenous River Rangers Program. One of several initiatives under the Murray–Darling Communities Investment Package, this program allows river rangers to use their knowledge and connection to Country and water to manage and restore rivers and wetlands across the breadth of the Basin.

In the latest Indigenous River Rangers Program grant round the Barkandji Native Title Group Aboriginal Corporation secured more than \$4.2m to continue the Barkandji river rangers' operations until 2028. An additional 5 new Indigenous river ranger groups were also established in the 2020–21 water year and include:

- Dharriwaa Elders Group
- Border Ranges Contractors Pty Ltd
- First People of the Millewa–Mallee Aboriginal Corporation
- Yarkuwa Indigenous Knowledge Centre Aboriginal Corporation
- Nari Nari Tribal Council.

Each of these organisations applied for funding to be part of the Murray–Darling Basin Indigenous River Rangers Program, which will allow at least 27 new positions to be created in these areas. More information about the Indigenous River Rangers Program is available from the [National Indigenous Australians Agency](#).

In Queensland, the Killarney Fish Rescue project (jointly funded through the Emergency Response Plan under the MDB Native Fish Recovery Strategy and Queensland Government) was a close collaboration between scientists and policy staff from the Queensland Government, Griffith and James Cook Universities, and a private aquaculture company. Beyond the project team, there was consultation in the planning and implementation phases across relevant Queensland Government agencies, Southern Queensland Landscapes, Githabul Nation Traditional Owners and local property owners.

Githabul representatives also accompanied members of the project team during the release of captive river blackfish in July 2020. This provided an important opportunity for the project team and Githabul representatives to share their interest in the project outcomes and discuss opportunities to highlight Githabul cultural and traditional ecological knowledge and understanding. Overall, this consultation ensured appropriate permitting, permissions and reporting were in place and that key stakeholders were both aware of and supported the action. On-going monitoring by the Queensland Government for the presence of river blackfish using eDNA samples has been conducted in consultation with, and in some cases by, Queensland National Parks Rangers, property owners and Githabul Nation Traditional Owners.

The Barkandji river rangers, based in Menindee, New South Wales, are actively involved in preserving and supporting the Darling (Baaka) River. This includes the Lower Darling–Baaka Recovery Reach program, a collaborative project led by the New South Wales Government and the MDBA. Working collaboratively, this project builds capacity and shares knowledge on water for the environment and fish needs. The Barkandji river rangers assisted with water quality monitoring as inflows reached Menindee and the Lower Darling in early 2021. Particular focus was on collecting dissolved oxygen levels and temperature data to inform risk of poor hypoxic water quality events. The river rangers

will assist with future fish monitoring and research projects as opportunities allow as part of the Recovery Reach program.

As part of the native fish drought response and recovery in the Lower Darling (Baaka) River, adult brood stock were rescued from the drying Darling (Baaka) River in 2019. In the 2020–21 water year, hundreds of thousands of native fish bred from this brood stock were released back into the Darling (Baaka) River. Barkandji representatives were consulted and assisted during brood stock collection and fish rescues, the release to hatchery ponds, and then the return to Country at the release of fingerlings at Pooncarie and Menindee. More information can be found at [Lower Darling–Baaka Recovery Reach – Finterest](#).

MLDRIN was funded by the Victorian Government in the 2020–21 water year to conduct 8 Aboriginal Water Assessments (AWAs) for First Nations groups in the Murray–Darling Basin. The AWA tool consistently measures and prioritises river and wetland health so that First Nations can more effectively participate in water planning and management. The AWAs are expected to be conducted in locations such as Mallee Country, various waterways and wetlands between Robinvale and Lindsay Point, and Barapa Barapa Country. They are planned to be used for reconnecting with Country, as well as providing data that informs waterway management and planning.

Six self-determined water projects in the Murray–Darling Basin were funded by the Victorian Government through its Water, Country and Community Program in 2020–21. These projects will be implemented by the Yorta Yorta Nation Aboriginal Corporation, First People of the Millewa–Mallee Aboriginal Corporation, Tati Tati Wadi Wadi, Dja Dja Wurrung Clans Aboriginal Corporation, Taungurung Land and Waters Council and North Central CMA in partnership with Barapa Barapa Wamba Wamba. The funded projects have various outputs and outcomes as self-determined by First Nations, with a particular focus on enabling long-term water planning and strategies. Themes that will be addressed include monitoring, mapping, and evaluating Country; community consultation and gatherings; capacity building; and Country plan implementation.

The Riverland Indigenous Rangers in South Australia developed a wetland tour that emphasises the benefit of water for the environment. Despite COVID-19 disruptions, this tour was run 6 times with 38 participants during the 2020–21 water year. The Riverland Indigenous Rangers manage all of the pumps during operation, collect delivery data and assist with environmental monitoring of watered sites. Other activities undertaken by the rangers include construction and maintenance of retention banks, grading and repair of access tracks to watered sites, pump set-ups and feral monitoring and control.

The Riverland Indigenous Rangers also participated in a workshop at Calperum Station in June 2021. The workshop (Indigenous Ecology in Action) brought First Nations students together to learn how to care for land and water using traditional knowledge passed on by local Elders to Indigenous rangers. It was an opportunity to share western research being done on animal and plant responses to water for the environment and better understand how this work also supports cultural values and uses.

Through the Murraylands and Riverland Landscape Board in South Australia, the Mannum Aboriginal Community Association Inc (MACAI) managed the environmental watering of Sugar Shack Wetlands 6, maintained the pump equipment and monitored water levels. Working in collaboration with the Board, the MACAI planned, coordinated and implemented the first water for the

environment event. The Board also worked with Gerard Community Cultural Rangers in the watering at Katarapko, Regent Parrot Floodrunner and Kat Creek Floodrunner North. The Gerard rangers checked water levels, the pump and helped prepare the sites. The rangers participated in monitoring activities such as water quality and fish monitoring at Putjeda Creek and black box condition monitoring at Gerard and used drones to assess sites during watering events.

Community Elders and leaders of the Ngarrindjeri Nation shared their knowledge with the Community Advisory Panel, the South Australian Government and the CEWO in June 2021 during a tour of the Coorong (Kurangk). This included stories, naming important sites for Ngarrindjeri, raising awareness of the cultural history, discussing the significance of the region and emphasising the importance of water for the environment in maintaining cultural values.

Another important initiative that supports intergenerational knowledge sharing is being supported by the South Australian Government who have partnered with the Ngarrindjeri Aboriginal Corporation to develop a database of cultural knowledge to inform the future management of the Coorong. Research topics to be recorded in the database include:

- the significance and use of freshwater soaks and wells along the Coorong (Kurangk)
- knowledge of the pelican breeding islands in the Coorong (Kurangk)
- the Salt Creek/South Lagoon's past importance to Ngarrindjeri Ngartji's (totems) breeding cycles.

Funded through the Healthy Coorong, Healthy Basin program, this initiative is Ngarrindjeri led and owned. It will enable intergenerational learning for Ngarrindjeri people to share knowledge of the Coorong and local ecology, ensuring that Ngarrindjeri knowledge is considered in water planning, and cultural values are protected and lead to the wellbeing of their people. More information can be found at [Department for Environment and Water | Ngarrindjeri knowledge database to inform Coorong management](#)

Summary

Across jurisdictions, there are many current examples of First Nations influencing or participating in all stages of management of water for the environment. This would not have been the case 10 or even 5 years ago; for example, the 2020–21 water year was the first time the Basin-wide annual environmental watering priorities explicitly included objectives and benefits for First Nations from the delivery of environmental water on Country. While First Nations involvement in annual environmental water planning is a relative strength, environmental water holders are still young in walking this journey together with First Nations and there is much room to grow.

There are initial opportunities to leverage collective resourcing, be more deliberate about generating change and provide an authorising and enabling environment so that all water agencies can align key areas of action. There are potential emerging areas such as increasing involvement in on-Country water delivery and monitoring. Future opportunities include influencing legislation and policy reform such as the 2022–23 update of the Basin Environmental Watering Strategy, the 2026 Basin Plan Review and the Treaty process committed to by the Victorian Government to help better achieve the structural changes required to meet First Nations' aspirations and cultural outcomes.

Abbreviations and acronyms

AWA	Aboriginal Water Assessments
AWO	Aboriginal Water Officer
CEWO	Commonwealth Environmental Water Office
CMA	catchment management authority
DAWE	(Australian Government) Department of Agriculture, Water and the Environment
EWP	Environmental Watering Plan
FNEWG Project	First Nations Environmental Water Guidance Project
MDBA	Murray–Darling Basin Authority
MLDRIN	Murray Lower Darling Rivers Indigenous Nations
NBAN	Northern Basin Aboriginal Nations
NBEWG	Northern Basin Environmental Watering Group
SCBEWC	Southern Connected Basin Environmental Watering Committee
WRP	water resource plan

Office locations – First Nations Country

Adelaide – *Kurna*

Canberra – *Ngunnawal*

Goondiwindi – *Bigambul*

Griffith – *Wiradjuri*

Mildura – *Latji Latji*

Murray Bridge – *Ngarrindjeri*

Toowoomba – *Jarowair and Wakka Wakka*

Wodonga – *Dhudhuroa*

 [mdba.gov.au](https://www.mdba.gov.au)

 1800 630 114

 engagement@mdba.gov.au