THE BASIN PLAN IMPLEMENTATION

Culturally Appropriate First Nations Consultation Report with Ngarabal Nation
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This report was prepared by consultants Big River. We acknowledge Ngarabal knowledge, ownership and the contribution this is has made to help us prepare this. We are grateful for their support which has been vital to the delivery of this report.

All material in sections 4 and 5 and as otherwise acknowledged is First Nations Cultural Knowledge provided by Senior Traditional Owners and Traditional Owners of the Ngarabal Nation for this consultation report. Senior Traditional Owners also provided guidance on the consultation process and report draft.

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Acknowledgement of Traditional Owners

The NSW Department of Planning, Industry and Environment - Water and Big River Consulting Pty Ltd recognise the traditional owner knowledge and cultural values associated with natural resources water management. We acknowledge and pay tribute to the traditional owners of the Ngarabal nations of the Murray Darling Basin. In particular, the traditional owners of the Ngarabal Nation past, present and emerging for its cultural and spiritual contribution to natural resource management. NSW Department of Planning, Industry and Environment - Water and Big River are grateful to the senior traditional owners of the Ngarabal nation, in particular their trust, generosity and openness. We trust a respectful and beneficial relationship will continue to evolve with future generations.

Foreword

NSW Department of Planning, Industry and Environment - Water engaged Big River to deliver a First Nations stakeholder consultancy. This involved a co-design process with the Ngarabal nation enabling the recording of the traditional owners aspirations and their inclusion in the design of the Water Resource Plans. Ngarabal consultations took place at Glen Innes, New South Wales in October and November 2019. The consultation process was designed to meet the requirements of the Murray Darling Basin Plan (Chapter 10, Part 14) and was in accordance with Murray Darling Basin Authority best practice. This report outlines consultation methodologies and processes and makes recommendations for future consultations. It presents the objectives and outcomes of the Ngarabal Nation for the management of water resources based on their values and their needs.
Glossary

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>AMS</td>
<td>Aboriginal Medical Service</td>
</tr>
<tr>
<td>Basin Plan</td>
<td>Murray Darling Basin Plan</td>
</tr>
<tr>
<td>GILALC</td>
<td>Glen Innes Local Aboriginal Land Council</td>
</tr>
<tr>
<td>MDBA</td>
<td>Murray Darling Basin Authority</td>
</tr>
<tr>
<td>MLDRIN</td>
<td>Murray Lower Darling Rivers Indigenous Nations</td>
</tr>
<tr>
<td>NBAN</td>
<td>Northern Basin Aboriginal Nations</td>
</tr>
<tr>
<td>STOs</td>
<td>Senior Traditional Owners</td>
</tr>
<tr>
<td>TO/s</td>
<td>Traditional Owner/s</td>
</tr>
<tr>
<td>TSR</td>
<td>Travelling Stock Route</td>
</tr>
<tr>
<td>WRP</td>
<td>Water Resource Plan</td>
</tr>
<tr>
<td>WSP</td>
<td>Water Sharing Plan</td>
</tr>
</tbody>
</table>

Notes on terminology

‘First Nations’ is an Australian term used to refer to the original owners, individuals, communities and nations. It is used in preference to the generic terms ‘Aboriginal’ and/or ‘Indigenous’, which denies the diversity of our Australian original inhabitants. The term ‘First Nations’ acknowledges the specific jurisdiction individual nation groups preserve over certain areas of Country across Australia.

‘Ngarabal’, as recommended by the Ngarabal Nation Organiser and used for Native Title, is the name for the people and Nation consulted for this report.

‘Traditional Owners’ is the term ‘used to refer to those with recognised cultural authority to speak for Country’, as suggested by the Murray Darling Basin Authority. ‘Senior traditional owners’ has been used for those with respected senior authority within certain areas and/or families as identified by the Ngarabal Nation Organiser in this consultation. They are sometimes also labelled ‘knowledge holders’ and/or ‘elders’.
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Executive summary

The Ngarabal people are the traditional owners of Glen Innes, northern New South Wales and have occupied this country for thousands of years. The Glen Innes Local Aboriginal Land Council was established in 1984 and manages approximately 12000 hectares. The Willows is located in the middle of this land. The adjoining property, Boorabee is owned by the Boorabee Aboriginal Corporation and both properties are located near Strathbogie Station, Emaville which is known as a safe place. It is a former Nucoorilma Mission where many Ngarabal people lived until the early 20th century.

The Ngarabal Nation is covered by five water resource plans, one surface water plan and four groundwater plans. The purpose of this report is to assist with the design of Water Resource Plans (WRPs) which aim to outline community, environmental, economic and cultural outcomes, meet water management rules and the objectives of the Murray Darling Basin Plan.

The report aims to unpack Ngarabal water outcome management methodologies and the relationship between cultural values and water use.

Consultation methodology

A co-facilitated NSW Department of Planning, Industry and Environment - Water and Big River information workshop was held on Friday 8 November 2019 involving eight elders and the CEO of the GILALC, comprised of three women and five men. On the same day subsequent meetings and interviews took place. On 31 October, group interviews were held with six Ngarabal Nation representatives with equal gender representations and individual interviews also took place. These discussions were about the impact of culture and water on wellbeing. It was important to establish the objectives and outcomes in relation to water, especially its cultural and social relevance to belonging. Jackie Byrnes offered Big River support for which we are grateful.

A draft summary was forwarded on 22 November 2019 and informal meetings with eight traditional owners took place on 29 November 2019 to review it.

Findings and recommendations

Themes

The data gathered during the workshop identified five themes regarding water values and uses: healthy country and people; cultural continuity and revival; custodianship and jurisdiction; equity, redress and compensation; and partnerships and communications. While these themes are global, these report identified themes relate directly to Ngarabal tribal water resources and management.

Categories

The purpose was to determine the water values of the Ngarabal Nation and to identify the risks, objectives and outcomes needed to protect them. It was identified water is critical to the Ngarabal people because it obviously touches all aspects of their cultural, social, environmental, spiritual and economic life.

A wide range of risks were identified which are known to impact upon the environment and the waterways of the Ngarabal cultural on country practices. These risks involved land use practices adjacent to waterways; water management and planning practices; a lack of economic development for the Ngarabal people and governance practices. The Ngarabal Nation expressed the desire for the quality of their waterways to be restored.

Findings

The Ngarabal elders explained they were working towards improving their country and water quality. We suggested the following:
Representations

- the elders seek a close relationship with the water stakeholders; a seat at the table at all levels of government to oversee water management and for water catchment decision making groups to be made up of community people, farmers and irrigators.
- the development of water applications and seek involvement in decision making on feedlots and market gardens.
- the protection of sacred sites and lands; animals migration due to drought and its impact on the local ecology.
- Water bores need to be controlled and people need to stop using them when it rains. The artesian table will be drained unless there is more control.
- water allocations need to be managed. Ask for less water to be available on the open market
- fair and transparent water allocation processes

Communication

- two months will be needed to distribute a two page plain language update to be distributed to Land Council members and to be posted on its website, published in Newsletters and posted on Facebook so the local Aboriginal community will have access to it
- seek water details from the local media including television, radio and newspapers.
- seek a briefing about current water allocations to promote awareness and highlight misuses
- Seek transparency, provide lists of water allocations and forward Summaries written in plain English

Opportunities

- Concerns about the lack of employment opportunities and the motivation of younger generations were raised. This is related to a lack of purpose which used to be managed by traditional on country encounters and water activities. Economic water allocation was sought to help address unemployment, welfare dependency and antisocial behaviour. Water allocations for businesses and aquaculture will involve restocking other regions. The Ngarabal people manage a considerable amount of land.

Water Quality

- concerns about feedlots and chemical fertilisers contaminating river ways and the water quality were raised. A briefing was sought and disclosures of agreements on the disposal of waste and water testing was sought to establish whether waste is entering the unfiltered waterways.
- local waterways need to be tested. There are high rates of cancer in the region which could be related to the quality of the waterways. Six of the participants had four immediate family members with cancer and this resulted in an average of three deaths per participant. Calls to determine whether water quality is a contributing factor were made and an independent study was requested.
- Beardy River is believed to be responsible for skin rashes and said to smell like old blue metal and tar. This poor water quality is believed to be caused by the leaking quarry.
- Blue green algae needs to be controlled
- Need to keep the waterways free of European carp

Recommended Actions

- the Pindari Dam water is low and needs to be increased
- control over bore water use is needed because the artesian table may be drained
- 80 per cent of the willow gum trees are dying. This needs to be urgently addressed. If it not managed properly, koalas will continue to die. The koala is a local totem integral to Aboriginal cultural practices
- mechanisms to stop water flowing into the ocean needs to be implemented. A dam is needed before the water merges with tidal salt water
- the high rate of cancer needs to be formally and independently investigated
- the water quality needs to be tested and involve feedlots. Where does the dirty, stinking water go? Are there plans to dam Rangers Valley?

There are endangered animals, plants and insects at the Willows. New species and animals thought to be extinct have been identified. UNE scientist should be consulted about recommendations for protecting endangered species.
1. Terms of reference

1.1. Murray–Darling Basin Plan Guidelines

The consultation was informed by the Murray Darling Basin Authority (MDBA) guidelines designed to meet the Murray Darling Basin Plan (Basin Plan) (Chapter 10) requirements in relation to Aboriginal objectives and outcomes for water. As outlined in Basin Plan Section 10.52: Objectives and Outcomes based on Indigenous Values and Uses, Water Resource Plans (WRPs) need to ‘identify the objectives and outcomes desired by Aboriginal people as it relates to the management and use of water resources’ …‘through appropriate consultation with relevant Aboriginal organisations’. (p. 4) The MDBA Part 14 guidelines suggest appropriate consultation processes to ensure that the concerns of Traditional Owners are taken into account and consider how the Akwe: Kon Guidelines might be applied in the context of water resource planning. The Part 14 Guidelines have shaped the Ngarabal Nation consultation process and are referred to throughout this document.

The MDBA, Northern Basin Aboriginal Nations (NBAN) and the Murray Lower Darling Rivers Indigenous Nations (MLDRIN) encourage a nation-based approach to consultation. As noted in the MDBA Part 14 Guidelines, ‘Aboriginal Nation boundaries mostly don’t correspond with State Boundaries.’ Figures 1 and 2 show the area within which the Ngarabal Nation sits, indicating the boundaries of WRP surface water and groundwater areas respectively and listing Nations within each. Based on these maps, developed by NBAN and MLDRIN, findings from the Ngarabal consultation will be used in the following WRPs:

- **Surface Water WRPs:** SW16 NSW Border River surface water

![Figure 1. Extract: ‘A Guide to Traditional Owner Groups for water resource plan Areas: Groundwater’.](image-url)

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1.2. Roles

Big River was engaged as a First Nations stakeholder consultant to provide consultation with traditional owners of the Ngarabal Nation. The consultants worked in collaboration with the NSW Department of Planning, Industry and Environment - Water Principal Aboriginal Cultural Liaison Officer, NSW Department of Planning, Industry and Environment - Water Aboriginal staff and the Ngarabal Nation Organiser with the following role descriptions:

**First Nations Stakeholder Consultant** shares a cultural bond with traditional owners. This person conducts value/trust face to face talks with traditional owners and co-facilitates NSW Department of Planning, Industry and Environment - Water staff and helps manage subsequent workshops.

**NSW Department of Planning, Industry and Environment - Water staff** coordinates staff and consultant activities to ensure the knowledge gained is properly considered for the development of state wide strategies and policies. This role ensures the knowledge gained contributes to the development of Water Resource Plans, water sharing plans, flood plain management and water quality management plans. This role coordinates workshop logistics involving invitations, venue bookings, catering, the agenda and provides maps and workshop notes.

**Nation organisers** (Northern Basin Aboriginal Nations (NBAN) and Murray Lower Darling Rivers Indigenous Nations (MLDRIN) are engaged by NSW Department of Planning, Industry and Environment - Water to:

- assist NSW Department of Planning, Industry and Environment - Water staff to identify key stakeholders, including traditional owners and identified First Nations groups
- conduct culturally appropriate introductions between First Nations stakeholders, Big River and NSW Department of Planning, Industry and Environment - Water staff and attends interviews with key stakeholders
- assist First Nations stakeholders gain an understanding of the purpose of engagements and consultations and provides assistance explaining agreements including information use agreements
- attend community workshops.
1.3. Scope of work

First Nations stakeholder consultants were given the following brief prior to the consultation process. First Nations stakeholder consultants will:

- work with the NSW Department of Planning, Industry and Environment to build a list of key stakeholders for each nation, identifying senior traditional owners and custodians to be consulted and provide appropriate references.
- work with NSW Department of Planning, Industry and Environment staff to prepare checklists and questions before face to face meetings.
- work with NSW Department of Planning, Industry and Environment staff, visit and engage with key stakeholders face to face; describe the engagement process (supported by appropriate presentation and communication material prepared by NSW Department of Planning, Industry and Environment).
- at the face to face meetings seek traditional owners to attend and contribute to a one day workshop.
- at the face to face meetings identify traditional owner values and translate water resource plan objectives.
- brief the Nation Organiser and NSW Department of Industry management on the outcomes of the face to face meetings and traditional owner expectations before each workshop so workshop formats can be designed to suit each Nation.
- play a key role in the one day workshops and coordinate the organiser to foster productive and open discussion on the proposed values and objectives.
- follow each workshop, prepare a final consultation report identifying and prioritising key values, objectives and themes for the Nation.
2. Methodology

2.1. Principles for culturally appropriate Nation-Based consultation

**Sustainability** — ensure environmental, economic, social and culturally conscious processes and outcomes

**Inclusivity** — ensure sensitive consideration of those involved

**Adaptability** — ensure the planning and delivery of positive outcomes

**Respect** — ensure enjoyable, productive and respectful consultations mindful of cultural traditions

The NSW Department of Planning, Industry and Environment - Water and Big River approach to consultations has been refined and adapted to suit the needs of individual projects. We value compassionate communication and encourage:

- taking responsibility,
- understanding the needs of other parties, and
- working together to develop strategies designed to meet inclusive needs.

The consultation and engagement process is vital to the development of effective plans designed to serve the needs of end users.

We aim to ensure participants are engaged, understand content and context, have appropriate feedback mechanisms and where possible, have direct input into planning.

We have assisted in identifying an understanding of the values, uses, objectives and outcomes of water management respectfully. We are committed to working collaboratively with traditional owners of the Ngarabal Nation and respect their cultural, economic and environmental aspirations.

2.2. Nation-Based approach

The consultation methodology enables First Nations people to continue their traditional roles as custodians of the land. A nation based approach is encouraged by the MDBA, NBAN and MLDRIN, sustains the presence of individual Nations and encourages them to contribute to Water Resource Plans within the context of their cultural boundaries Figure 1 and Figure 2. First Nations people are invited to assist the government to make informed water planning decisions.

This consultation is based on a Nation-based approach. It has been designed by NSW Department of Planning, Industry and Environment – Water, based on Dhirranggal Solutions’ ‘Principles for Culturally Appropriate Nation-based Consultation’, and recognises traditional owner groups and their connection to country.

First Nations governance structures are complex and engaging with government is in its infancy phase. The engagement approach was guided by MDBA, NBAN, MLDRIN and accepted traditional cultural protocols. It relied on the Ngarabal Nation Organiser. MDBA states the term, ‘traditional owners’ to be used to refer to those with recognised cultural authority to speak for Country’ and recommends State governments identify appropriate traditional owners to consult. The use of the Nation Organiser is a guide relied on and accepted as a culturally appropriate protocol (and lore) which determines only internal representatives have the cultural authority to speak for tribal internal governance structures, guide consultative processes and identify senior traditional owners.

2.3. Indigenous Data Sovereignty

A culturally appropriate consultation framework acknowledges the rights of First Nations people and their knowledge.
The contract signed between Big River and NSW Department of Planning, Industry and Environment - Water included the following definition of First Nations cultural knowledge:

‘Accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources and relationships between people which are reflected in language, narratives, social organisation, values, beliefs and cultural laws and customs’.

Consultants are required to identify and gather First Nations cultural knowledge during consultations. This can only be used for specific purposes for the accreditation of WRPs. Ngarabal participants read through Data Use Agreements which has been designed to improve awareness of the research purpose and use of their knowledge. It involves signing a consent form and offers options for the recording and storage of their individual data.

2.4. Research methodologies

The consultation was guided by best practice principles for qualitative research, aligning with the principles of culturally appropriate nation based consultation and the MDBA Part 14 guidelines. Ethical considerations include the de-identification of data, the explanation of the purpose and scope and participant consent. These aligned with general considerations in the Akwe: Kon Guidelines:

- prior informed consent of the affected indigenous and local communities;
- ownership, protection and control of traditional knowledge; and
- the need for transparency.

Data Use Agreements and Participant Consent Forms defined this for participants. This represents a commitment to First Nations people that their knowledge will be treated confidentially and with respect.

The research is participant directed and will involve senior traditional owner face to face interviews. This has shaped the research design. This two pronged approach is recommended by the MDBA. Data was collected during a Glen Innes workshop with a subsequent meeting about data collection. Questions and open, narrative responses in line with the principle of flexibility of MDBA guidelines were encouraged and followed, ‘use appropriate tools and mechanisms for recording and understanding Aboriginal objectives and outcomes.’ A generic thematic analysis of interviews and workshop data was used to ‘provide a fair minded representation of the information and knowledge gained from the consultation process.’
3. The consultation process

The consultation process followed three phases:

- **Phase 1: Design and development**: planning, consultation tools (question lists and Data Agreements) and participant identification (stakeholder lists)
- **Phase 2: Preparation**: the Ngarabal Nation requested this phase be omitted
- **Phase 3: Consultation**: technical workshops with the wider Ngarabal community aimed at gathering input into Part 14 to be objectives and outcomes based on values and uses of water
- **Phase 4: Analysis and review**: data analysis and report writing.

The MDBA Part 14 guidelines advise ‘a planned approach to properly engaging Traditional Owners [TOs], including identification and involvement of appropriate TOs’ (Phase 1). It suggests genuine engagements in water resource planning must consult traditional owners for two specific purposes: information sharing and relationship building meetings (Phase 2) and technical workshops (Phase 3).

3.1. Phase 1: Design and development

Phase 1 involved the development of a stakeholder list, a Data Use Agreement and a question list for face to face interviews.

3.1.1. Stakeholder list

The stakeholder list was a key document required in the early stages of the consultation. It guides consultants and NSW Department of Planning, Industry and Environment - Water as a priority, to engage interview and workshop participants according to traditional nation based governance. Other regional stakeholders who do not operate on a nation based model were also included. The list classified stakeholders into the following governance types in an attempt to overcome a reliance on a few key stakeholders at the expense of others:

- **traditional owners**: groups and/or individuals under nation based governance
- **external governance**: those with non-traditional governance structures imposed from outside the Ngarabal Nation
- **historically connected**: those from other Nations who live on Ngarabal country

The Nation Organiser has cultural authority and internal knowledge of Ngarabal governance. This was essential for the development of the stakeholder list for a Nations approach. These senior traditional owners are not necessarily associated with established leadership agencies within the Aboriginal sector but are recognised as true cultural leaders by the Ngarabal community within grassroots governance structures. Big River has sought to obtain a list of community members to ensure inclusive representation of the various Ngarabal family groups and communities. However this could not be obtained before and/or during the Glen Innes meetings.

Stakeholder lists involved a desktop analysis of external and internal governance structures including Local Aboriginal Land Councils (LALCs), Aboriginal Medical Services (AMS) and social media groups. Native Title Services (NTS) should be contacted for the current claimants according to the Apical Ancestor Structure of the Ngarabal.

The stakeholder list is treated as a living document and names are added during the consultation process. All individuals on the list consented, (either via the Nation Organiser or Big River) to share their personal details. It will be kept by NSW Department of Planning, Industry and Environment - Water Aboriginal staff as guided by MDBA, ‘better practice would expand and update available knowledge and understanding about the relevant stakeholder groups that are linked with the Basin water resources in an area.’ (6)
3.1.2. Data Use Agreements

Data Use Agreements allow the Ngarabal people as a Nation or as individuals to be a part of the management and control of their information offered during consultations. Two different Agreements have been created for face to face interview and workshops (Appendices C and D) defining and explaining:

- the purpose and scope of the consultation
- identity protection measures ensuring data will be de-identified and personal details will be stored securely
- data storage procedures and options for participant choice
- data use First Nations cultural knowledge has limited uses for WRP development and accreditation, water planning and internal education

Data Use Agreements were read aloud at the beginning of each interview and during the workshops. Participants listened carefully to the options on the Data Use Agreement forms. All participants agreed to complete and sign the Data Use Agreement form.

The MDBA guidelines acknowledge, ‘it is an ongoing challenge for Aboriginal organisations to engage multiple and repeated times with governments for a range of purposes.’ (9)

The reason we have Data Use Agreements:

- to safeguard First Nations cultural knowledge
- to be used for WRPs with participants consulted for future water planning to be approached before releasing knowledge

3.2. Phase 2 – Preparation

Senior traditional owners were invited to participate in interviews and encouraged to share information because it is acknowledged these people are knowledge holders and heads of family groups within a contemporary cultural framework. They have built relationships and shaped the consultation process by giving feedback which will be used to guide community workshops. All attending elders enthusiastically participated.

Table 1. Participant Data: Traditional Owner face-to-face interviews.

<table>
<thead>
<tr>
<th>Date</th>
<th>Interviews</th>
<th>Families represented</th>
<th>Locations represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/11/2019</td>
<td>1</td>
<td>Cutmore, Daley, Green, Harrison</td>
<td>Glen Innes</td>
</tr>
<tr>
<td>09/11/2019</td>
<td>5</td>
<td>Cutmore, Daley, Davison, Green, Harrison, Kirk, Potter</td>
<td>Glen Innes</td>
</tr>
</tbody>
</table>

Families Represented do not necessarily correspond with surnames of participants. Some participants represent more than one family group.

3.3. Phase 3 – Consultation

Members of the Ngarabal Nation were invited to participate in the workshop which was one of a series of conducted as part of the New South Wales WRP planning process. In accordance with MDBA guidelines, traditional owners were invited to provide input concerning their preferred objectives and outcomes as informed by community water dependent values and uses. The workshop was designed to enable the sharing of information regarding the WRP planning process and to lay the foundations for future consultations.

The Ngarabal Nation chose to have the workshop first and then participate in interviews. This was an opportunity for Big River to build constructive relationships and assist with shaping the community workshop. It was successful. This success has built upon constructive trusting
relationships encouraging detailed data collection and analysis. These were open, honest and productive discussions.

3.3.1. Workshop logistics

Following recommendations received from the Ngarabal LALC its date, location and key invitees, NSW Department of Planning, Industry and Environment - Water staff organised the logistics for the Glen Innes workshop. The venue was selected by locals and catering was provided by NSW Department of Planning, Industry and Environment - Water. It was gratefully received.

3.3.2. Workshop processes

The workshop time allocation was reduced to four hours due to unforeseen circumstances. The workshop followed to this structure:

1. A Welcome to Country
2. Introductions
3. WRP and Water Planning information session (NSW Department of Planning, Industry and Environment - Water)
4. Data Use Agreement and Consent forms (Big River)
5. Feedback Session One

3.3.3. WRP and Water Planning Information Session (workshop 1)

NSW Department of Planning, Industry and Environment - Water followed the MDBA guidelines and provided information on water resource planning processes and outlined the WRP development process. Due to time constraints, the NSW Department of Planning, Industry and Environment - Water staff was not able to deliver the powerpoint presentation. However the Australian government water planning requirements was explained. Printed coloured maps were distributed articulating WRP areas and water planning strategies.

3.3.4. Data Use Agreement

Big River read out the data use agreement forms and explained the purpose of the Data Use Agreements, describing how the data would be collected and how it would be used. All workshop participants and interviewees agreed to sign the Data Use Agreement forms at the beginning of the interviews and at the workshop.

3.3.5. Feedback: Session one

Participants showed no hesitation in sharing cultural knowledge and their values related to water. It was acknowledged the Ngarabal Nation would prefer direct communication with Federal and State governments about water resource management.

3.3.6. Workshop two

An elder expressed frustration about the process. Despite this all participants shared cultural knowledge and values relating to water.

3.4. Phase 4 – Analysis and review

3.4.1. Analysis

Data obtained during the Glen Innes interviews and workshops have been organised as categories, subcategories and key responses to categories. This data is presented in a tabulated form below.
3.4.2. Review

It was agreed the draft report will be distributed to traditional owners for review ahead of the review session. This review session took place at Glen Innes on 22 November 2019. During both workshops and the review session, the Ngarabal Nation understood the report process. The final report was endorsed by Ngarabal Traditional Owners by phone with Big River following the final review workshop.

3.5. Overall participant data

The following table shows data collated from the workshop.

Table 2. Workshop data.

<table>
<thead>
<tr>
<th>Total participant data</th>
<th>Number</th>
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<tbody>
<tr>
<td>Total No. of Ngarabal participants</td>
<td>8</td>
</tr>
<tr>
<td>Total male</td>
<td>5</td>
</tr>
<tr>
<td>Total female</td>
<td>3</td>
</tr>
<tr>
<td>Total No. family groups represented</td>
<td>7</td>
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### 4. Findings: Themes

#### 4.1. Values and uses

Table 3. Values and Uses: Sub-categories by theme.

<table>
<thead>
<tr>
<th>Themes</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthy country and people</td>
<td>Animals</td>
<td>Koalas, Murray cod, yellow belly, cat fish, turtles, witchetty grubs</td>
</tr>
<tr>
<td></td>
<td>Plants</td>
<td>Gum trees, wattle, smarty arse, snotty gobbles, old man weed</td>
</tr>
<tr>
<td></td>
<td>Recreational</td>
<td>Swimming, children playground facilities, games, parks</td>
</tr>
<tr>
<td></td>
<td>Domestic</td>
<td>Clean drinking water, tea, irrigation for food gardens, safe bathing</td>
</tr>
<tr>
<td></td>
<td>Life inspiring</td>
<td>Respect, interconnectedness, survival, medicine, food, sustainability, healthy animals and plants, health</td>
</tr>
<tr>
<td></td>
<td>Natural infrastructure</td>
<td>Riverbanks and habitat</td>
</tr>
<tr>
<td></td>
<td>Well-being</td>
<td>Healing, safe space, emotional wellbeing, identity</td>
</tr>
<tr>
<td>Cultural continuity and revival</td>
<td>Food</td>
<td>Hunting, gathering, cooking, fishing, yabbying, turtles, witchetty grubs</td>
</tr>
<tr>
<td></td>
<td>Community</td>
<td>Meetings, gatherings, competition, language</td>
</tr>
<tr>
<td></td>
<td>Cultural and sacred sites</td>
<td>Rock formations, burial grounds, spiritual water bodies</td>
</tr>
<tr>
<td></td>
<td>Spirituality</td>
<td>Balance, spiritual beings, law, restrictions, everything has its place</td>
</tr>
<tr>
<td></td>
<td>Transfer of knowledge</td>
<td>Men’s business, women’s business, water as teacher, yarning, law</td>
</tr>
<tr>
<td>Custodianship and jurisdiction</td>
<td>Management of country</td>
<td>Water as an indicator of the health of country, bank maintenance, walking country</td>
</tr>
<tr>
<td></td>
<td>Responsibility</td>
<td>Welcome to country, elders, intergenerational links, sharing resources</td>
</tr>
<tr>
<td></td>
<td>Homelands</td>
<td>Camps, missions, commons, occupation sites, reserves, ancestral links, travel routes</td>
</tr>
<tr>
<td>Equity, redress and compensation</td>
<td>Economic</td>
<td>Ngarabal Water Management Plan</td>
</tr>
<tr>
<td>Partnerships and communication</td>
<td>First Nations partnerships</td>
<td>Messaging, sharing resources</td>
</tr>
</tbody>
</table>

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2 Information contained in this section is First Nations Cultural Knowledge provided for the development and accreditation of Water Resource Plans.
4.1.1. Ngarabal Nation summary

Table 4. Values, uses, objectives, outcomes, impacts and risks.

<table>
<thead>
<tr>
<th>Animals</th>
<th>Vegetation</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Koala</td>
<td>• old man weed: cures everything</td>
</tr>
<tr>
<td>• Platypus</td>
<td>• smarty arse: grows on the Mann River, rub it and throw into river. Get the name of the cutting grass</td>
</tr>
<tr>
<td>• Witchetty grubs</td>
<td>• gum trees</td>
</tr>
<tr>
<td>• Goanna</td>
<td>• wattle</td>
</tr>
<tr>
<td>• Emu</td>
<td>• snotty gobbles</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fish</th>
<th>Waterways</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Yellow belly</td>
<td>• Mann River</td>
</tr>
<tr>
<td>• Murray cod</td>
<td>• Beardy Waters</td>
</tr>
<tr>
<td>• Cat fish</td>
<td>• Severn River</td>
</tr>
<tr>
<td>• Eel-tail catfish</td>
<td></td>
</tr>
<tr>
<td>• Fresh lobster</td>
<td></td>
</tr>
<tr>
<td>• Crayfish</td>
<td></td>
</tr>
<tr>
<td>• Mussels</td>
<td></td>
</tr>
<tr>
<td>• Long neck turtles</td>
<td></td>
</tr>
</tbody>
</table>

4.1.2. Water

Life depends upon water. Our people, plants, animals and creation stories. This is the flooded land, as in the Bible. Yes, when the waters are abated from here, the highest places of our country are on the top the plateaus and the tablelands. So what does it mean when the water goes away? What does it mean when the people leave with it? This is a billabong and like a lagoon and river the waters are swallow and settled everywhere. There are lots and lots of river systems here starting at this dividing range. They either flow west or east. This is what we say when the waters flow backwards.

4.1.3. Koala Totem

‘This is why a koala has come to be. He was the one guy. He stayed home and Aboriginal people used to spend nearly everyday, five hours of the morning hunting and gathering. That’s why we were so fit. He stayed home and food was there from the day before because they went out and supplemented what they already had. You know, he stayed home at any age. He only climbed up the tree to get away from the Nation when they came back from hunting. They were angry, really, really angry. He climbed up the fork of the tree. Gum trees like that show how the Koala bear got a big flat nose. He’s got no tail because humans don’t grow little tails here. But when he’s in there, they bashed him so much. All those things made him and that’s why he’s the koala bear. He lives on that country and those eucalyptus gum leaves cure his thirst. He does not come down for water and all he eats is that. He adds to my knowledge.

This Important story is a tool for teaching our children about moral values, keeping our spirituality, help keep the community healthy, showing that on property there are risks because a lot of the trees are dying because of the water situation.

Like I said, the other thing is when you talk about the koala bear and the greedy man - that’s a social thing, that’s a moral thing, ethical to share. Sharing with other Nations sharing of their food, they all worked together and they all shared. So
these are really good values to teach our children. So if these things are not in our bush anymore, it's very hard we'd be teaching our kids out of the pictures.’

4.1.4. Water creature stories

**Cod fish:** the cod was important for us to share, so we shared it because we used to be friendly with the eastern Nations. The Murray Cod got into the Mann River when the Beardy flooded so much so, it went backwards into the Mann.

**Bunyip:** when you talk about a bunyip thing, it is sort of like it probably did exist way back then. It could be a myth but it's also a teaching resource. It's also good for teaching results. So tell the kids. Yeah, why ice crack will get you if you go over there.

But it also meant, don’t ask a women alone. No one ever goes swimming alone and always check the water before diving in. Things like that because if you jump on a log and break your back, they can when it was too shallow.’

4.2. Risks and impacts

Table 5. Risks and impacts: Sub-categories by theme.

<table>
<thead>
<tr>
<th>Themes</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthy country and people</td>
<td>Country</td>
<td>Erosion, silt beds, changing riverbanks, climate change</td>
</tr>
<tr>
<td></td>
<td>Plants</td>
<td>Loss of native plants and grasses, loss of bush tucker, loss of medicinal plants</td>
</tr>
<tr>
<td></td>
<td>Animals</td>
<td>Native animals threatened including koalas, fish, yabbies, mussels, witchetty grubs, turtles</td>
</tr>
<tr>
<td></td>
<td>Water quality</td>
<td>Pollution, rubbish, chemicals, feedlot run-off</td>
</tr>
<tr>
<td></td>
<td>Flows and levels</td>
<td>Dam levels and transparency with water allocation</td>
</tr>
<tr>
<td></td>
<td>Health and wellbeing</td>
<td>Health risks, social/emotional impact, dangerous environment</td>
</tr>
<tr>
<td></td>
<td>Social</td>
<td>Less play and recreation, no swimming, fewer gatherings</td>
</tr>
<tr>
<td></td>
<td>Land use</td>
<td>Livestock damage riverbank</td>
</tr>
<tr>
<td>Cultural continuity and revival</td>
<td>Foods and fishing</td>
<td>Less fishing, economic impact for families</td>
</tr>
<tr>
<td></td>
<td>Cultural site destruction</td>
<td>The protection of sacred sites and lands; animals migration due to drought and its impact on the local ecology.</td>
</tr>
<tr>
<td></td>
<td>Community</td>
<td>Limited to no connections to land adjacent to rivers and streams</td>
</tr>
<tr>
<td></td>
<td>No control</td>
<td>No representation, no consultation, lack of information</td>
</tr>
<tr>
<td></td>
<td>Limited capacity</td>
<td>Lack of economic development for Ngarabal people, no resources</td>
</tr>
<tr>
<td></td>
<td>Lack of access</td>
<td>N/A</td>
</tr>
<tr>
<td>Themes</td>
<td>Sub-categories</td>
<td>Detail</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Equity, redress and</td>
<td>Monitoring</td>
<td>Accountability, illegal pumping, illegal infrastructure (weirs and dams)</td>
</tr>
<tr>
<td>compensation</td>
<td>and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>compliance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Water</td>
<td>Farming, feedlots, overuse, inequity, chemicals, water waste</td>
</tr>
<tr>
<td></td>
<td>allocations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Infrastructure</td>
<td>Dams, weirs, bores, poor maintenance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partnerships and</td>
<td>Consultation</td>
<td>Lack of inclusion, lack of action</td>
</tr>
<tr>
<td>communication</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>Rhetoric, not reality, lack of respect for Ngarabal Nation and</td>
</tr>
<tr>
<td></td>
<td>Policy</td>
<td>their knowledge</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.2.1. Cultural sites and stories

*Birthing Stones:* ‘At the end of the main street there is a birth place, a ‘women’s place’, right next to a creek. But at the end of the main street there is the Craigieburn Tourist Park where there’s great big rocks are bell rock. This and the other Aboriginal women used to go there because for some reason the wild raspberry used to be good for birthing. It’s like the well sometimes that comes with pregnancy but the stones are there and that’s the birthing. Traditionally we didn’t live here. We occupied the land but it’s like everything that’s all that’s left of their artefacts. The reason they left there is because when you go walkabout you get to come back. You know, they decided to be pregnant at the same time in the Nation and because they used to practice contraceptive with a stone in their vagina, you won’t hear that at college or anywhere else.’
5. Objectives and outcomes

The MDBA Part 14 guidelines advise the aim of consultation processes should be ‘to identify the traditional owner’s objectives for water management and the desired outcomes these objectives would contribute.’

- **Objectives** are commonly understood to mean ‘aspirations’ or ‘goals’ and are often expressed as wishes.
- **Outcomes** are commonly thought to be the result of achieving an objective. In other words, the vision.

Table 6. Objectives and outcomes - Sub-categories by theme.

<table>
<thead>
<tr>
<th>Theme</th>
<th>Objectives</th>
<th>Outcomes</th>
</tr>
</thead>
</table>
| Healthy country and people   | Improvement of water in rivers monitor waterways to identify and rectify pollution | • Quality water for the Ngarabal people  
• Infrastructures restricting flow to be minimised  
• Monitor waterways to identify and rectify issues  
• Beardy River is believed to be responsible for skin rashes and said to smell like old blue metal and tar. This poor water quality is believed to be caused by the leaking quarry. |
|                             | Monitoring and test run off does enter waterways                             | • Cattle are restricting land adjacent to rivers and streams  
• Concerns about feedlots and chemical fertilizers contaminating river ways and the water quality were raised. A briefing was sought and disclosures of agreements on the disposal of waste and water testing was sought to establish whether waste is entering the unfiltered waterways.  
• Local waterways need to be tested. There are high rates of cancer in the region which could be related to the quality of the waterways. Six of the participants had four immediate family members with cancer and this resulted in an average of three deaths per participant. Calls to determine whether water quality is a contributing factor were made and an independent study was requested.  
• Blue green algae needs to be controlled |
<p>| Custodianship and jurisdiction | Control over water interests given to the Ngarabal people to support their role as custodians. | • Improved access to waterways |
| Equity, redress and compensation | Increase employment opportunities for Ngarabal people in water management including conservation and monitoring. | • Economic improvements and development for the Ngarabal Nation |</p>
<table>
<thead>
<tr>
<th>Theme</th>
<th>Objectives</th>
<th>Outcomes</th>
</tr>
</thead>
</table>
| Partnerships and communication | Governments to work transparently and co-operation with the Ngarabal Nation | - Explore opportunities to work with the Ngarabal Nation to implement new industries in aquaculture and native animal breeding programs  
- Seek a close relationship with the water stakeholders; a seat at the table at all levels of government to oversee water management and for water catchment decision making groups to be made up of community people, farmers and irrigators.  
- The development of water applications and seek involvement in decision making on feedlots and market gardens.  
- Water bores need to be controlled and people need to stop using them when it rains. The artesian table will be drained unless there is more control.  
- Water allocations need to be managed. Ask for less water to be available on the open market  
- Fair and transparent water allocation processes |

**Communication**
- Two months will be needed to distribute a two page plain language update to be distributed to Land Council members and to be posted on its website, published in Newsletters and posed on Facebook so the local Aboriginal community will have access to it  
- Seek water details from the local media including television, radio and newspapers.  
- Seek a briefing about current water allocations to promote awareness and highlight misuses  
- Seek transparency, provide lists of water allocations and forward summaries written in plain English
Appendix A. Groundwater map

This map was endorsed by the Murray Lower Darling Rivers Indigenous Nations (MLDRIN) representative organisation on 20 August 2018 and The Northern Basin Aboriginal Nations (NBAN) representative organisation on 29 October 2018.

This map is published as a guide to Traditional Owner groups within the Murray-Darling Basin and may not capture all Traditional Owner groups within the Basin.

Source:
- Geoscience Australia © Topo 250k data (Series 3). Geoscience Australia © Topo 2.5 million data (2003)
- Murray-Darling Basin Authority © Murray-Darling Basin Water Resource Plan Areas - Groundwater

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Appendix B. Surface water map

A Guide to Traditional Owner Groups for Water Resource Plan Areas - Surface Water

This map was endorsed by the Murray Lower Darling Rivers Indigenous Nations (MLDRIN) representative organisation on 20 August 2018 and the Northern Basin Aboriginal Nations (NBAN) representative organisation on 23 October 2018.

Appendix C. Data Use Agreement interviews

PARTICIPANT INFORMATION SHEET
Workshops (Ngarabal)

First Nations Culturally Appropriate Nation-Based Consultation
For Water Resource Plans

NSW Department of Planning, Industry and Environment - Water

Thank you for agreeing to participate in the consultation workshops held by NSW Department of Planning, Industry and Environment – Water on Wednesday, 17 October 2018

Purpose
NSW Department of Planning, Industry and Environment - Water is conducting culturally appropriate consultations on a nation by nation basis to ensure the concerns of traditional owners are taken into account in the development of NSW Water Resource Plans (WRPs). These consultations will assist NSW Department of Planning, Industry and Environment - Water to meet its objectives in delivering water planning as per the Murray Darling Basin Plan under the Water Act 2007.

NSW Department of Planning, Industry and Environment - Water will be gathering information about First Nations values and water uses. You will be asked to identify potential risks to your values and water uses as well as identify objectives and outcomes for future preservation and management.

Information Use
Big River on behalf of NSW Department of Planning, Industry and Environment - Water will be gathering written notes about the information you provide. These will be used to write a Consultation Report and to inform the development of specific Water Resource Plans in New South Wales. Notes from the workshop will be retained by Big River for review purposes but will not be given to NSW Department of Planning, Industry and Environment - Water. The report and notes will not be used for other purposes.

Your name will not be stored with any of the information provided. Your name and other details you choose to provide on the participant register will be used for feedback and statistics only.

Photography
Big River may take photos during the workshop for use in the Consultation Report and on the NSW Department of Planning, Industry and Environment - Water internal social media site. Please indicate your consent below.

Review
Senior traditional owners will be given the opportunity to review the draft consultation report. All stakeholders will be given the opportunity to view Water Resource Plans and they will be available for public exhibition during 2018/2019.

Please contact Robyn Lang (m: 0400 404 370) for more information.
PARTICIPANT AGREEMENT

Workshops Ngarabal

First Nations Culturally Appropriate Nation based Consultation
For Water Resource Plans
NSW Department of Planning, Industry and Environment - Water

☐ I have been provided information about this workshop and understand its purpose.

☐ I understand my participation in this workshop is voluntary.

☐ I consent to Big River and NSW Department of Planning, Industry and Environment - Water collecting notes on my feedback and using them to provide a consultation report for writing Water Resource Plans.

☐ I DO/DO NOT (please circle) consent to Big River including me in photos of the workshop for the consultation report and NSW Department of Planning, Industry and Environment - Water’s internal social media.

☐ I would like my details below to be added to a list for further consultation and information about water planning in New South Wales.

Name: _________________________________   Signed: _______________________________

Phone: ________________________________    Email: ________________________________

Date:   _________________________________
Why be involved? The Ngarabal Nation involvement is important

The Ngarabal Nation involvement is important to us for the development of the Water Resource Plans. Today provides the opportunity to:

- Share First Nations water values and objectives to be included in Water Resource Plans
- Ensure the Ngarabal Nation values and objectives are protected
- Have your say in the way water is shared and managed across Ngarabal Nation
- Ensure First Nations are part of water planning and Water Resource Plans
- Ensure the government engages with the Ngarabal First Nations people

Questions to think about for water resource management across the Ngarabal Nation

- What is the value of water to you?
- How do you use water in the Ngarabal Nation?
- What challenges do these values and water uses present in Ngarabal Nation?
- How do you think water in the rivers and groundwater could be better managed for the Ngarabal Nation?
- What would you like to see happen for water management in five years time?
- What would you like to see happen for water management in 10 years time?