THE BASIN PLAN IMPLEMENTATION

Culturally Appropriate First Nations Consultation Report with Guwamu (Kooma) Nation
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This report was prepared by consultants EURAH AUSTRALIA and Dave Miller Facilitator.

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 Guwamu (Kooma) 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

NSW Department of Planning, Industry and Environment - Water and consultants, EURAH AUSTRALIA and Dave Miller Facilitator, acknowledge and pay their respect to all the Traditional Owners and their Nations of the Murray-Darling Basin. The contributions of earlier generations, including the Elders, who have fought for their rights in natural resource management, are also valued and respected.

In particular, NSW Department of Planning, Industry and Environment - Water acknowledges and pays its respects to the Traditional Owners of the Guwamu (Kooma) Nation, past, present and future and the continuation of cultural, spiritual and educational practices of the First Nations. NSW Department of Planning, Industry and Environment - Water and EURAH AUSTRALIA are grateful for the energy and time invested by the Senior Traditional Owners and other members of the Guwamu (Kooma) Nation in the consultation process and the creation of this report. NSW Department of Planning, Industry and Environment - Water and EURAH AUSTRALIA thank the Guwamu (Kooma) Nation for their generosity during their time on Country. It is hoped that this relationship can be built upon for future mutual benefit in the process of water planning and water sharing.

Foreword

This report has been prepared by EURAH AUSTRALIA and Dave Miller Facilitator, who have been contracted on behalf of the NSW Department of Planning, Industry and Environment - Water as a First Nations Stakeholder Consultant to co-design and deliver a round of Nation-Based consultations with the Guwamu Nation to record the concerns of Traditional Owners for inclusion in Water Resource Plans.

The Guwamu (Kooma) [hereafter Guwamu] consultation round took place in June and October 2019 in and around Cunnamulla in south west Queensland. The consultation process was designed to meet the requirements of the Murray Darling Basin Plan (Chapter 10, Part 14) and was conducted according to guidelines set by the Murray Darling Basin Authority for best practice traditional owner consultation. The process was a collaborative effort between EURAH AUSTRALIA/Dave Miller Facilitator, NSW Department of Planning, Industry and Environment - Water and the appointed Guwamu Nation Organisers.

This report outlines the consultation methodology and process, making recommendations for future consultations. It presents the Guwamu Nation’s objectives and outcomes for the management of water, based on their water-dependent values and uses, as determined in the consultation rounds.
Executive summary

The Guwamu (also known as Kooma) Nation are located in Central Queensland, and based around the Nebine, Paterson, Wallam and Mungallala Creeks, and parts of the Balonne River and Widgeegoora Creek. This is mostly flat floodplain country with hundreds of lakes and wetlands scattered across Guwamu nation.

As Native Title holders and owners of two large properties on the Nebine Creek, Murra Murra and Bende-downs, the Guwamu Traditional Owners are intensely aware how crucial water management is to the health of Guwamu country.

Guwamu country sits in the upper parts of the Murray Darling Basin; mostly in Queensland but also northern NSW. The creeks are heavily impacted by upstream extraction, including the infamous Cubbie Station. Irrigation is all too common throughout Guwamu country, and the impacts on flows is a great concern to Guwamu Nation.

The Guwamu TOs recognise that water is at the heart of management of their country, and they have some important concerns. This report summarises these interests into three broad themes.

1. **Interdependence – Guwamu and their land and water**
2. **Renewing Guwamu culture**
3. **Self determination**

Interdependence

**Values and uses**

The Nebine, Paterson, Wallam and Mungallala Creeks, and parts of the Balonne River and Widgeegoora Creek are the main creeks of the Guwamu Nation.

Guwamu Nation won Native Title over Guwamu country which has given them some great opportunities. Further, ownership of Murra Murra and Bendee Downs properties, in the very heart of the Guwamu Nation, presents some great prospects in the coming years in terms of managing Guwamu country.

**Risks and Impacts**

Water extraction places great strains on Guwamu country. Whilst some of the creeks are in quite reasonable condition, irrigation puts great stress on the water resources and traditional values. The health of the Guwamu country, which is inextricably linked to water – both its availability and its quality, is therefore a great concern.

Some of Guwamu country is in quite good condition. However, the Nation is deeply concerned about the risk that irrigation places on Guwamu land.

Further, there is increasing stress from impacted water quality, especially turbidity and sedimentation, mainly from contemporary grazing practices, where stock cause river bank erosion.

These concerns are deeply disturbing to Guwamu TOs, and they have been quite frustrated in having their voice heard, and their concerns addressed.

**Objectives and Outcomes**

The Guwamu Nation wants to be heard when it comes to decisions about irrigation licences on their country.

The Guwamu Nation wants to own and manage cultural flow entitlements.
With social and cultural outcomes as the main objective, the Guwamu want to increase their level of involvement in water management activities that affect their country.

Renewing Guwamu culture

Values and Uses

Guwamu people are nourished by their country, with Murra Murra and Bendee Downs properties are central to that.

The health of Guwamu country relies on water. Permanent water holes at Murra Murra are a crucial part of Guwamu contemporary culture, and an important meeting place. Gatherings at Murra Murra provide opportunities to practice culture, to maintain connection, and to heal.

Water and land can provide commercial opportunities for Guwamu people. The Guwamu Nation is particularly keen to establish an Aboriginal Water Ranger program. As well, there are aspirations to use cultural flows for small scale local enterprises.

Risks and Impacts

TOs believe excessive water extraction is the greatest threat to creeks of the Guwamu country, with flow-on impacts to social, spiritual and commercial outcomes. Further, degraded water quality also compromises the opportunity for swimming and fishing, important cultural pursuits.

The Guwamu will remain hopeful that cultural flows can go some way towards mitigating this decline.

Objectives and Outcomes

- To manage Guwamu land for the benefit of the Guwamu people.
- To see irrigation water retired, and for Guwamu to own a cultural flow entitlement
- Cultural sites benefit from cultural flows
- To run an Aboriginal Water Ranger program for the Guwamu people, employed and managed by the Guwamu Nation.

Self determination

Values and Uses

The Guwamu people will partner with other groups, especially pastoralists and state agencies, managing the land and water resources on Guwamu land. This will allow the Guwamu people to determine their own priorities, to influence others, and to improve the skills of the Guwamu people.

Risks and Impacts

The Guwamu identified barriers for Aboriginal participation in water management activities. However, their ownership of Murra Murra and Bendee Downs, and their successful Native Title determination, give Guwamu confidence in dealing with upcoming risks and impacts.

Objectives and Outcomes

- Guwamu people participate in all water management activities on Guwamu land and water
- Better outcomes for Guwamu values and cultural assets
- More involvement by Guwamu people in water management activities throughout their region.
- Guwamu host, manage and lead successful water projects, programs and activities.
Guwamu Nation creates pathways for Guwamu people to be successful in managing Guwamu land and water.
  - Establish and manage an Aboriginal Water Ranger program.
  - Successful commercial enterprises.
  - Successful social and cultural activities.
Glossary

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</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>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>TO/s</td>
<td>Traditional Owner/s</td>
</tr>
<tr>
<td>TSRs</td>
<td>Travelling Stock Routes</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 used to refer to the original owners of what we now term Australia, as individuals, communities and nations. It is used in preference to the generic terms ‘Aboriginal’ and ‘Indigenous’, which deny the diversity of Australia’s original inhabitants. The term ‘First Nations’ acknowledges the specific jurisdiction that individual nation groups have over certain areas of Country across Australia.

‘Guwamu’, as recommended by the Guwamu Nation Organisers, is the name for the people and nation consulted for this report. Guwamu Nation has also been called “Kooma” Nation. For the purposes of this report, the term Guwamu will be the preferred name.

‘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 or families, as identified by the Guwamu Nation Organisers in this consultation. They are sometimes also labelled ‘knowledge holders’ or elders’
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1. Terms of reference

1.1. Murray–Darling Basin Plan Guidelines

The consultation process was informed by the Murray Darling Basin Authority (MDBA) guidelines for meeting the Murray Darling Basin Plan (Basin Plan) (Chapter 10) requirements in relation to Aboriginal peoples’ 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 that relate 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 Guwamu 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. Appendices A and B show the area within which the Guwamu 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 Guwamu consultation will be used in the following WRPs:

- **Surface Water WRPs**: NSW Intersecting Streams (SW13)
- **Groundwater WRPs**: NSW Great Artesian Basin Shallow (GW13) and NSW Murray-Darling Basin Fractured Rock (GW11)

1.2. Roles

EURAH AUSTRALIA was engaged as a First Nations Stakeholder Consultant to provide consultation with Traditional Owners of the Guwamu 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 Guwamu Nation Organisers, with the following role descriptions:

The **First Nations Stakeholder Consultant** shares a cultural bond with traditional owners. They conduct high value/high trust face-to-face talks with Traditional Owners and co-facilitate (with NSW Department of Planning, Industry and Environment - Water staff) subsequent workshops.

The **NSW Department of Planning, Industry and Environment - Water Staff** coordinate all staff and consultant activities and ensures that knowledge gained is properly considered in developed state-wide strategies and policies. They ensure the knowledge gained ultimately contributes to development of Water Resource Plans, Water Sharing Plans, Flood Plain Management Plans and Water Quality Management Plans. They coordinate workshop logistics including invitations, venue bookings, catering, developing the agenda, providing the maps and workshop notes.

**Nation Organisers** NBAN and MLDRIN are engaged by NSW Department of Planning, Industry and Environment - Water to:
• Assist NSW Department of Planning, Industry and Environment - Water staff identify key stakeholders, including TOs, for identified First Nations groups
• Conduct culturally appropriate introductions between First Nations stakeholders, the Guwamu and NSW Department of Planning, Industry and Environment - Water staff and attend interviews with key stakeholders
• Assist First Nations stakeholders gain understanding of the purpose of engagement and consultation and provide assistance with explaining any 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 NSW Department of Planning, Industry and Environment - Water to identify the key stakeholders for each Nation, identifying all senior traditional owners and custodians to be consulted, providing appropriate references for how this was constructed.
• work with NSW Department of Planning, Industry and Environment - Water staff to prepare a checklist and questions, prior to the face-to-face meetings.
• visit and engage with all key stakeholders face-to-face. They will describe the engagement process we are seeking to undertake, supported by appropriate presentation and communications material prepared by NSW Department of Planning, Industry and Environment - Water.
• at the face-to-face meetings, seek traditional owner agreement to attend and contribute to a one-day workshop.
• at the face-to-face meetings, identify the values traditional owners hold and how they wish to see them translated into Water Resource Plan objectives.
• brief the Nation Organisers and NSW Department of Planning, Industry and Environment - Water management on the outcomes of the face-to-face meetings, and traditional owner expectations in advance of the workshop, so that workshop format can be tailored to suit each Nation.
• play a key role in the one-day workshops in coordination with the Organisers to foster productive and open discussion of proposed values and objectives.
• following each workshop, prepare a final consultation report identifying and prioritising key values, objectives and themes for the Nation.
2. Method

2.1. Engagement principles

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.

All engagement is underpinned by a deep respect for the knowledge of Traditional Owners, ensuring that this knowledge is only used with the written permission of Traditional Owners, and will always remain the property of Traditional Owners.

Engagement has been undertaken using a qualitative survey method. Responses from the face-to-face interviews provided examples and prompted thinking around the workshop approach. During the workshop, facilitation used open, but directed questions; and use of quotes (from face-to-face interviews) related to themes and categories. In each case, the consultants steered the workshop towards conversations about the key categories:

- Values
- Risks
- Objectives
- Uses
- Impacts
- Outcomes

2.2. Nation-Based approach

The consultation method enables First Nations people to continue their traditional roles as custodians. A nation-based approach, encouraged by the MDBA, NBAN and MLDRIN, sustains the presence of individual Nations and allows them to contribute to Water Resource Plans within the context of their cultural boundaries. With this approach, First Nations can assist government to make better decisions in water planning.

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.

Governance structures of First Nations are complex and in their infancy in engaging with government. The engagement approach taken was guided by MDBA, NBAN, MLDRIN and accepted cultural protocols. It relied heavily on the Guwamu Nation Organisers.

MDBA states that ‘the term ‘Traditional Owners’ is used to refer to those with recognised cultural authority to speak for Country’ and guides States to identify appropriate Traditional Owners for consultation. The use of the Nation Organisers as a guide relied on widely accepted cultural protocol and lore which determines that only internal representatives have the cultural authority to speak on a Nation’s internal governance structures, guide consultative processes and identify Senior Traditional Owners.

2.3. Indigenous Data Sovereignty

Part of a culturally appropriate consultation framework acknowledges the rights First Nations people over their own knowledge.
The contract signed between EURAH AUSTRALIA 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 any First Nations Cultural Knowledge gathered during the consultation. This can only be used for specific purposes in the accreditation of WRPs. Guwamu participants read through data use agreements which made them aware of the purpose of the research and the use of their knowledge, and signed consent forms, giving them options for the recording and storage of their individual data.

2.4. Research Methods – key principles

Respect for Culture

The MDBA Part 14 guidelines, require engagement to focus on the Traditional Owners who are associated with a Water Resource Plan area. A Nation-based approach; close collaboration with the Nation Organisers and using their network to identify participants and value cultural protocols; using Senior Traditional Owners to design workshops and check results; treating all participants with respect; seeking appropriate permissions and introductions; and working with Traditional Owners to gain support from the wider Guwamu community.

Flexibility

In this context, flexibility means that engagement methods can be varied to suit the needs of each Nation and community. Consultation tools included informal on-country discussions; one on one and group conversations; giving choice and control over the recording, use and storage of data; giving options for dates, times and meeting locations; respecting cultural commitments by allowing timeframes to be flexible.

Quality Assurance

In this context, quality assurance means maintaining a culturally appropriate method throughout the project. The key principle here is respect for culture from start to finish.

Traditional Owners have reviewed draft documents, to ensure they accurately report the interests of Guwamu.

Collaboration

Collaboration was essential between the consultants and Traditional Owners, NSW Department of Planning, Industry and Environment - Water and the Nation Organisers. Adam Brunton, Dave Miller and NSW Department of Planning, Industry and Environment - Water worked consistently with the Nation Organisers to ensure design was culturally appropriate.

The workshops were facilitated collaboratively.

Inclusivity and accessibility
The intention of all consultation activities was to include all interested Indigenous stakeholders, and to treat all with dignity and fairly.

Appropriate workshop venue was used to enhance accessibility.

Interviews were offered at a location of the participant’s choice.

**Clear communication**

MDBA requires that ‘clear information about water resource planning processes and content is provided to Traditional Owners.’ Clear communication requires information to be given in diverse formats and appropriate language. Workshops were an opportunity to present information about water planning. Appropriate lead in time and interviewing Senior Traditional Owners first built community awareness about the consultation. The data agreements were used to be clear about the purpose of the consultation.

**Transparency and outcomes**

Clear outcomes were developed by ensuring objectives, values and outcomes are clearly translated into the respective Water Resource Plans, consistent with Basin Plan requirements.

The engagement process is participant-directed, with Senior Traditional Owner face-to-face interviews shaping the engagement. This two-pronged approach was recommended by the MDBA. Data was collected through interviews with Cheryl Buchanan and Angus Mitchell in Cunnamulla. A follow up workshop was undertaken in Cunnamulla on 2 October 2019, and 3 members of the Guwamu joined. The Nation Organisers were not in attendance. The workshop and interviews were participative, with open questions, meaningful dialogue with narrative responses, in line with the principle of flexibility and MDBA guidelines to ‘use appropriate tools and mechanisms for recording and understanding Aboriginal objectives and outcomes.’
3. The consultation process

The Consultation Process followed four phases.

- **Phase 1: Design and development** – Planning, development of consultation tools (question list and data agreements) and participant identification (stakeholder list).
- **Phase 2: Preparation** - Face-to-face interviews with Senior Traditional Owners to share information, build relationships and guide planning of later workshops.
- **Phase 3: Consultation** - Technical Workshops with the wider Guwamu community to gather further input into the clauses of Part 14 on 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 TOs, including identification and involvement of appropriate TOs’ (Phase 1). They suggest that for genuine engagement in water resource planning, TOs be consulted for two specific purposes: Information sharing/relationship building meetings (Phase 2) and Technical workshops (Phase 3).

3.1. Phase 1: Design and development

Phase 1 included the identification of key Aboriginal stakeholders, a data use agreement and a question list for the face-to-face interviews.

3.1.1. Stakeholders

Involving the right Aboriginal stakeholders is a key to good representation. The Nation Organisers played a central role. As senior TOs, they are best placed to identify those Guwamu families and individuals who could contribute to the workshop, including, but not limited to:

- **Traditional Owners**: groups or individuals under Nation-based governance
- **External Governance**: those with non-traditional governance structures imposed from outside the Guwamu Nation
- **Historically Connected**: those from other Nations who live on Guwamu country

The Nation Organisers, Cheryl Buchanan and Angus Mitchell, with their cultural authority and internal knowledge of Guwamu governance, were essential to identifying the key stakeholders. They contacted and invited Guwamu TOs to ensure inclusive representation of Guwamu family groups and communities, which do not always correspond to towns. These TOs are not necessarily associated with established lead agencies in the Aboriginal sector, but recognised as true cultural leaders.

3.1.2. Data Use Agreements

Data Use Agreements allowed the Guwamu people, as a nation and as individuals, to play a part in the management and control of their information given throughout the consultation. Two different agreements were created: for face-to-face interviews and workshops (Appendices C and D). These defined and explained:

- **the purpose and scope** of the consultation
- **identity protection** measures: data was deidentified and personal details stored securely
- **data storage** procedures, giving options for participant choice
- **data use**: First Nations Cultural Knowledge was limited to use for WRP development and accreditation, water planning and internal education
The MDBA guidelines acknowledge that ‘it is an ongoing challenge for Aboriginal organisations to engage multiple and repeated times with governments for a range of purposes.’ (9) As one participant from a previous workshop noted,

‘There’s a lot of data out there about our culture, the state of the riverbanks and all that. It’s sad that every 5 years you’ve got to come and consult again. You see different faces who may not know as much.’

### 3.1.3. Question list

EURAH AUSTRALIA developed a question list in consultation with NSW Department of Planning, Industry and Environment - Water (Appendix E). This was used for the face-to-face interviews as a tool to encourage conversation, shape the interviews and ensure comprehensive coverage of information. This was useful to have as a guide, but was not always needed as interviews adopted a flexible, participant-controlled approach, often structured in a free-flow narrative style.

### 3.2. Phase 2 – Preparation

As the knowledge holders and heads of family groups within the contemporary cultural framework, Senior Traditional Owners were invited to participate in interviews to share information, build relationships and shape the consultation process by gathering feedback to guide the wider community workshops. Consultants, EURAH AUSTRALIA, conducted interviews with Senior Traditional Owners in June 2019.

#### 3.2.1. Face-to-face interview participant data

In total, two Traditional Owners were interviewed in Phase 2. As indicated in Table 2, there was an even gender spread. It is important to note that good representation for Culturally Appropriate Consultation is measured not by numbers, but by inclusiveness of family groups and communities. In total, these Senior Traditional Owners represented two different family groups.

**Table 1. Participant data: Senior Traditional Owner face-to-face interviews.**

<table>
<thead>
<tr>
<th>Date</th>
<th>M/F</th>
<th>Governance</th>
<th>Families represented*</th>
<th>Locations represented**</th>
<th>No. represented</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 June 2019</td>
<td>M</td>
<td>Two</td>
<td>Murra Murra</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>28 June 2019</td>
<td>F</td>
<td>One</td>
<td>Cunnamulla/Toowoomba</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

*Family groups represented do not necessarily correspond with surnames of participants.

**Locations Represented* do not necessarily relate to the interview location, but indicate what parts of Guwamu Country these Traditional Owners speak for.

#### 3.2.2. Face-to-face interview participant identification process

Senior TOs from the following groups were invited to be participants, always with guidance from the Nation Organisers:

- Grassroots Senior Traditional Owners
- Further suggestions from interview participants, while on the ground
- Native Title Applicants
3.2.3. Face-to-face interview process

Interviews were undertaken in a café in Cunnamulla, and included follow up discussion on the telephone.

3.2.4. Face-to-face interviews feedback

The feedback from the Senior TOs in these interviews will provide a good basis for the workshops and for the overall structure of the findings in this report. From these interviews, the following themes, were drawn out to guide the workshop discussions.

- Guwamu Nation is centred around the Nebine Creek, Patterson River, Mungallala Creek, Wallam Creek and the Balonne River. This is mainly floodplain country, with hundreds of lakes and wetlands scattered over the Guwamu nation area.
- Guwamu culture is centred around its water sites.
- There is a strong sense that rivers are degrading, with flows heavily impacted by extraction, and water quality much poorer than previously with pools affected by siltation.
- Guwamu TOs desire more opportunities to collaborate with Agencies, to participate in water management, and to work with their pastoralist neighbours on Guwamu country.
- Guwamu Nation are very interested in close collaboration with other Aboriginal Nations, especially around south west Queensland.

The feedback from the Senior TOs in these interviews provided a basis for the workshop and for the overall structure of the findings in this report.

3.3. Phase 3 – Consultation

This consultation uses a Nation-based approach. It has been designed by NSW Department of Planning, Industry and Environment - Water, and recognises traditional owner groups and their connection to country.

All engagement is underpinned by a deep respect for the knowledge of TOs, ensuring that this knowledge is only used with the written permission of TOs, and will always remain the property of TOs.

Engagement has been undertaken using a qualitative survey method. Responses from the face-to-face interviews provided examples and prompted thinking around the workshop approach. Photos taken while on country during phase 2, were used to prompt discussion.

During the workshop, facilitation used open, but directed questions; and use of quotes (from face-to-face-interviews) related to themes and categories. In each case, the consultants steered the workshop towards the key categories: values; risks; objectives; uses; impacts; and outcomes.

There was adequate time to delve into issues. The few out of scope issues that came from the floor were recorded for Department staff to follow up out of session.

3.3.1. Workshop participant data

One workshop was conducted in October 2019 in Cunnamulla. A total of four participants attended the workshop.
Table 2. Guwamu participants: WRP consultation workshops.

<table>
<thead>
<tr>
<th>Date</th>
<th>Town</th>
<th>Venue</th>
<th>No. participants*</th>
<th>M</th>
<th>F</th>
<th>Families represented**</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 October 2019</td>
<td>Cunnamulla</td>
<td>Shire Hall</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>Fogarty Buchanan Hooper</td>
</tr>
</tbody>
</table>

* At the recommendation of the Nation Organisers, only Traditional Owners have been represented.

**Family groups represented do not necessarily correspond with surnames of participants. Some participants represent more than one family group. Some did not respond.

3.3.2. Workshop process

Workshop lasted two hours according to the following structure:

1. Introductions
2. WRP and Water Planning information session (NSW Department of Planning, Industry and Environment - Water)
3. Data Use Agreement and Consent
4. Discussion

3.4. Phase 4: Analysis and review

3.4.1. Analysis

A large number of water management issues were raised during the interviews and workshop. A number of consistent themes emerged and this report is organised around these themes. The themes are broadly described as objectives, and in all cases, the Guwamu participants were able to articulate threats to these objectives, and as well, they spoke about some very clear outcomes that they aspire

3.4.2. Review

The draft of this report was circulated to the Guwamu Nation Organisers on 21 October 2019. The report was reviewed by Cheryl Buchanan, and feedback provided to EURAH AUSTRALIA. The report was subsequently finalised.
4. Findings: Themes

4.1. Interdependence – Guwamu and their land and water

Guwamu country is centred around the Nebine, Paterson, Wallam and Mungallala Creeks, and parts of the Balonne River and Wideeggoara Creek. This is mostly flat floodplain country with hundreds of lakes and wetlands scattered across Guwamu nation.

The Guwamu people are deeply connected to their land and water. They have been successful in winning Native Title across the Guwamu nation, and also own large properties in the heart of Guwamu country – Murra Murra and Bendee-Downs.

Guwamu country is semi-arid and can be very dry. As a result, the rivers, creeks and lake systems are integral to the Guwamu Nation. As one TO noted “we start life in the womb, surrounded by water. In life we want to always be close to water.”

Prior to European occupation, the Guwamu relied on the deep permanent pools on the Nebine Creek. These held water during even the driest periods. Combined with the “native wells,” which are artesian springs scattered across the country, Guwamu people inhabited a rich landscape and the Guwamu culture thrived.

Despite the low rainfall, water would have been abundant most of the time. The Nebine Creek was a permanent source of water for Guwamu, coming from intermittent but often large rainfall events in central Queensland, especially in the ranges around the towns of Mitchell and Morven. During flow events, the Creeks spilled across the Guwamu country and into huge wetland and lake areas.

In some wet seasons, vast numbers of water birds congregate across Guwamu country. Swans, brolgas and pelicans, and numerous species of duck nest during these bountiful times, triggering enormous breeding events. These plentiful times would provide a crucial source of protein and fat for the Guwamu people.

The aquatic species would respond similarly. Yellow belly, Murray cod, mussels, and crayfish would have been in large numbers in the creeks and wetlands. Bush tucker was also seasonal but plentiful at times, including grasses to make flours, as well as bush limes, wild oranges, passionfruit and bush bananas.

Water is central to Guwamu life. When water is abundant, the Guwamu people thrive. Lots of water means plentiful food resources and a rich and strong culture. Recently, for the first time, the permanent water holes on Nebine Creek have dried up. The Guwamu people fear that the actions of upstream farmers and irrigators are causing catastrophic impacts on the creeks. One TO lamented “the river never stopped flowing when I was a kid.”

Cultural/recreational and spiritual activities of the Guwamu people correspond with the availability of water. The Nebine and Wallam Creeks in particular are a focus of Guwamu community life, with many really important meeting places for the Guwamu people.

The Murra Murra and Bendee Downs properties are enormously important for Guwamu. A huge number of important sites occur, evidence of the very long association that Guwamu people have with Guwamu country – as one TO commented “possibly up to 100,000 years of occupation.” One example is the ancient stone fish traps on Nebine Creek, that trapped fish after the wet season waters abated. But more than just sites, all of the Guwamu country is crucially important to the Nation. One TO mentioned that “Nebine Creek is the Guwamu Nations compass, guiding them home.”

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1 Information contained in this section is First Nations Cultural Knowledge provided for the development and accreditation of Water Resource Plans.
Many of the dreamtime stories relate to water features, including the Rainbow Serpent. Today, however, Guwamu access to their creeks is very limited due to fencing and other constraints.

### 4.2. Renewing Guwamu culture

Like other Aboriginal nations, the Guwamu have a deep connection to their country. Owning and managing properties, as well as holding native title across Guwamu country provides fantastic opportunities for the Guwamu people to undertake cultural activities on their properties such as gatherings, with both social and spiritual aspects.

At “Healing Camps” the TOs mentor and teach young people in crisis, including Aboriginal and non-Aboriginal, to keep them in the community rather than in jail. Incarceration rates in the Aboriginal community in south west Queensland are some of the highest in Australia. Better connection to country can play an important role in helping people gain a sense of belonging, giving an identity and sometimes treating depression and mental health.

Dysfunction and crime can be treated on-country. By reconnecting with nature and culture, offenders and others have been rehabilitated.

Senior TOs understand that access to water entitlements might provide work opportunities for Guwamu people in the water industry. There is a possibility that cultural flows could be used for small scale agricultural enterprises that are sympathetic to the landscape. One TO mentioned an interest in growing hemp. “As an alternative to cotton, hemp is easy to grow, requires much less water and fertilisers, and is relatively disease and pest free.”

### 4.3. Self determination

The Guwamu Nation senses that with Native Title now granted across the Guwamu nation area, an important chance is emerging to take control of their own land and water future.

Going forward, Guwamu TOs will insist on leading the decision making on matters that affect Guwamu land and water interests. Guwamu will continue to press Agencies and others to work collaboratively with the Nation.

Guwamu TOs are very keen to maintain strong relationships with neighbouring First Nation groups, and honouring the “song-lines,” which connect Nations. One TO noted that working with other Nations “makes us all stronger.”

The Guwamu TOs are discouraged that their concerns about local land and water management are often ignored by Agencies. Issues including water theft, the large amount of irrigation water taken from their creeks, and the proliferation of “Cluster” fencing across the landscape, deeply distress the Guwamu as they witness these impacts on the health of their country.

Guwamu TOs strongly support the idea of Guwamu Aboriginal Water Rangers operating on Guwamu country, whose responsibility is to ensure irrigation activities are closely monitored, and extraction is in-line with licence conditions. As well, the rangers would monitor the health of the riparian zone, and ensure sacred Guwamu places are protected and other cultural sites monitored.
### 5. Findings: Categories

#### 5.1. Values and uses

**Table 3. Findings: Categories - Values and uses.**

<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interdependence</td>
<td>Waterways</td>
<td>The highest value cultural sites in the Guwamu Nation are the Nebine, Paterson, Wallam and Mungallala Creeks, and parts of the Balonne River, as well as the creeks and waterways that flow from these systems. Numerous lakes fill during wet seasons, as water spills out of the creeks and into extensive wetland systems.</td>
</tr>
<tr>
<td></td>
<td>Fish and animals</td>
<td>Yellow belly; Murray cod; cat fish; mussels; crayfish are valued as food sources, and also the social/spiritual aspects of fishing. Water birds were a traditional source of protein. Today, the Guwamu continue to feel a heavy responsibility to protect these animals.</td>
</tr>
<tr>
<td></td>
<td>Interconnected water</td>
<td>During wet periods, the creeks are connected by extensive lakes and wetlands. These are times of bountiful food, and they create a chance for the Guwamu country to heal. Healthy country leads to healthy people.</td>
</tr>
<tr>
<td>Well-being</td>
<td></td>
<td>Gatherings such as “Healing Camps” allow for Guwamu to fish and cook bush tucker, which provides an enormous sense of well-being for elders and others. These activities are always associated with water. Cultural flows might improve social and emotional well-being of the Guwamu Nation, by being able to use water for projects associated with cultural and social well-being.</td>
</tr>
<tr>
<td>Cultural land management</td>
<td></td>
<td>Reinstating cultural creek management practices, such as traditional burning activities will help to heal degraded areas. Better managed grazing, so there is less impact on water quality. The country immediately adjacent to creeks and lakes tends to be the focus of Guwamu culture. Camping and fishing in particular are important cultural interests. Looking after these lands by using traditional practices is a Guwamu priority.</td>
</tr>
<tr>
<td>Renewal</td>
<td>Social and spiritual</td>
<td>Time on country is always associated with water. Whether for social or family get-togethers, or for groups of disaffected persons, time on country rejuvenates individuals, and helps the Nation reconnect.</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.
<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural renewal</td>
<td>Youth programs</td>
<td>Youth programs for Guwamu kids helps keep the cultural thriving. Spending time with extended family and friends is enormously important for Guwamu to maintain Nation connections.</td>
</tr>
<tr>
<td></td>
<td>Healing</td>
<td>Healing programs on-country helps Guwamu people who have had issues with the law, addiction and mental illness.</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>Using Guwamu land and water resources to provide work and business opportunities. A Guwamu Aboriginal Water Ranger program, focussing on land care type activities on the Guwamu creeks and lakes, will be good for Guwamu country and its people. Owning Murra Murra and Bendee Downs properties presents an important opportunity for Guwamu to pursue ecotourism opportunities such as cultural tours.</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td></td>
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<tr>
<td></td>
<td>Commercial</td>
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<td></td>
<td>Commercial</td>
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<tr>
<td></td>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Cultural practices</td>
<td>Fishing; hunting;</td>
<td>Fishing; hunting; gathering, cooking – all done in a Guwamu way, where wildlife stocks are protected, sensitively managed and shared amongst the Guwamu community.</td>
</tr>
<tr>
<td></td>
<td>artefacts, and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>cultural practices around waterways and wildlife.</td>
<td></td>
</tr>
<tr>
<td>Cultural land management</td>
<td>Cultural burning practices; managing cultural sites and artefacts, and cultural practices around waterways and wildlife.</td>
<td></td>
</tr>
<tr>
<td>Self determination</td>
<td>Responsibilities</td>
<td>Building on its success with Native Title and ownership of the Murra Murra and Bendee Downs properties, Guwamu Nation values the notion of cultural flow entitlements to help maintain cultural assets.</td>
</tr>
<tr>
<td></td>
<td>Lead</td>
<td>Play an integral role in all land and water management projects on Guwamu country. This would include things like directing wildlife research, hands on with fish population assessments and water sharing and planning for the creeks on Guwamu country.</td>
</tr>
<tr>
<td></td>
<td>Change agent</td>
<td>Participate in discussions at local, regional and national levels on cultural flows and other important Aboriginal water policy considerations. Guwamu perspectives need to be considered, especially as they relate to Guwamu land and water.</td>
</tr>
</tbody>
</table>
## 5.2. Risks and impacts

### Table 4. Findings: Categories - Risks and impacts.

<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
</table>
| Interdependence           | Water extraction and irrigation        | The Guwamu TOs believe that irrigators take far too much water from the creeks in Guwamu country. For example, Cubbie Station is located downstream in Guwamu country and extracts huge volumes of water from the Culgoa river system, leaving the downstream interests of the Guwamu people heavily depleted.
|                           |                                        | Further, there is a strong view in Guwamu nation that water is being taken illegally from some of the creeks on Guwamu country. A deep and permanent water hole on the Nebine Creek has recently dried up, the first time ever in the experience of the Guwamu TOs. The TOs blame upstream extraction, some of which may not be legal.
|                           |                                        | There is a strong sense that water planning and monitoring work completely ignores Guwamu interests. As one TO stated “I'm very angry and also very sad about cotton and irrigation.” |
| Poor water quality        |                                        | Water quality in the local Guwamu creeks has deteriorated in recent years. Guwamu TOs said “everyone used to swim in the water holes 30 years ago. Not today though.” They believe that the main impact comes from erosion caused by cattle accessing the creeks. They believe that water quality decline has also impacted fish populations. One TO noted “The yellow belly have white spots and aren’t any good to eat these days.”
|                           |                                        | Carp are a new water quality problem. “The carp stir up the water. It’s much muddier today than in earlier times.” |
| Participation and opportunity |                                        | There is a strong sense with the Guwamu elders that their rights to water, and their interest in participating in water management is being stymied by recalcitrant agencies. “We’ve been trying to secure unallocated water on the Nebine for over 10 years and we just cannot get any traction.” |
| Cultural land management  |                                        | Unimpeded access by cattle impacts the river environment by causing erosion of the river banks, and subsequent sedimentation of the swimming holes and refuge pools. “Cattle access needs to be controlled, possibly with temporary fencing.”
|                           |                                        | Cultural burning practices – cool burns in autumn and winter - would help restore degraded water-ways and assist wildlife.
|                           |                                        | Access to the various waterways in the Guwamu nation area is very limited due to fencing.                                                                                                                                 |

<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewal</td>
<td>No allocations for cultural purposes.</td>
<td>Cultural flow water rights are non-existent in Guwamu country. There is no policy framework within which cultural flows can be considered. There seems to be no interest from environmental water managers to allocate water for cultural outcomes.</td>
</tr>
</tbody>
</table>
### Culturally Appropriate First Nations Consultation Report with Guwamu (Kooma) Nation

<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water quality</strong></td>
<td></td>
<td>Lack of flow, turbidity and faecal contamination by stock impacts Guwamu activities such as gatherings, swimming and fishing. As one TO said “Our river water used to be pristine, but I never swim anymore.”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Theme</th>
<th>Sub-categories</th>
<th>Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Self determination</strong></td>
<td><strong>Access to Guwamu land and water</strong></td>
<td>Despite winning Native Title to Guwamu country, Guwamu TOs are frustrated that they still cannot access the creeks on their country due to fencing and recalcitrant leaseholders. This limits their ability to manage their land and water resources, and constrains many of their aspirations.</td>
</tr>
<tr>
<td></td>
<td><strong>Limited opportunities for participation</strong></td>
<td>Guwamu people don’t feel that they get a fair go at influencing water management decisions in their country. There is a strong sense that the current water resource planning unfairly benefits farmers over and above Aboriginal interests. Guwamu want a &quot;seat around the decision-making table.&quot; As one TO quipped, “you got to keep the conversation flowing to keep the rivers flowing.”</td>
</tr>
<tr>
<td></td>
<td><strong>Policy framework not culturally inclusive</strong></td>
<td>Traditional Owners indicate that there seems to be large gaps in water policy agenda covering cultural concerns, across the states as well as federally.</td>
</tr>
</tbody>
</table>
5.3. Objectives and outcomes

The MDBA Part 14 Guidelines advise the aim of consultation processes should be ‘to identify Traditional Owners objectives for water management, and the desired outcomes that the objectives would contribute towards.’

- ‘Objectives are commonly understood to mean ‘aspirations’ or ‘goals’, and are often expressed as wishes.’
- ‘Outcomes is commonly thought of as the result of achieving an objective – in other words, what happens (or is envisaged to happen) when a wish is fulfilled.’

Table 5. Objectives and outcomes: Interdependence - Guwamu and their land and water.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>A cultural flow allocation for Guwamu people.</td>
<td>Guwamu cultural values and important water sites could be better managed with access to a cultural flow. Guwamu Nation have dedicated water entitlements. Guwamu support the broader aspirations of Aboriginal Nations in relation to Cultural Flows, summarised by the National Cultural Flows Research Project - “Cultural flows are legally and beneficially owned by Indigenous Nations of a sufficient and adequate quantity and quality, to improve the spiritual, cultural, environmental, social and economic conditions of those Indigenous Nations...” A healthy aquatic environment. One TO said “fish are like blackfellas. They survive the tough times.”</td>
</tr>
<tr>
<td>Less water extracted by industry</td>
<td>Licences bought back for the environment and associated extraction rights surrendered.</td>
</tr>
<tr>
<td>Cultural assets to be considered in water planning</td>
<td>Water Resource Plans take account of cultural water values. Extraction is more limited in order to better protect cultural assets. Aboriginal Water Rangers are employed by Guwamu, and are involved in compliance and monitoring activities on Guwamu water courses. TOs participate in water planning.</td>
</tr>
<tr>
<td>To establish and maintain strong and productive relationships</td>
<td>Guwamu people manage all water management activities on their country. Guwamu Nation has increased opportunities for partnerships with neighbouring Nations, neighbouring farmers, as well as institutions and agencies.</td>
</tr>
<tr>
<td>To promote Guwamu land management practices</td>
<td>Guwamu traditional cultural land and water management practices are respected and implemented across Guwamu nation area.</td>
</tr>
</tbody>
</table>
### Table 6. Objectives and outcomes: Renewing Guwamu culture.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Outcomes</th>
</tr>
</thead>
</table>
| To manage Guwamu resources, especially the rivers, creeks and wetland systems for Guwamu Nation and culture. | More opportunities for the Guwamu Nation to participate in natural resource management on Guwamu country.  
Collaboration with neighbouring Nations and neighbouring landholders, with Agencies and other institutions.  
Irrigation licences recovered for the environment in Guwamu country.  
Guwamu cultural flows secured.  
Guwamu employs Aboriginal Water Rangers to help care for the creek and wetland systems across Guwamu country, monitoring the river, and restoring cultural water and land management practices.  
Sacred and other significant water sites protected. |
| To achieve improvement for Guwamu people, including cultural, spiritual, social and economic outcomes. | Guwamu country is used by Guwamu people for connecting with culture, and even healing disaffected young people.  
Guwamu Nation have opportunities for small scale localised ventures, involving managing their own cultural flow resources. Guwamu Water Rangers could play an integral role, coordinated by Guwamu TOs.  
A Guwamu Water Ranger program is in place, where trained Guwamu people are on-country, caring for the Creeks and wetlands. |
| Guwamu land and water is protected, in particular the Guwamu owned properties Murra and Bendee Downs. These two properties are at the heart of the Guwamu nation, and will continue to be a focus of the nation in years to come. Guwamu desire to be equal partners on land and water management activities, and will continue seek out opportunities for collaboration with others across the Guwamu nation area. | Guwamu Nation own and manage cultural flow entitlements. These entitlements are used to sustain sites that have cultural significance, and as well support local small scale Guwamu lead commercial opportunities.  
Guwamu Nation are considered integral to all management decisions associated with the creeks in Guwamu country. This includes working with graziers and irrigators, Local, State and Federal Government departments.  
Guwamu Aboriginal Water Rangers operate across Guwamu country. |
### Table 7. Objectives and outcomes: Self-determination.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Outcomes</th>
</tr>
</thead>
</table>
| Guwamu Nation participate in all aspects of natural resource management on Guwamu country. | Guwamu Nation are given the opportunity to be leaders, and their views are respected. They are recognised by other landholders, and by local, State and Federal Government agencies as being central to healthy Guwamu country and its natural resources.  
  As one TO said “keep the conversation flowing…keep the rivers flowing.”    |
| Guwamu Nation hold cultural water entitlements.                            | Cultural water entitlements are owned by the Nation and managed by TOs.  
  Guwamu Water Rangers operate across Guwamu country, monitoring water extractions, and undertaking traditional land management practices, with a particular focus on Creeks. The Creeks are the lifeblood of the country.  
  Water can create these opportunities, which will start to deal with some of the prejudice and disadvantage suffered by the Guwamu Nation since European invasion. |
Appendix A. Water Resource Plan areas – surface water

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 B. Water Resource Plan areas – groundwater

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.

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

Source:
- QGis/ScienceAustralia © Topo 250k data (Series 3), Geoscience Australia © Topo 2.5 million data (2003)
Appendix C.  Data Use Agreement interviews

INFORMATION USE AGREEMENT

Face-to-Face Interviews

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

This agreement is made on ____________________________ 2019

Between ____________________________ of ____________________________

And
EURAH AUSTRALIA
Of Toomelah, Australia

1  Background

1.1  EURAH AUSTRALIA been contracted by NSW Department of Planning, Industry and Environment (NSW Department of Planning, Industry and Environment - Water) to conduct culturally appropriate consultation on a nation by nation basis to ensure that 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. Throughout this agreement, EURAH AUSTRALIA operate on behalf of NSW Department of Planning, Industry and Environment - Water.

1.2  Based in Toomelah, EURAH AUSTRALIA is an Aboriginal business specialising in Aboriginal engagement.

1.3  EURAH AUSTRALIA and NSW Department of Planning, Industry and Environment - Water are aware that there are culturally appropriate processes and protocols that need to be followed to maintain community confidence in recognising spiritual, social, customary and economic values of water to First Nations people. The consultation aims to be guided by Traditional Owners, including involvement in stakeholder mapping, workshop planning and the review process.

1.4  The consultation process will consist of a series of interviews with senior traditional owners in June 2019, including walks on country. These will be followed by workshop in Cunnamulla in October 2019. The review process gives Traditional Owners the chance to check the draft consultation report in October 2019.

2  Definitions

First Nations Cultural Knowledge means accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources,
and 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.

Guwamu Nation (to be filled in by participant)  
The Murray Darling Basin Plan came into effect in November 2012. The Basin Plan legislation guides governments, regional authorities and communities to sustainably manage and use the waters of the Murray–Darling Basin, ensuring water is shared between all users.

Objectives are defined by the Murray Darling Basin Authority as commonly understood to mean ‘aspirations’ or ‘goals’, and are often expressed as wishes.  
Outcomes are defined by the Murray Darling Basin Authority as commonly thought of as the result of achieving an objective – in other words, what happens (or is envisaged to happen) when a wish is fulfilled.

The term Traditional Owners is used by the Murray Darling Basin Authority to refer to those with recognised cultural authority to speak for Country.

Values and Uses (Water Dependent) means places, areas, sites and/or practices that have cultural significance to First Nations people and require a certain water quantity or quality to be sustained.

Water Resource Plans (WRPs) establish rules to meet environmental and water quality objectives and will take into account potential and emerging risks to water resources. WRPs will play a key role in ensuring implementation of limits on the quantity of surface and groundwater that can be taken from the Murray Darling Basin for consumptive purposes. The NSW Government will develop 20 water resource plans (WRPs) to set out arrangements to share water for consumptive use. These cover many Aboriginal communities across the Murray Darling Basin.

Water Sharing Plans (WSPs) establish rules for sharing water between different types of water use and ensure that water is provided for the health of the system. WSPs have been developed for rivers and groundwater systems across New South Wales following the introduction of the Water Management Act 2000. WSPs have a term of ten years. Prior to expiry of the ten year term of a water sharing plan, the plan is reviewed to determine whether it should be extended or replaced. In the inland region of NSW, most water sources will also be subject to the requirements of the Commonwealth’s Basin Plan.

3 Your Participation

3.1 As a Guwamu Traditional Owner, you are invited to participate in a face-to-face-interview to provide information on the following:
   - Guwamu cultural values and uses around water
   - Objectives and outcomes to protect and manage these values and uses
   - Culturally appropriate guidelines for running a workshop on Guwamu country

3.2 These are possible ways information may be gathered:
   - Open questions: a series of open questions will be asked about Guwamu objectives and outcomes based on water-dependent values and uses.
   - Walks on country: Opportunity will be given to show assets in a walk on country, including photography with permission. If time doesn’t permit during this interview, a NSW Water Cultural Officer will conduct this at a later stage.
The interview will be conducted by Adam Brunton of EURAH AUSTRALIA at a place and time negotiated with you. There will be other people present in the interview, including EURAH AUSTRALIA, a local community Organisers, and a representative from NSW Department of Planning, Industry and Environment - Water.

Your participation is voluntary.

You may withdraw your participation and information at any stage up until the consultation report has been finalised.

4 Purpose and Scope

The information gathered from you will be organised with other interview data by EURAH AUSTRALIA and used to structure a series of workshops on Guwamu country in July 2019. The workshops will be organised in a culturally appropriate way according to advice given by you and other Traditional Owners.

Information from both the interviews and the workshop will be used by EURAH AUSTRALIA to write a consultation report on objectives and outcomes based on Guwamu water-dependent values and uses.

Information from this report will be used by NSW Department of Planning, Industry and Environment - Water to meet the requirements in Chapter 10, part 14, sections 10.52 – 10.55 of the Basin Plan. These ensure that the concerns of Traditional Owners regarding their stated objectives and outcomes based on water-dependent values and uses are taken into account in the water resource planning process. The consultation will be used to outline these processes in the following WRPs:

- **Surface Water WRPs:**
  - NSW Intersecting Streams

- **Groundwater WRPs:**
  - NSW MDB Fractured Rock.
  - NSW Great Artesian Basin Shallow

Water Resource Plans specify how water will be shared and managed within a specified area. They will incorporate existing water planning and management within NSW (including Water Sharing Plans), as well as be consistent with Basin Plan requirements. It is hoped that First Nations people will wish to be involved in water planning in the future. This round of consultations for the development of WRPs will establish a basis for how culturally appropriate consultation can be incorporated into future water planning in NSW.

5 First Nations Cultural Knowledge

Any First Nations Cultural Knowledge you provide as part of this consultation is owned by either yourself or a legal entity nominated by you, as a representative of the Guwamu Nation.

First Nations Cultural Knowledge might be collected as part of this interview in one or more of the following ways:

- in a voice recording of the interview process
- in written notes taken as part of the interview process
- in photographs of values and assets on country
5.3 When providing First Nations Cultural Knowledge, you must identify it appropriately and clearly acknowledge to EURAH AUSTRALIA what you are willing to share with NSW Department of Planning, Industry and Environment - Water.

5.4 First Nations Cultural Knowledge provided to NSW Department of Planning, Industry and Environment - Water as part of this consultation will be clearly marked. It can only be used by NSW Department of Planning, Industry and Environment - Water in the following ways:

- in the development and creation of WRPs
- to obtain accreditation for the WRP from the Murray Darling Basin Authority
- for water planning in NSW
- and for internal research and education

5.5 If NSW Department of Planning, Industry and Environment - Water wants to use the First Nations Cultural Knowledge provided as part of the consultation in a way other than those listed in 5.4, it must approach you or your nominated representative.

5.6 To ensure best possible protection measures, in some cases, approximate locations of cultural values and assets may need to be recorded. You do not need to share exact locations.

6 Data Collection and Storage

6.1 The information you contribute to the consultation report will be deidentified. It will not include your name, but will include a reference number.

6.2 A list with your name and associated reference number will be stored by NSW Department of Planning, Industry and Environment - Water in a password-protected database, separate to the consultation report and accessible only with your permission by First Nations Cultural Water Officers.

6.3 EURAH AUSTRALIA would like to gather some personal information from you such as your family group, gender and age range to be used to organise information gathered. Passing on this information is voluntary.

6.4 EURAH AUSTRALIA would like to create an audio recording and take written notes during your interview. The written notes will only include First Nations Cultural Knowledge you wish to share with NSW Department of Planning, Industry and Environment - Water. The audio recording will be used solely to check accuracy of notes. If you permit EURAH AUSTRALIA to record your interview, please advise below.

6.5 On completion of the Water Resource Plan, the interview recording will be returned to you or a representative of your choice. This interview recording may contain First Nations Cultural Knowledge you do not wish to disclose to NSW Department of Planning, Industry and Environment - Water. Please nominate below who you would like this returned to.

6.6 EURAH AUSTRALIA will temporarily store the deidentified audio recording on a password protected computer only accessible by EURAH AUSTRALIA. This copy will be destroyed once the consultation report has been written.

6.7 EURAH AUSTRALIA will store deidentified written interview notes on a password protected computer only accessible by EURAH AUSTRALIA. This will be saved until the completion of the NSW consultation, for up to two years.

6.8 Any photos taken during the course of the interview will be checked with you before being included in the final consultation report. Photos not used in this report will be returned to you or a nominated representative of your choice.
6.9 NSW Department of Planning, Industry and Environment - Water can only store your First Nations Cultural Knowledge:

- as part of the final consultation report provided by EURAH AUSTRALIA
- as part of the Water Resource Plan

7 Publication and Review

7.1 You will have the opportunity to review the draft consultation report with EURAH AUSTRALIA at in October 2019. Please indicate below whether you would like to do this by phone or email.

7.2 Traditional Owner viewpoints will be prioritised as part of this consultation and in the review of the draft.

8 Contacts

Please contact the following people for more information or clarification:

**EURAH AUSTRALIA**
Adam Brunton 0478 700 661

**DPIE Water**
Darren Murray 0418 647 836
darren.murray@dpi.nsw.gov.au

Kara Talbot kara.talbot@dpi.nsw.gov.au
AGREEMENT: Face-to-Face Interviews

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

☐ I have read the information use agreement or have had it read to me.

☐ I understand my participation in this consultation is voluntary and that I can withdraw at any time up until the consultation report is finalised.

☐ I DO / DO NOT (please circle) consent to EURAH AUSTRALIA recording my interview for the purposes of cross checking information only.

I understand the recording and any photos taken will be stored temporarily by EURAH AUSTRALIA. After the completion of the project, I would like the recording and any photos:

☐ Returned to me and all other copies destroyed.

☐ Given to ..........................................................of...........................................................as
my authorised representative for storage and all other copies destroyed.

I would like the opportunity to review the draft consultation report

☐ in person Or ☐ via email.

☐ I commit to identifying any First Nations Cultural Knowledge I provide that may or may not be used by NSW Department of Planning, Industry and Environment - Water for the purposes of creating WRP.

Name: ___________________________ Name: ___________________________

Signature: ________________________ Signature: _________________________

Contact: _________________________ Contact: __________________________

Witness: _________________________ Witness: _________________________

Date: ___________________________ Date: _____________________________

(Director: EURAH AUSTRALIA)
Appendix D. Data Use Agreement workshops

PARTICIPANT INFORMATION SHEET

Guwamu Workshop

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

NSW Department of Planning, Industry and Environment

Thank you for agreeing to participate in the consultation workshops held by NSW Department of Planning, Industry and Environment, Water from [insert dates].

Purpose

NSW Department of Planning, Industry and Environment - Water is conducting culturally appropriate consultation on a nation-by-nation basis to ensure that 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 uses of water. You will also be asked to identify any potential risks to these values and uses, as well as some objectives and outcomes for their preservation and management.

Information Use

EURAH AUSTRALIA on behalf of NSW Department of Planning, Industry and Environment - Water, will be gathering written notes on information you provide. These will be used to write a consultation report to inform the development of specific Water Resource Plans in New South Wales. Notes from the workshop will be retained by EURAH AUSTRALIA 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 any other purpose.

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

EURAH AUSTRALIA may take photos throughout the workshop for use in the consultation report and on NSW Department of Planning, Industry and Environment - Water’s internal social media. Please indicate your consent below.

Review

Senior Traditional Owners will have the opportunity to review the draft consultation report. All stakeholders will be given the opportunity to view Water Resource Plans as they go on public exhibition throughout 2018/2019.

Please contact Adam Brunton (mob 0478 700 661) for more information.
PARTICIPANT AGREEMENT

Guwamu Workshop

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

☐ I have been provided information about this workshop and understand its purpose.
☐ I understand my participation in this workshop is voluntary.
☐ I consent to EURAH AUSTRALIA 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 EURAH AUSTRALIA 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: _______________________________
Appendix E. Interview questions and checklist

The importance of Nation’s input:

- Share First Nations values and objectives of water to be included in Water Resource Plans
- Ensure Guwamu Nation’s values and objectives are protected
- Have your say in how water is shared and managed across Guwamu Nation
- Ensure First Nations are part of water planning and Water Resource Plans
- Inform how government engages with Guwamu First Nations People

Questions used to guide interviews with Traditional Owners:

- What are the water dependent sites of interest to Guwamu Nation? Eg recreation; gatherings; fishing; camping; ceremonies. What threats are there to these sites?
- What native fish species are highly valued by Guwamu? What impacts these species? Are they under threat? Does Guwamu have any programs/projects in place to help mitigate impacts?
- Are there other wildlife issues affected by water management?
- What water projects are Guwamu involved in eg commercial; employment; restoration. What are the barriers?
- What water projects would Guwamu like to be involved in? What’s stopping these projects from going ahead?
- We understand that that Guwamu hold an irrigation licence. What’s this used for? How’s it been going?
- Do you think the water is well managed in the district? Is there room for improvement?
- Does Guwamu have access to the river?
- What changes have you seen to the water ways in your lifetime? Positive or negative?
- How sound is the water infrastructure around Guwamu country? What changes would you suggest?
- What’s the water quality like around the Guwamu Nation? Has water quality changed over time?
- Who else in the Guwamu Nation should we talk to about water? Eg other Traditional Owners; service providers; others?