



BASIN PLAN IMPLEMENTATION

NSW Murray and Lower Darling Surface Water Resource Plan Consultation Report

Schedule C

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Acknowledgements

NSW Department of Planning, Industry and Environment – Conservation and Biodiversity

NSW Department of Primary Industries – Fisheries

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Acknowledgement of Traditional Owners

The New South Wales Government proudly acknowledges the Aboriginal community of NSW and their rich and diverse culture and pays respect to their Elders past, present and future.

NSW acknowledges Aboriginal people as Australia's First Peoples, practising the oldest living culture on earth and as the Traditional Owners and Custodians of the lands and waters.

We acknowledge that the people of the Barkandji, Barapa Barapa, Maljangapa, Maraura, Muthi Muthi, Ngaympaa, Tati Tati, Wadi Wadi, Weki Weki, Wemba Wemba, Wiradjuri and Yorta Yorta Nations hold a significant connection to the lands in the NSW Murray and Lower Darling Water Resource Plan Area.

The NSW Murray and Lower Darling Water Resource Plan Area holds areas of great spiritual, cultural and economic importance to First Nations people and NSW recognises the connection of the water to the people of these nations.

We recognise the intrinsic connection of Traditional Owners to country and acknowledge their contribution to the management of the NSW Murray and Lower Darling Water Resource Plan Area's landscape and natural resources.

The Department of Planning, Industry and Environment understands the need for consultation and inclusion of Traditional Owner knowledge, values and uses in water quality planning to ensure we are working towards equality in objectives and outcomes.

The department is committed to continued relationships and building strong partnerships with our First Nations People.

We thank the Elders and representatives of the Barkandji, Barapa Barapa, Maljangapa, Maraura, Muthi Muthi, Ngaympaa, Tati Tati, Wadi Wadi, Weki Weki, Wemba Wemba, Wiradjuri and Yorta Yorta Nations and Aboriginal community members who provided their knowledge throughout the planning process.

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1. Introduction

1.1. The role of the consultation report

Consultation with stakeholders and the community is at the forefront of the development of NSW water resource plans (WRPs). Consultation has been undertaken for each of the 20 surface water and groundwater WRPs being developed by NSW. The purpose of this report is to describe the consultation that was undertaken. Specifically, this report will detail the public consultation, both broad and targeted, that took place to further the development of the NSW Murray and Lower Darling WRP and inform changes to the NSW Murray and Lower Darling regulated and unregulated river Water Sharing Plans (WSPs).

1.2. The Basin Plan 2012 (Water Act 2007 (Cwlth))

The Murray–Darling *Basin Plan 2012* (the Basin Plan) provides a coordinated approach to managing water within the Murray–Darling Basin across Queensland, NSW, Australian Capital Territory, Victoria and South Australia. In NSW, the Basin Plan came into effect following the signing of Inter-governmental and National Partnership Agreements in 2014. As lead agency, the NSW Department of Planning, Industry and Environment – Water is working with the NSW Department of Planning, Industry and Environment – Conservation Biodiversity Division (formerly the Office of Environment and Heritage (OEH)) and NSW Department of Primary Industries (DPI) - Fisheries to implement the Basin Plan. It requires NSW to develop WRPs for each water resource area of the Murray–Darling Basin. The development of each WRP is guided by the requirements set out in Chapter 10 of the Basin Plan. Consultation and the views of local communities are an integral part of the preparation and development of WRPs. The following requirements of the Basin Plan are assessed in relation to consultation.

10.07 Consultation to be demonstrated

(1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the State gave the plan to the Authority under subsection 63(1) of the Act.

10.26 Planning for environmental watering

(1) A water resource plan must provide for environmental watering to occur...
(2) For the purposes of subsection (1), the water resource plan must be prepared having regard to:
(b) the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering.

10.53 Consultation and preparation of water resource plan

(1) A water resource plan must be prepared having regard to the views of relevant Indigenous organisations with respect to the matters identified under section 10.52.

1.3. NSW Murray and Lower Darling WRP area

The NSW Murray and Lower Darling WRP area is located in south-west NSW. It includes the NSW portion of the River Murray catchment and the Darling River downstream of Menindee Lakes, in the southern part of the Murray-Darling Basin. The River Murray begins in the Southern Alps of NSW and Victoria and flows in a westerly direction for over 2,500 km to its outlet on the South Australian coast near Goolwa. It forms the border between NSW and Victoria for 1,880 km (Figure 1). In NSW, the River Murray moves through three distinct landscapes, beginning in the mountains and undulating slopes of the upper catchment. Hume Dam provides a regulated supply of water for the River Murray and its many effluent channels, including the Edward-Wakool River system west of Deniliquin. The Murray system is bounded by the Great Dividing Range to the East, the Murrumbidgee catchment to the north and Northern Victoria region to the south.

The Lower Darling comprises the portion of the Darling River that is regulated by releases from the Menindee Lakes Scheme, near the town of Menindee. From here, the Darling River flows south for 530 km to its junction with the River Murray at Wentworth (Figure 1). The landscape is flat, with most of the floodplain less than 100 m in elevation. A major feature of the Lower Darling is the Great Darling Anabranch, a prior channel of the Darling River that delivers floodwaters to a series of large overflow lakes. The Lower Darling catchment is bounded by the Lachlan catchment to the east, the South Australia Murray region to the west, the Barwon Darling region to the north and the Victorian Wimmera-Mallee region to the south. The NSW Murray and Lower Darling WRP covers all of the surface water resources of the NSW Murray and Lower Darling River valleys (Figure 1). It includes the regulated river system; unregulated rivers flowing into the regulated river system; unregulated effluent rivers flowing out of the regulated river system on the plains and water captured by farm dams.

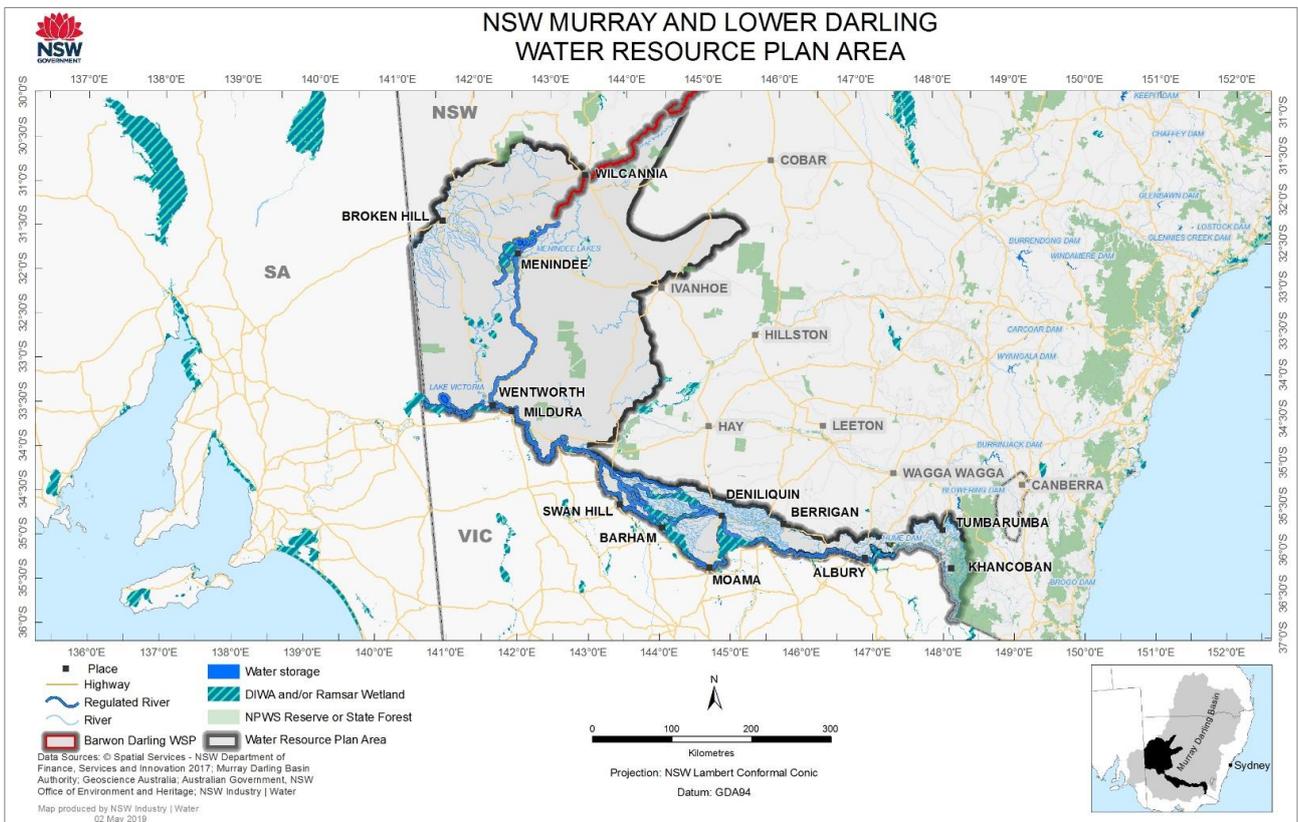


Figure 1. NSW Murray and Lower Darling Water Resource Plan Area (SW8)

2. Consultation

Stakeholder consultation is an essential part of the development of NSW WRPs and was undertaken throughout the development of the NSW Murray and Lower Darling WRP. The general public and stakeholders had opportunity to provide comment during the early part of WRP development through the Status and issues phase (Section 2.1.1) and will again in the later stages of WRP development during the public exhibition phase (Section 2.1.2).

2.1. Broad public consultation

2.1.1. Status and issues phase

The *NSW Murray and Lower Darling Water Resource Plan - Status and Issues Paper* (The Department, 2017) was released for public comment on 17 February 2017. The paper compiled the issues raised as part of the WSP replacement process in 2012-2014 and provided an opportunity for stakeholders to raise additional issues to be considered during the development of the WRP. The paper is available on the Department's website: www.industry.nsw.gov.au

A total of twenty-nine public submissions on this paper were received and within these submissions 328 issues were raised. Further examination and discussion was undertaken by the Department in order to prepare an Issues Assessment Report. The Issues Assessment Report presented issues raised as part of WSP replacement, as well as those raised through public exhibition of the Status and Issues Document. The report indicated whether an issue was to be considered further during the water resource planning process along with those not to be progressed and the reasons why. This information was presented to the NSW Murray and Lower Darling WRP Stakeholder Advisory Panel (see Section 2.2.1) and informed decisions for option prioritisation, leading into the Strategy and Rule development phase of the WRP.

Key issues identified for consideration included:

- Cease to pump rules
- review of maximum volume of water that can be credited to an access licence during a water year
- review the carryover rule for General Security for optimal balance between flexibility of carryover and reliability of allocations
- review the carryover rules in the Lower Darling to better reflect the variable conditions
- Clarify how evaporative losses and dam spills affect carryover and calculation of maximum achievable account balance
- Review the available water determination rules for conveyance licences to enable delivery of high security water through irrigation districts for situations when allocations have not reached 97 percent.
- Review Clause 55 - Taking of water without debit under regulated river (general security) access licences.
- Review, simplify and clarify environmental water account rules
- Review daily access rules to allow supplementary water to be accessed and debited against account water where the entitlement holder does not hold a supplementary access entitlement
- Current regulated water sharing plans are silent on specifying how available channel capacity will be shared between planned environmental water releases and general security orders during periods of constraint in the Barmah Choke.
- Include capacity in the Lower Darling WSP to manage for restarting a dry river with enough water so that a first flush can be created
- Review trade rules to allow additional trade.

2.1.2. Public exhibition phase

The amended WSPs for the NSW Murray and Lower Darling regulated river water sources, the Lower Murray-Darling unregulated river water source and Murray unregulated river water sources and the draft NSW Murray and Lower Darling WRP are available for public comment as part of the public exhibition phase.

During this phase the Department will communicate with stakeholders in a number of ways:

- community meetings
- targeted consultation with specific groups directly affected by significant rule changes
- print and virtual media campaign.

The Department is seeking submissions on the draft WRP and amended WSPs. Supporting documents are available to provide context and background information.

Public submissions received on the draft WRP and amended WSPs will be uploaded to a submissions database system and will be considered when finalising the WRP. The Department will focus on issues that are raised during public exhibition that have a material effect on the proposed changes.

2.2. Interjurisdictional consultation

The New South Wales Murray and Lower Darling WRPA is connected to the South Australian River Murray WRPA and the Victorian Murray WRPA. Discussions on the WRPs for the River Murray commenced at the Water Resource Plan Working Group as well as bilateral discussions with both South Australia and Victoria. A number of meetings were held, which led to a workshop on connected water resources. The outcomes of this meeting have resulted in a consistent approach to the accredited text in WRPs relating to the River Murray. The following meetings and workshops were held:

- Water Resource Plan and Connected Water Resources (SA/Victoria/NSW/QLD)
 - Meeting 1 – 2 November 2017 – environmental water delivery, water quality, cultural water, risk assessment
 - Meeting 2 – 13 December 2017 – connected water resources, planned environmental water, trade
- WRP Connectivity Workshop (MDBA/SA/VIC/NSW)
 - Workshop 1 – 5 September 2018 – considered Basin Plan provisions
 - Workshop 2 – 24 September 2018 – MDBA advice on requirements, proposed approaches from states.

2.3. Targeted consultation

Targeted consultation was undertaken for each surface water WRP, primarily through a stakeholder advisory panel (SAP). The SAP is the main mechanism to involve key stakeholders in the planning process for the regulated rivers. The SAPs provide a forum where competing interests can be aired and discussed to promote common understanding. Where further consultation was required, the Department also liaised directly with other representative groups or individuals such as identified experts, Aboriginal communities, local councils, local water users, local environmental groups and other interest groups.

All aspects of WRP development, including the review of relevant water sharing arrangements, have been prepared with regard to the views of local communities on environmental watering. This has been achieved primarily through the SAP, where key components and proposed changes to water sharing rules have been considered and discussed in detail.

Proposals to change planned environmental water (PEW) rules were considered in close consultation with NSW Department of Planning, Industry and Environment – Conservation

Biodiversity Division (formerly OEH) and DPI Fisheries; consistent with WSP objectives and 'where possible' using environmental water requirements in the Long term watering plans (LTWPs) to ensure the best environmental outcomes.

2.3.1. NSW Murray and Lower Darling WRP SAP

The main role of the SAP has been to help identify issues, examine options and provide the Department with feedback and advice throughout the development of WRPs. The NSW Murray and Lower Darling SAP, established in April 2017, takes membership from the following stakeholder groups or interests:

- NSW Department of Planning, Industry and Environment – Conservation and Biodiversity (formerly Office of Environment and Heritage)
- NSW Department of Primary Industries – Fisheries
- NSW Department of Planning, Industry and Environment – Water
- WaterNSW
- Murray–Darling Basin Authority (MDBA)
- Commonwealth Environmental Water Office (CEWO)
- Murray Darling Wetlands Working Group
- Murray Valley Private Diverters
- Southern Riverina Irrigators (SRI)
- Murray Irrigation Ltd (MIL)
- Riverina & Murray Regional Organisation of Councils (RAMROC)
- Murray Lower Darling Rivers Indigenous Nations (MLDRIN)
- Environmental Water Advisory Group (EWAG)
- Western Murray Irrigation (WMI)
- South-West Water Users (Lower Darling).

The SAP terms of reference can be viewed on the department's website at: industry.nsw.gov.au/water/plans-programs/water-resource-plans/stakeholder

Information and technical reports have been discussed with the SAP throughout WRP development. SAP meetings held as part of the NSW Murray and Lower Darling WRP development and the key agenda items that were discussed at these meetings can be seen in Table 1.

Table 1. NSW Murray and Lower Darling WRP SAP Meetings and main agenda items

SAP meeting	SAP meeting description	Location	Date
1	<ul style="list-style-type: none"> • WRP roadmap and timelines • Revised SAP Terms of Reference (ToRs) • Scope, roles and responsibilities • Status and Issues document • Issues assessment and multi-criteria analysis of options • Strategy and rules development 	Deniliquin	5 April 2017
2	<ul style="list-style-type: none"> • Resource description • WSP evaluation report • Risk Assessment • Issues Assessment report • Prioritisation methodology 	Deniliquin	18 October 2017

SAP meeting	SAP meeting description	Location	Date
3	<ul style="list-style-type: none"> • Issues Assessment report • Modelling scenarios – Baseline diversion limit (BDL) model scenario and pre basin plan (PBP) model development • Introduction to the Long term water plan (LTWP) • Assessment of changes to ‘without debit’ rule • Barwon Darling progress update • Draft Incident Response Guide (IRG) • Developing flows for fish • Review of Lower Darling carryover rules • Review of on-farm storage provisions • HS >97% and related conveyance 	Deniliquin	6 – 7 February 2018
4	<ul style="list-style-type: none"> • Carryover reduction in the Murray • Progress update on LTWP • Pre-requisite Policy measures (PPMs) • Water Reform Action Plan consultation • Progress update on the engagement strategy • Trade Report • Draft water quality technical report • Draft salinity technical report 	Albury,	4 – 5 April 2018
5	<ul style="list-style-type: none"> • SDLAM Projects status report • Pre-requisite Policy Measures (PPMs) – principles, operational details, environmental watering trials • Murray-Lower Darling LTWP • Flow objectives for native fish • Murrumbidgee inter-valley trade (IVT) account • Proposed reduction to GS carry-over in the Lower Darling • Restarting the Lower Darling • Removing the 97% allocation step • Capacity and demand in the River Murray • Long Term Diversion Limit Equivalence • Progress against SAP’s priority issues (at October 2017) 	Dareton	22 – 23 August 2018
6	<ul style="list-style-type: none"> • Revised IRG and Extreme Events policy • Pre-requisite Policy Measures (PPMs) – enabling provisions, draft PPM procedures manual • Barwon Darling changes being considered • Proposed amendments to the WSP • Menindee Lakes and other SDLAM projects • WRP packages and public exhibition 	Deniliquin	28 – 29 November 2018

SAP meeting	SAP meeting description	Location	Date
7	<ul style="list-style-type: none"> Proposed WSP changes Updates to the BDL and SDL Model Water Quality Management Plan Fish kills and the response SDL Compliance Pre-requisite Policy Measures (PPMs) Socio-economic objectives Long Term Watering Plan update Ecological objectives and Monitoring, Evaluation and Reporting plan for WRPs WRP public exhibition locations and venues First Nations consultation Rule-based SDLAM projects SDLAM Project update 	Deniliquin	14 – 15 May 2019
8	<ul style="list-style-type: none"> Report on submissions from public exhibition MLD regulated WSP Final Recommendations Report MLD regulated WSP 2020 – changes since public exhibition Amended unregulated WSPs 2011 Proposed changes in the Barwon-Darling and northern basin WSPs Next steps for NSW's Water Resource Plans Next steps for surface water planning in the NSW Murray-Darling Basin. 	Deniliquin (via videoconference)	19 March 2020, 2 & 17 April 2020 (in three parts)

2.3.2. Workshops for all stakeholder advisory panels

The Department convened two 'all stakeholder advisory panel' workshops during the course of WRP development. Both workshops were held in Sydney, the first on 11 and 12 December 2017 and the second on 5 and 6 June 2018. Attendees included representatives from all stakeholder advisory panels involved in WRP development. Key NSW government agencies included NSW Department of Planning, Industry and Environment – Conservation Biodiversity Division and DPI Fisheries. The MDBA and CEWO were also represented.

The first workshop covered the following topics:

- NSW Government's response to recent reviews and how the Department will approach its responsibilities within the Murray–Darling Basin
- key NSW policy issues requiring resolution in order to progress WRP development
- role of modelling and planning assumptions in NSW's water resource planning
- management of environmental water
- how SAPs and agencies can work together to deliver the water resource plans over the next 12– 18 months.

The second workshop addressed unresolved matters identified as part of the first meeting. The Department provided an update on key reforms and shared information on the water resource planning process. The workshop provided an opportunity to seek stakeholder input and collaborate on critical issues.

Sessions focused on the following topics:

- revised state-wide planning assumptions (long term diversion equivalence factors)
- the WRP, including the LTWP, risk assessment and water quality management plan

- MDBA compliance framework
- Water Renewal Taskforce update
- First Nations engagement and Aboriginal cultural water
- Northern Basin floodplain harvesting, the northern watering event, Southern Basin sustainable diversion limit adjustment mechanism (SDLAM) projects and Pre-requisite policy measures (PPMs)
- Ground water policy update.

2.4. Long-term water plan

NSW Department of Planning, Industry and Environment Biodiversity and Conservation (DPIE B&C) is developing long-term water plans (LTWPs) across all nine NSW Murray–Darling Basin catchments. These plans link to the basin-scale plans developed by the MDBA, and include detailed objectives, targets and watering requirements for priority species and processes within, and between, catchments.

A key element in the development of the LTWPs was consultation with Environmental Water Advisory Groups (EWAGs). These groups are established by DPIE B&C in the majority of NSW's regulated catchments and are made up of environmental groups, riparian landholders, representatives of Aboriginal organisations, irrigators and relevant government agencies. They meet to discuss watering options and test scenarios - to ensure river and wetland health outcomes are maximised through the use of environmental water.

The development of the LTWP involved incorporating the best available information and scientific advice. In addition to the consultation undertaken with EWAGs, DPIE B&C has sought feedback from other various stakeholders, including:

- Stakeholder Advisory Panels established to contribute to Water Resource Plan development
- Interagency Consultation Groups, established in each LTWP catchment, that include relevant agency staff and scientists with expertise in the area
- Other key regional stakeholder groups.

Consultation undertaken by DPIE B&C is guided by a communications and engagement strategy. This ensures that DPIE Conservation Biodiversity Division meets the community's expectations concerning information on environmental water and its management.

The draft NSW Murray and Lower Darling LTWP will be placed on public exhibition at the same time as the draft NSW Murray and Lower Darling WRP to ensure efficient stakeholder engagement. DPIE B&C will consider all feedback when finalising the NSW Murray and Lower Darling LTWP.

2.5. First Nations consultation

The NSW Murray and Lower Darling WRP area is located within the traditional lands of, and is significant to, the Barkandji, Barapa Barapa, Maljangapa, Maraura, Muthi Muthi, Ngiyampaa, Tati Tati, Wadi Wadi, Weki Weki, Wemba Wemba, Wiradjuri and Yorta Yorta Nations and traditional owners. The Department has committed to engaging and consulting with various nations to identify and record objectives and outcomes in regard to Aboriginal spiritual and cultural values and uses within the NSW Murray and Lower Darling WRP area.

Consultation with traditional owners was undertaken using a nation-based model. The Department of Planning, Industry and Environment facilitated the gathering of cultural information from traditional owners. The reports including the development of cultural objectives, values and uses are attached to this Schedule.

2.5.1. Face-to-face interviews

A series of face-to-face interviews were undertaken with Senior Traditional Owners (TOs). Senior TOs who participated in the face-to-face interviews were drawn from three separate categories – grassroots, Native Title applicants and suggestions from other interview participants. Several TOs participated in these interviews, which represented a large number of people in their own family groups and spoke for a broad range of communities and different areas of Nations. These interviews assisted in formulating the discussion undertaken in the workshops.

Nations where interviews have been completed include:

- **Barkandji Nation** Face to face interviews were conducted with nine Traditional Owners
- **Barapa Barapa Nation** A face to face interview was conducted with one identified Traditional Owner
- **Maraura Nation** – Three senior Traditional Owners representing four different family groups were interviewed and spoke for a broad range of communities and different areas of Maraura country
- **Muthi Muthi Nation** In total, three Traditional Owners representing five different family groups were interviewed and spoke for a broad range of communities and different areas of Muthi Muthi Country.
- **Ngiyampaa Nation** – Eleven Traditional Owners were interviewed. They represented their own family groups and spoke for a broad range of communities and different areas of the Ngiyampaa Nation.
- **Nyeri Nyeri Nation** – While the Nyeri Nyeri First Nations were identified on the MDBA maps Traditional Owners for Surface Water Resource Plan Areas as having a geographic coverage extending into NSW WRPS areas, discussions with these nations and MLDRIN confirmed that the Nations identified themselves as being wholly within Victoria and they elected not to participate in NSW consultation program for WRPs
- **Wadi Wadi Nation** – In total, nine Senior Traditional Owners were interviewed. They represented seven different family groups, over 5,000 different people and spoke for a broad range of communities
- **Wemba Wemba Nation** - Four Traditional Owners were interviewed. These Traditional Owners and Nation members represented eight different family groups, and spoke for a broad range of communities and different areas of Wemba Wemba Nation Country
- **Wiradjuri Nation** – A series of face-to-face interviews were undertaken with Senior Traditional Owners (TOs) from the Wiradjuri Nation in October 2018. These TOs represent several family groups and spoke for a broad range of communities and different areas of Wiradjuri Country.
- **Yorta Yorta** - Five Traditional Owners were interviewed. These Traditional Owners and Nation members represented three different family groups and spoke for a broad range of communities and different areas of Yorta Yorta Nation Country.

2.5.2. Workshops

After the face-to-face interviews the following First Nation consultation workshops were held as follows:

- **Barkandji Nation** – Five workshops were conducted with the Barkandji/Maljangapa Nations during September and October 2019. Approximately 30 people attended the workshops.
- **Barapa Barapa Nation** – One workshop was in Deniliquin in May 2019. There was one participant representing nine family groups of the Barapa Barapa Nation.
- **Maraura Nation** – one workshop was held in Barmera, SA in September 2019. A total of five attended.
- **Muthi Muthi Nation** – One workshop was held in February 2019. A total of thirteen participants, including eleven Muthi Muthi Traditional Owners attended the workshop.
- **Ngiyampaa Nation** – Three workshops were held in July 2018. A total of 17 people representing 17 family groups participated, including 17 Ngiyampaa Traditional Owners.
- **Wadi Wadi Nation** – A two-day workshop was held in October 2018 with approximately 40 participants attending including Wadi Wadi Nation members of all ages.
- **Weki Weki Nation** - Workshop progression is pending for this Nation. Information supplied as part of Victorian water resource planning may be relevant for consideration if permission is provided. Themes for this Nation are pending receipt of this information.
- **Wemba Wemba Nation** – One workshop was held in October 2019. There was a total of eight Aboriginal participants who signed the attendance sheet.
- **Wiradjuri Nation** – 12 workshops were held across Wiradjuri country in 2018 and 2019, including workshops in Albury and Tumut. A total of 20 Wiradjuri Traditional Owner participants attended these workshops.
- **Yorta Yorta Nation** – One workshop was held in October 2019. A total of eight participants attended this workshop.

Common themes were used to guide discussion in the workshops. These were established during the face-to-face interviews and included:

- water is life
- healthy Country and people
- cultural continuity and revival
- custodianship and jurisdiction
- equity, compensation and redress
- management and control
- communication and partnerships.

2.5.3. Consultation outcomes

Where finalised, reports on the outcomes of the consultation with each nation group are attached as Attachments A to I to this Schedule.

These reports demonstrate that:

- the WRP was developed in a way that had genuine regard to objectives and outcomes in respect of social, spiritual and cultural values and uses of the water resources by Traditional Owners
- consultation with relevant Indigenous organisations was undertaken, including with MILDRIN and NBAN.

In addition to consulting with Traditional Owners, the NSW Government consulted with several organisations (e.g. native title, LALCS), the Murdi Paaki working group, MLDRIN and NBAN. This demonstrates that:

- the consultation had regard to the views of relevant Indigenous organisations with respect to inclusion of Indigenous representation in the preparation and implementation of the plan
- the consultation had regard to the views of relevant Indigenous organisations with respect to Indigenous social, cultural, spiritual and customary objectives, and strategies for achieving these objectives
- the consultation had regard to the views of relevant Indigenous organisations with respect to the encouragement of active and informed participation of Indigenous people
- the consultation had regard to the views of relevant Indigenous organisations with respect to risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area
- the consultation had regard to the views of Indigenous people with respect to cultural associations with the water resources of this WRPA.

The consultation with the First Nations included the outcomes listed in Table 2.

Table 2. First Nations consultation outcomes

Section	Requirement	Outcome
10.52(1)	WRP identifies objectives and outcomes toward the management of the water resource desirable to Indigenous people.	Consultation undertaken with the assistance of the Murray Lower Darling Rivers Indigenous Nations (MLDRIN) and Northern Basin Aboriginal Nations (NBAN) delegates and contacts.
10.52(2)	WRP developed with genuine regard to objectives and outcomes in respect of social, spiritual and cultural values and uses by Indigenous people.	Detailed information on the objectives and outcomes considered in respect of values and uses can be found in Attachments A to H.
10.53(1)	That consultation with relevant Indigenous organisations was undertaken, including with the Northern Murray–Darling Basin Aboriginal Nations	Regular contact occurred with the Executive of MLDRIN and NBAN throughout the planning process. MLDRIN and NBAN assisted as nation organisers and had an important role in the consultation process.
10.53(1)(a)	WRP prepared having regard to the views of relevant Indigenous organisations with respect to native title rights, native title claims and Indigenous Land Use Agreements provided for by the <i>Native Title Act 1993</i>	Discussions on native title rights, native title claims and Indigenous Land Use Agreements and the <i>Native Title Act 1993</i> in relation to the water resources of the Murrumbidgee area were held throughout the consultation. A letter was sent out to NTS Corp to advise on further consultations on country and how they would like to be engaged.
10.53(1)(b)	WRP prepared having regard to the views of relevant Indigenous organisations towards registered Aboriginal heritage relating to the water resources of the WRPA	Local Aboriginal Lands Councils were invited; opportunities arose for them to speak of any listed sites on the heritage register throughout the workshop sessions.
10.53(1)(c)	WRP prepared having regard to the inclusion of Indigenous representation in the preparation and implementation of the plan	NBAN provided direct input via recommendations on the appropriate Traditional Owners to engage. This resulted in the relevant Traditional Owners for the Murrumbidgee WRP area being represented. More details on Indigenous representation can be found in Attachments A to H.

Section	Requirement	Outcome
10.53(1)(d)	WRP prepared having regard to the views of relevant Indigenous organisations towards Indigenous social, cultural, spiritual and customary objectives and strategies for achieving these objectives	Consultation included what people would want in the future. More detail on strategies can be seen in Attachments A to H.
10.53(1)(e)	WRP prepared having regard to the views of relevant Indigenous organisations towards encouragement of active and informed participation of Indigenous people	NSW Department of Planning, Industry and Environment followed cultural protocols to ensure active and informed participation of Indigenous people. Relationships developed with Elders and a shared understanding of water management prior to conducting workshops with the broader group of First Nation Traditional Owners. More detail on the engagement process is in Chapter 1, section 1.7.1 of the WRP and Attachments A to H to this Schedule.
10.53(1)(f)	WRP prepared having regard to the views of relevant Indigenous organisations towards risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area	The risks to Indigenous values and uses are outlined in Attachments A to H to this Schedule.
10.54	WRP prepared having regard to the views of Indigenous people with respect to cultural flows	Throughout the First Nations consultation, cultural flows was a key theme as cultural practices and events are supported by cultural flows. Additional consultation underway as part of the Basin Plan commitments package following the Basin Plan Amendment deal. Views of Aboriginal people with respect to cultural flows are set out in section 4.6.2 of the Murrumbidgee WRP. See also Attachments A to H to this Schedule.
10.55	WRP provides at least the same level of protection of Indigenous values and Indigenous uses as provided in a transitional or an interim water resource plan for the WRPA	Improved objectives ensure protection for Indigenous values and uses aligned with practical strategies and quantifiable performance indicators.

Attachment A to Schedule C: Culturally Appropriate First Nations Consultation, Barkindji Nation Consultation Report for development of NSW Water Resource Plans

Report to be provided when available.

Attachment B to Schedule C: Culturally Appropriate First Nations Consultation, Barapa Barapa Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Barapa Barapa Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Barapa Barapa people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment C to Schedule C: Culturally Appropriate First Nations Consultation, Maraura Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Maraura Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Maraura people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment D to Schedule C: Culturally Appropriate First Nations Consultation, Muthi Muthi Nation Consultation Report Development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Muthi Muthi Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Muthi Muthi people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment E to Schedule C: Culturally Appropriate First Nations Consultation, Ngiyampaa Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Ngiyampaa Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Ngiyampaa people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment F to Schedule C: Culturally Appropriate First Nations Consultation, Wadi Wadi Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Wadi Wadi Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Wadi Wadi people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment G to Schedule C: Culturally Appropriate First Nations Consultation, Wemba Wemba Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Wemba Wemba Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Wemba Wemba people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment H to Schedule C: Culturally Appropriate First Nations Consultation, Wiradjuri Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Wiradjuri Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Wiradjuri people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>

Attachment I to Schedule C: Culturally Appropriate First Nations Consultation, Yorta Yorta Nation Consultation Report for development of NSW Water Resource Plans

This report outlines the process and findings of consultation undertaken with the Wiradjuri Nation for the development of water resource plans (WRPs) in NSW, for accreditation by the Murray–Darling Basin Authority, under requirements of Chapter 10 of the Murray–Darling Basin Plan. It outlines the consultation process and methodology, making recommendations for future consultation with First Nations people. It presents findings on the objectives and outcomes of the Wiradjuri people for the management of their water-dependent values and uses.

This report is available at: <https://www.industry.nsw.gov.au/lower-murray-darling-surface-wrp>