

Indigenous Involvement in
Natural Resources Planning and Management
In the
Queensland Murray Darling Basin
And
South West NRM Region



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Indigenous involvement in natural resources planning and management in the Queensland Murray Darling Basin and South West NRM Region

1. Background

(a) The project

This report has been prepared as part of a project for the Queensland Murray Darling Committee, the South West NRM (Natural Resource Management) Group and the Queensland Government. The project comprises two parts. The first part has been covered in the report 'Response to the Draft Warrego, Paroo, Bulloo and Nebine Water Resource Plan, 14 May, 2003'. That report contains further information about Gundabooka, the firm carrying out this project.

The original purpose of the second part of the project, covered by this report, was:

Explore and prepare for the implementation of effective and efficient mechanisms for Indigenous participation in NRM planning and implementation activities in the Queensland Murray Darling Basin and South West NRM areas. This is to ensure that Traditional Owner and other indigenous issues, concerns and values in relation to managing the land and rivers within the Basin and South West regions are included and addressed across the range of future NRM plans as well as to establish the mechanism for ongoing participation in regional NRM planning processes.

The agreed objectives of this sub-project are:

- to engage with indigenous communities with traditional on-country responsibilities for, or historical links to, the Queensland Murray Darling Basin and South West NRM areas (the Murray Darling - South West region), and
- to develop options for processes/mechanisms that will ensure
 - the communities are able to participate effectively and efficiently in natural resource management planning processes in the region,
 - their concerns, issues and values are reflected in regional and/or catchment natural resource management plans, and
 - the communities are able to participate effectively and efficiently in natural resource management implementation activities in the Murray Darling - South West region.

The original Terms of Reference are shown in Appendix 1.

(b) The Murray Darling - South West region

The Murray Darling - South West region covers the catchments of all rivers in southern Queensland from the Bulloo in the west to the Moonie and Border rivers in the east. The names of the main rivers, and the main urban centres located in each catchment are shown in table 1.

Table 1. Rivers and urban centres/settlements in the Murray Darling - South West region

River system	Main settlements in catchment
Bulloo	Thargomindah, Quilpie, Adavale
Paroo	Hungerford, Eulo
Warrego	Cunnamulla, Wyandra, Charleville, Augathella, Morven
Mungallala - Nebine	-
Condamine - Culgoa	Dirranbandi, St George, Bollon, Mitchell, Wallumbillah, Roma, Miles, Goombungee, Condamine, Chinchilla, Dalby, Oakey, Toowoomba, Cambooya, Warwick
Moonie - Barwon - Macintyre	Thallon, Goondiwindi

The catchments of the Bulloo, Paroo, Warrego and Mungalla-Nebine make up the South West NRM area. The catchments of the Paroo, Warrego, Mungalla-Nebine, Condamine-Culgoa, Moonie and border rivers (Barwon and Macintyre) form the Queensland Murray Darling area.

At least 15 Aboriginal nations appear to have spiritual connections, cultural attachments and on-country responsibilities with land in the Murray Darling region. These nations are listed in table 2 together with the main centres where the Traditional Owners live, other centres where people from the nation with historical links to their country live, and river catchment(s) known to coincide with their country.

Table 2. Indigenous tribes/nations, location of Traditional owners and those with historical links, and associated catchments.

Nation	Main location of Traditional Owners	Location of others with an historical interest	River catchment(s) associated with Nations
Bidjara	Charleville Cunnamulla Toowoomba	Brisbane, Mitchell, North Rockhampton	Warrego - Paroo
Budjiti	Toowoomba	Toowoomba	?Warrego - Paroo
Badjiri	Cunnamulla	Goombungee, Roma	Warrego - Paroo
Burunggam			Condamine - Balonne
Bigambul			Condamine - Balonne
Gunggarri	St George	Cambooya, Mitchell, Roma, Murgon	Warrego -Paroo
Gambuwal			Border Rivers
Jarowair	Toowoomba		Condamine - Balonne
Kamilaroi	Goondiwindi Bogabilla		Condamine - Balonne - Border Rivers
Kooma	Cunnamulla	Dalby, Purga, Brisbane, Roma, Toowoomba,	Warrego - Paroo
Kullilli	Brisbane	Brisbane, Cherbourg, Dalby, Gowrie Junction, Miles, Rockhampton,	Warrego - Paroo

		Toowoomba,	
Kunja	Cunnamulla	Bourke	Warrego - Paroo
Mandandanji			Condamine - Balonne
Mardigan	Cunnamulla	Toowoomba	Warrego - Paroo
Moorawarri	Lightening Ridge, Brewarrina, Goodogga	Lightning Ridge, Brewarrina, Goodooga (NSW)	Warrego - Paroo

It is clear from table 2 that not all Traditional Owners continue to live in the catchment associated with their Country, that some Traditional Owners are located in New South Wales, and that some Aboriginal people with an historical interest in Country within the Murray Darling - South West region live outside the region in both Queensland and Northern New South Wales. Mechanisms aimed at involving Indigenous people in natural resource management within the region will need to accommodate, in an appropriate way, the dispersed locations of the Traditional Owners and those with historical interest.

The main types of current Indigenous organisations in the Murray Darling - South West region are associated with the Indigenous Land Council and the Aboriginal and Torres Strait Islander Commission.

2. Methods

(a) Consultation with Indigenous peoples

In order to develop options for the involvement of Indigenous participation in natural resource planning and management activities in the Murray Darling - South West region, Gundabooka held discussions with many individuals and groups from the Nations and other relevant Indigenous groups in the region and in associated centres. These meetings were carried out during the following eight trips:

- Eight day reconnaissance trip to Lightning Ridge, Goodooga, St George, Toowoomba, Roma, Charleville, Cunnamulla and Bourke in January 2003
- Fourteen day trip to Bourke, Cunnamulla and Charleville in February 2003
- Two day trip to St George in March 2003
- Two day trip to Toowoomba in March 2003
- Two day trip to St George in April 2003 to attend a round table meeting
- Two day trip to Toowoomba in May 2003
- Two day trip to Toowoomba in May 2003 to attend a Scoping Study meeting organised by the MDBC
- Three day trip to Boggabilla and Toowoomba in June 2003

Seven formal meetings were held, one in Cunnamulla, three in Toowoomba, two in St George and one in Boggabilla. Only relevant Elders and community members were invited to the meetings. They had been identified by Gundabooka's Local Contact Person in each location.

Cunnamulla

Ten community people attended a formal meeting on 26 February 2003. A good representation of Traditional Owners attended.

Toowoomba

Three meetings were held in Toowoomba. Each meeting was for a specific group and therefore no one attended meetings more than once. Twelve people attended the first meeting on 19 March 2003, 21 people came to the second meeting on 24th May 2003 and nine people attended the third meeting on 13th June 2003. Participants were predominantly those with Traditional association with the Warrego country, although they also had strong historical association with the Toowoomba area. They want to have a say in matters on the Warrego, because this is their traditional right, but also felt it appropriate to provide input to local matters in the Toowoomba area because of their historical association with it.

Boggabilla

Twenty people attended the meeting in Boggabilla on 24th June 2003.

A list of people who attended each meeting is at Appendix 2.

One-on-one discussions and informal meetings were also held with families and groups of people in all locations. This was often the best way to engage people who did not attend the formal meetings.

The following organisations were contacted as part of the project:

- Queensland Murray Darling Committee
- Indigenous Land Council
- Aboriginal & Torres Strait Islander Services (previously ATSIC)
- Murray Darling Basin Commission

Challenges associated with undertaking consultation are summarised in the part one report. These challenges also apply to this part two report. Despite the difficulties, Gundabooka was able to contact people from most of the known Nations associated with the Murray Darling - South West region and relevant Indigenous organisations. Gundabooka believes that the findings reflect the views of the Indigenous Nations in the region.

(b) Review of Indigenous natural resource management issues

A review was carried out of literature in Australia and overseas relating to Indigenous natural resource management with specific reference to rivers, water and river management. Recent reports directly relevant to the Murray Darling - South West region were also examined in detail, as their development had involved separate consultation with Indigenous people in the region. These reports were:

- *On Ground - On Country. Indigenous participation in the sustainable management of the Queensland Murray Darling Basin. Prepared by the Queensland Murray Darling Committee.*
- *Talkin Rivers - Healing Country. A Model for increasing Indigenous participation in the sustainable management of the South West Natural Resource management region, prepared by the Indigenous NRM Coordinator for the region in September 2002.*
- *Scoping study on Indigenous involvement in natural resource management decision making and the integration of Indigenous cultural heritage considerations into relevant Murray-Darling Basin Commission programs. A report prepared by Forward NRM and Arrilla - Aboriginal Training and Development, February 2003.*

(c) Development of options for Indigenous involvement

Following the consultation and literature review, Gundabooka developed options for Indigenous involvement in the region, taking into account the findings of the consultations, literature review and other relevant material.

3. Findings

(a) Findings from consultations

Many matters were raised by Indigenous people in the region, during both the formal and informal meetings. Some issues related to the continued degradation of country and how the region's natural resources are being managed. These key issues are summarised below.

Environmental issues:

- river health, including native fish, carp, contamination of water (insecticides, oil from machinery), clearing rubbish along banks, construction of dams and weirs, sand dredging/extraction
- water management, including the volumes of water used for irrigation, water stealing, open bore drains, underground water usage, illegal dams, sleeper licences, water trade
- the need for an Indigenous allocation of water, or monetary compensation
- lack of access to rivers
- clearing of native vegetation, loss of habitat and biodiversity
- loss of traditional medicines and food
- pest and weed control
- soil erosion
- salinity
- inappropriate reserves and picnic areas for tourists

Many other issues related to the lack of Indigenous involvement in natural resource management processes in the region, and the lack of access to natural resource management funding. Development decisions in the region continue to be made without any Indigenous involvement and do not take account of either Indigenous cultural heritage values or the impact of proposed developments on these values.

Communities believe that the current decline in the health of country is partly because the Indigenous custodians are not involved in government planning and management processes. Communities want to be involved and to have the ability to make changes and help achieve improvements on the ground. The key issues raised by the communities about how they wish to be involved are summarised below.

Involvement issues

- Only Indigenous people with traditional association with country can speak about issues 'on country'
- it is important not to penalise families that have moved from their traditional country to other places that provided better opportunities for them
- Indigenous knowledge must be valued, respected and used consistent with how the person who holds this knowledge wants it to be used

- communities need access to appropriate information, legal advice, support and training to ensure they have a level of understanding similar to other stakeholders and are able to work well with land managers and agencies
- engagement processes must
 - ensure gender issues are considered and addressed
 - allow youth to be included so that information, knowledge and skills can be passed on to them and help build partnerships that continue into the future
 - involve government people with appropriate authority to make decisions
 - ensure information is shared by all community members
 - include appropriate feedback so people know how and where their information is being used, and if any change has resulted from their input
- governments must be totally honest and transparent
- cultural awareness training is needed so that government officers and other land owners/managers have an understanding of the relationship between Aboriginal people and their 'country' and of the issues affecting Indigenous communities
- people who attend meetings should have their expenses covered and receive sitting fees in line with standard government rates

The communities believe their involvement in natural resource management processes must help empower them, and allow them to continue to push their individual and collective rights, for example Native Title, improved environmental outcomes, access to resources, access to significant areas/sites, recognition of traditional knowledge, and training and employment opportunities. The communities also strongly feel that if Indigenous land, resources, knowledge and skills in the region are being used for natural resource management, the nations should receive greater economic benefits from this than they currently do.

(b) Findings from literature review

The report on the review of relevant literature, provided in full at Appendix 3, contains discussion about:

- traditional, historical and cultural significance in relation to natural resource management
- assessment of Indigenous strategies for managing and sustaining land
- some models of Aboriginal involvement in natural resource management in Australia
- the benefits of Indigenous involvement to conservation and the environment and to Aboriginal people and other agencies.

The main findings of the review are shown below.

- Indigenous people have a wealth of knowledge, information and understanding of the natural resources in their traditional areas which is unique to them and not held by any other authorities
- the inclusion of those with traditional responsibility for the management of natural resources is vital to preserve those resources and to maintain the heritage and cultural value of an area
- Indigenous knowledge and its recognition as essential to natural resource management in Australia is not entirely understood or supported by other authorities in particular western scientific traditions
- Indigenous peoples have a high level of concern and desire to be involved in rivers management

- the inclusion of their cultural traditions in management and use of natural resources is important to the effectiveness of maintenance and integrity of an area
- recognition of sites of significance and protection or heritage listing is essential in order to decrease degradation and loss of that resource forever
- a range of positive arguments from scholars, scientists, researchers and government consultants, which support the inclusion of Indigenous people in the management of land, rivers, waterways and natural resources on land where they have traditional and contemporary roots.

The review also outlines specific issues for Traditional Owners in the Paroo, Warrego, Nebine and Bulloo Rivers in relation to river management. These include the need:

- for dialogue and assessment with the Indigenous communities
- for structures that consider Indigenous cultural needs and models of governance
- for there to be effective outcomes for Indigenous people and the wider natural resource management community
- to recognise Aboriginal peoples' decisions
- to adequately resource Indigenous community involvement
- for appropriate representation of Indigenous peoples, i.e. those with traditional relationship, spiritual affiliation or specific Indigenous knowledge of the regions by way of oral traditions.

4. Proposed mechanisms for Indigenous involvement

The terms of reference specify that the mechanisms for Indigenous involvement in natural resource management (nrm) must cover nrm planning, nrm plans and nrm management activities (programs and/or projects). The mechanisms proposed by Gundabooka are described in the following sections in terms of outcomes, structures and processes for involvement, and the resources that will be necessary to support them.

The Queensland Government, Queensland Murray Darling Committee and the South West NRM groups have also indicated (in the terms of reference for this project) that they will only be able to invest in longer term Indigenous engagement mechanisms that meet the principles listed below.

Queensland principles for funding proposals for Indigenous involvement

1. Clear mode of operation and sub-regional focus.

Any durable engagement mechanism would need a clear statement of its mode of operation. This would include:

- a. defined sub-regional areas within which Traditional Owner groups would most likely operate;
- b. demonstrated approaches for bringing sub-regional groups together (e.g. through effectively facilitated meetings or by one-on-one contact with Traditional Owners) and how often (e.g. four times per year);
- c. demonstrated quality assurance systems to show that meetings can remain inclusive, manage conflict and progress strategic input into client regional resource management processes; and
- d. systems for regularly informing the widest possible range of people about relevant information in regard to land and natural resource management.

2. Ownership building

The mechanism established would need to establish a progressive organisation building process that builds a sense of purpose and ownership among member Traditional Owner groups, establishes operating norms, and develops, implements and monitors a strategic development plan.

3. Building an effective mandate

The mechanism would need to be able to demonstrate that it has the confidence of the majority of Traditional Owner groups and other Indigenous interests within defined sub-regions, and that it has an open and effective mechanism for continuing communication with non-aligned Traditional Owner groups. A critical threshold of Traditional Owner group support for the operation of the mechanism would need to be established and monitored.

4. Good faith with other Indigenous bodies/organisations

The mechanism established would need to demonstrate its good faith in seeking to build strong relationships with relevant Indigenous support agencies and other stakeholders and organisations with an interest in the natural resource management of the Queensland Murray Darling Basin and South West NRM Region.

In order to ensure that the mechanisms for Indigenous involvement proposed by Gundabooka meet these principles, 'sub-principles' have been developed to underpin the proposed involvement structures and processes. The sub-principles build on the findings of the community consultation and literature review outlined in section 3 of this report.

(a) Desired outcomes of Indigenous involvement

Gundabooka recommends that any mechanisms for efficient and effective Indigenous involvement in natural resource management in the Murray Darling - South West region should aim to achieve the following critical outcomes.

Proposed outcomes

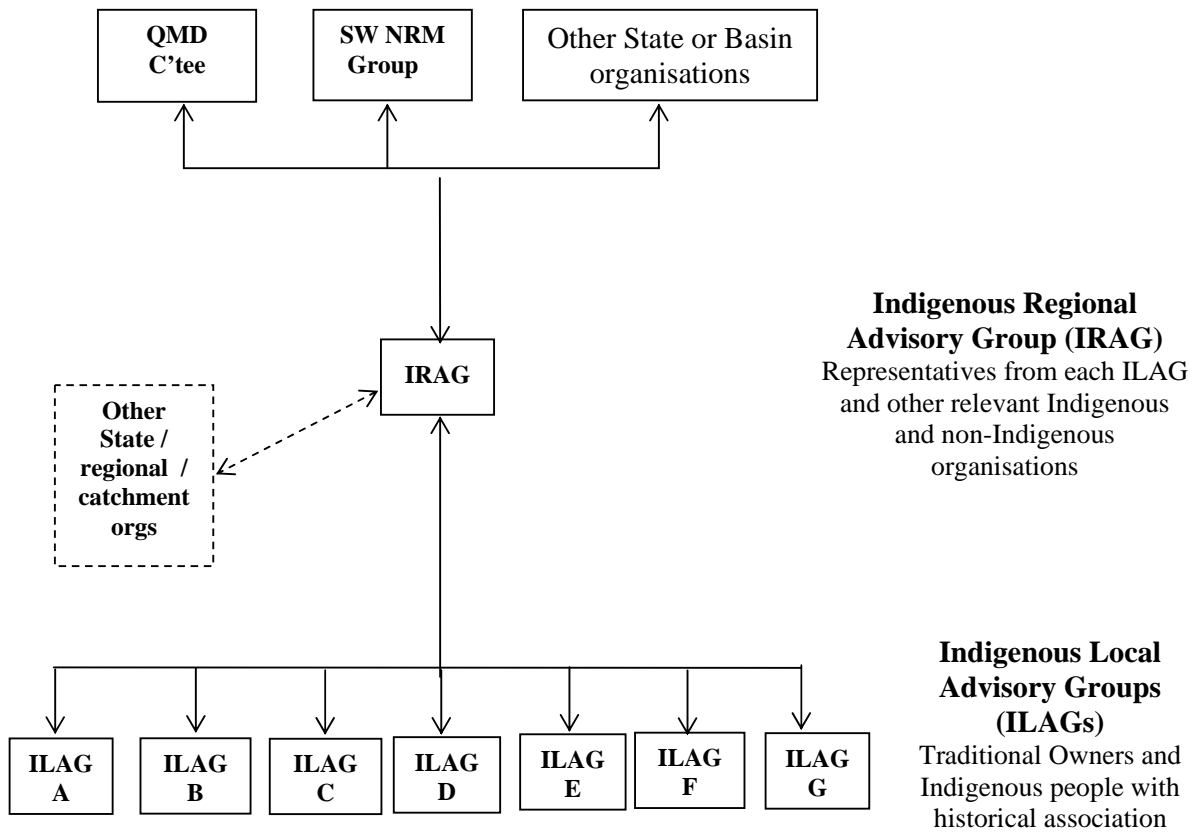
- 1) Indigenous communities in the region are actively participating in natural resource management planning processes that are compatible with Indigenous governance, protocols and decision-making processes.
- 2) There is a good flow of information to Indigenous people on the ground and to relevant Indigenous groups and organisations about natural resource management issues in the region.
- 3) Indigenous issues and concerns are appropriately reflected in regional and catchment natural resource management plans.
- 4) Indigenous peoples' knowledge and understanding of country is respected and valued, and incorporated with western knowledge into natural resource management plans and actions.
- 5) Indigenous communities are continuously improving their capacity to help address the region's natural resource management issues.
- 6) Indigenous communities have access to resources for sustainable natural resource management, are involved in natural resource management programs and are managing natural resource management projects.
- 7) There is good cross cultural awareness between the Indigenous people and non-Indigenous people (government and non-government) involved in natural resource management in the region.

(b) Structures for Indigenous involvement

Gundabooka recommends that the following sub-principles underpin any structures for Indigenous involvement in the Murray Darling - South West region.

- 1) Only Traditional Owners can speak for their country.
- 2) Where more than one Traditional Owner group claims to speak for the same country, each must be provided the opportunity to be involved in discussions about issues affecting the country. It is the responsibility of the competing Traditional Owner groups to agree amongst themselves who will represent them on local Indigenous groups involved in natural resources management activities in the region.
- 3) Indigenous people with historical connection to their country must be provided the opportunity to be involved in discussions about issues affecting the country.
- 4) All Indigenous nations with customary rights and responsibilities for country associated with a catchment in the Murray Darling Basin - South West region must be provided the opportunity to be involved in natural resource management planning processes for the catchment.
- 5) Traditional Owners of country that lies within Murray Darling Basin - South West region may invite other Indigenous people whose country lies outside the region to be involved in their nation's discussions about issues affecting their country.
- 6) Indigenous organisations with an interest in natural resource management in the region must be provided the opportunity to be involved in the region's natural resource management planning processes.
- 7) Relevant non-Indigenous organisations (government and non-government) involved in natural resource management in the region need to participate appropriately in any structures established to promote Indigenous involvement in the region's natural resource management planning processes.

Option 1: nation - region based structure



Option 1 is based on seven local groups representing each nation with Country in the Murray Darling - South West region. Each local group is represented on a regional group (IRAG). Nominated representatives of the regional groups participate in regional nrm planning and management bodies such as the Queensland Murray Darling Committee and South West NRM Group. They could also participate in other relevant committees of the Queensland Government or of organisations operating at a Basin scale (e.g. Murray-Darling Basin; Great Artesian Basin). Table 3 shows the general composition of the two types of group in option 1. This table also summarises how both types of group would be involved in natural resource management planning, catchment or regional plans and natural resource management activities.

This option is likely to work best where all nations in the Murray Darling - South West region have similar issues that need to be included in both catchment and regional plans. Advice can however be provided on Indigenous issues at local, catchment and regional scales. Where specific issues relate to a particular catchment, the regional group can advise on them by drawing on the views of the ILAG representatives who are members of IRAG with country in that catchment.

Table 3. Option 1 membership and nature of participation in natural resource management (nrm) activities

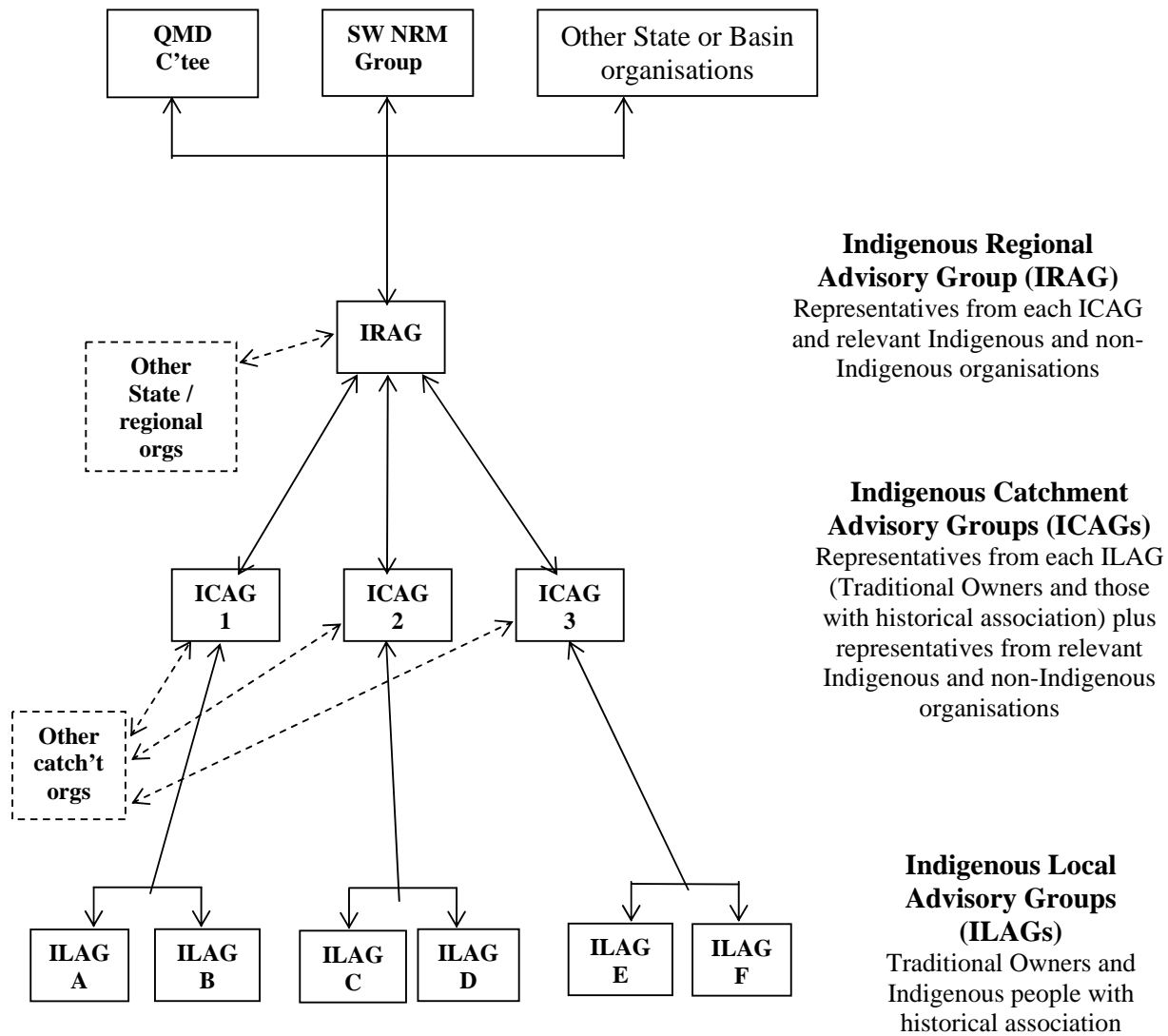
Group	Composition	Planning process	Plans	Management
IRAG – Indigenous Regional Advisory Group	<p>Members</p> <ul style="list-style-type: none"> from each ILAG in the region that includes the interests of Traditional Owners and those with historical association <p>Observers</p> <ul style="list-style-type: none"> from each regional/state / catchment Indigenous body. from relevant nrm bodies operating at regional and/or catchment scale 	<ul style="list-style-type: none"> Prepare advice on regional plans for regional nrm planning processes prepare advice on catchment plans for catchment nrm planning processes represent the catchment & 'collective' local interests/issues at regional level representatives sit on relevant 'higher level' nrm bodies point of contact for other catchment-scale activities relevant to nrm (e.g. Local Government) 	<ul style="list-style-type: none"> regional and catchment plans address Indigenous issues in the region / catchment IRAG responsible for some actions in regional and catchment plans 	<ul style="list-style-type: none"> develop, implement and monitor regional strategic plan help establish regional nrm programs and coordinate them at local level apply for project funds for nrm work and oversee/manage projects support capacity building at local level
ILAG - Indigenous Local Advisory Group	<p>Members</p> <ul style="list-style-type: none"> Traditional Owners of the member nations people from the nations with historical association to the nation's country <p><u>Observers</u></p> <ul style="list-style-type: none"> people invited to attend meetings 	<ul style="list-style-type: none"> agree views & comments about catchment and regional plans provide input to catchment and regional plans via IRAG 	<ul style="list-style-type: none"> catchment and regional plans take account of local views 	<ul style="list-style-type: none"> local point of contact for consultation about on-ground actions relevant to their country (e.g. NHT projects; Local Government activities) participate in on-ground projects managed/coordinated by IRAG have capacity built to apply for funds & manage their own projects in the longer term

Gundabooka recommends that the seven Indigenous Local Advisory Groups (ILAGs) are formed from the 15 Indigenous nations with country in the region, as proposed below in table 4. The composition of each ILAG takes account of current politics, geography and Nation size. The final makeup should be decided at the time a preferred model is chosen.

Table 4. Nations in each Indigenous Local Advisory Group (ILAG)

Local Advisory Group	Names of Indigenous nations
ILAG A:	Bigambul, Gambuwal
ILAG B:	Kooma, Gunggari, Kunja
ILAG C:	Badjiri, Moorawarri
ILAG D:	Kullilli, Budjiti
ILAG E:	Bidjara, Mardigan
ILAG F:	Manandanji, Kamilaroi
ILAG G:	Barunggam, Jarowair

Option 2: nation - catchment based structure



Option 2 is based on six local groups representing each nation with country in the Murray Darling - South West region. However, each of these local groups (ILAGs) is represented on one of three catchment groups (ICAGs), except for the local group containing the Kamilaroi Nation, which has an interest in two catchments. This local group would need to be represented on two catchment groups.

Representatives from each catchment group (ICAG) combine to form a single regional group (IRAG). Nominated representatives of the regional group participate in regional natural resource management planning and management bodies such as the Queensland Murray Darling Committee and South West NRM Group. They could also participate in other relevant committees of the Queensland Government or of organisations operating at a Basin scale (e.g. Murray-Darling Basin; Great Artesian Basin).

Table 5 shows the general composition of the three types of group in option 2. This table also summarises how each type of group would be involved in natural resource management planning, catchment or regional plans and natural resource management activities.

This option would be most appropriate where there are strong catchment-specific issues in the Murray Darling - South West region. Each type of group addresses issues at a different scale, with local (ILAG), catchment (ICAG) and regional (IRAG) groups providing advice on Indigenous issues at local, catchment and regional scales respectively. The option 2 structure would also address issues common to all catchments that need to be included in both catchment and regional plans.

The following tables show suggested compositions for each ILAG and IRAG, it is recommended that further discussions in relation to composition is conducted when one of the two engagement models are chosen.

The make-up of the six Indigenous Local Advisory Groups is shown in table 6. The composition of each ILAG takes account of current politics, geography and Nation size.

Table 6. Nations in each Indigenous Local Advisory Group (ILAG)

Local Advisory Group	Names of Indigenous nations
ILAG A:	Bigambul, Kamilaroi, Gambuwal
ILAG B:	Barrangum, Jarowair, Gunggarri
ILAG C:	Mandandji, Kamilaroi, Gunggarri, Kooma
ILAG D:	Moorawarri, Badjiri
ILAG E:	Mardigan, Bidjara
ILAG F:	Budjiti, Kullilli, Kunja,

Gundabooka recommends that the three Indigenous Catchment Advisory Groups cover river catchments in the region as shown below in table 7.

Table 7. Catchments and Nations covered by each Indigenous Catchment Advisory Group (ICAG)

Catchment Advisory Group	Names of river catchments	ILAG's
ICAG 1:	Border Rivers – Condamine	ILAG A -ILAG B
ICAG 2:	Maranoa-Balonne	ILAG C –ILAG D
ICAG 3:	Warrego-Paroo - Bullo	ILAG E – ILAG F

Table 5. Option 2 membership and nature of participation in natural resource management

Group	Composition	Planning process	Plans	M
IRAG – Indigenous Regional Advisory Group	<p>Members</p> <ul style="list-style-type: none"> • from each ICAG. <p>Observers</p> <ul style="list-style-type: none"> • from each regional/state Indigenous body. • from relevant state/regional nrm bodies. 	<ul style="list-style-type: none"> • Prepare advice on regional plans for regional nrm planning processes • represent the catchment & 'collective' local interests/issues at regional level • representatives sit on relevant 'higher level' nrm bodies 	<ul style="list-style-type: none"> • regional plans address Indigenous issues in the region • IRAG responsible for some actions in regional plans 	
ICAG - Indigenous Catchment Advisory Group	<p><u>Members</u></p> <ul style="list-style-type: none"> • from each ILAG with country associated with the river catchments <p><u>Observers</u></p> <ul style="list-style-type: none"> • from each relevant Indigenous organisation operating at a 'catchment' level • from each non-Indigenous nrm body operating at a catchment level 	<ul style="list-style-type: none"> • prepare advice on catchment plans for catchment nrm planning processes • provide input to regional and other plans via representatives on IRAG • point of contact for other catchment-scale activities relevant to nrm (e.g. Local Government) 	<ul style="list-style-type: none"> • catchment plans address Indigenous catchment & 'collective' local issues • ICAG responsible for some actions in catchment plans 	<ul style="list-style-type: none"> • • •
ILAG - Indigenous Local Advisory Group	<p>Members</p> <ul style="list-style-type: none"> • Traditional Owners of the member nations • people from the nations with historical association to the nation's country <p><u>Observers</u></p> <ul style="list-style-type: none"> • people invited to attend meetings 	<ul style="list-style-type: none"> • agree views & comments about catchment and regional plans • provide input to catchment and regional plans via ICAG and IRAG 	<ul style="list-style-type: none"> • catchment and regional plans take account of local views 	<ul style="list-style-type: none"> • •

(c) Composition of Indigenous Advisory Groups

The membership of the Indigenous Regional Advisory Group (both options) and Indigenous Catchment Advisory Groups (option 2) is built 'from the ground up', i.e. from the six Indigenous Local Advisory Groups (ILAGs).

Local Advisory Groups

Based on the sub-principles outlined in section 4(b) above, each Indigenous Local Advisory Group should be made up of Traditional Owners from the 'member' nations in that group (see table 4 or table 6). Gundabooka proposes that people from the 'member' nations with historical association to the area should also be ILAG members. If desired, each ILAG should be able to invite other people to attend its meetings as observers. This may include, for example, a legal or other advisor, or an Indigenous person who does not belong to the ILAG 'member' nations but who has a strong historical association with those nations' country.

Catchment and/or Regional Advisory Groups – members

When determining the number and 'nature' of representatives to become members of each Indigenous Catchment Advisory Group (ICAG) and/or the Indigenous Regional Advisory Group (IRAG), Gundabooka recommends that the following sub-principles apply:

- 1) Each group (local/catchment) will decide which of its members will represent it on 'higher level' groups (i.e. catchment/regional), and take account of the need to provide training for younger community members.
- 2) Members should be able to appropriately represent the views of both Traditional Owners and people from the 'member' nations with historical associations.
- 3) There will be appropriate representation of both men's business and women's business.
- 4) There should be flexibility to allow, when needed, representatives with topic-specific knowledge.
- 5) Representatives should have 'moral support'.
- 6) There should be continuity of attendance between meetings.

Catchment and/or Regional Advisory Groups – observers

When determining the number and 'nature' of observers on each ICAG and/or the IRAG, Gundabooka recommends that the following sub-principles apply:

- 1) Each observer needs to have sufficient standing within his/her organisation to be able to speak with authority on appropriate matters at the ICAG/IRAG meetings.
- 2) Each relevant organisation can provide only one observer, but the total number of observers must not exceed the number of Indigenous members.
- 3) Where the total number of organisations interested in having observer status is large, the organisations should consider forming a single collective 'interest group' from which one observer is nominated.
- 4) There should be continuity of attendance between meetings.

Local, Catchment and Regional Advisory Groups – chairperson

Gundabooka recommends the following sub-principles for the chairperson of each type of group:

- 1) The Indigenous Regional Advisory Group (IRAG) will be chaired by an Indigenous person whose country is outside the Murray Darling – South West region.
- 2) Each Indigenous Local Advisory Group (both options) and Indigenous Catchment Advisory Group (option 2) will select one of its members to be the group's

chairman/chairwoman. Each group should also agree on a deputy chairman/chairwoman.

The suggested composition of each type of group, based on the above sub-principles for members, observers and chairpersons, is summarised in table 8 (option 1) and table 9 (option 2). Gundabooka recommends that final details of the composition of each type of advisory group be determined in consultation with the nations from the region, to provide them with a measure of self-determination. This would include the nations' finalising the proposed sub-principles that underpin the membership.

Table 8. Option 1 membership

Group	Composition
IRAG	<p>Members Independent chairperson 2-3 representative from each ILAG, including</p> <ul style="list-style-type: none"> • Traditional Owner/s • Person with historical association • subject matter person (on needs basis) <p>Observers include</p> <ul style="list-style-type: none"> • Chair of QMD Committee • Chair of SW NRM Group • 1x representative of other relevant organisations operating at a regional & catchment scale
ILAG	<p>Members</p> <ul style="list-style-type: none"> • all Traditional Owner/s of 'member' nations • people from 'member' nations with historical association <p>Observers</p> <ul style="list-style-type: none"> • as invited by the members

Table 9. Option 2 membership

Group	Representation
IRAG	<p>Members Independent chairperson 2-4 representative from each ICAG, including</p> <ul style="list-style-type: none"> • Traditional Owner/s • Person with historical association • subject matter person (on needs basis) <p>Observers include</p> <ul style="list-style-type: none"> • Chair of QMD Committee • Chair of SW NRM Group • 1x representative of other relevant organisations operating at a regional scale
ICAG	<p>Members 2-4 representatives from each ILAG, including</p> <ul style="list-style-type: none"> • Traditional Owner/s • Person with historical association <p>Observers include</p> <ul style="list-style-type: none"> • Chair of catchment committee • 1x representative of other relevant organisations operating at a catchment scale
ILAG	<p>Members</p> <ul style="list-style-type: none"> • all Traditional Owner/s of 'member' nations • people from 'member' nations with historical association <p>Observers</p> <ul style="list-style-type: none"> • as invited by the members

Where the Indigenous Regional Advisory Group (IRAG) needs to provide representatives to organisations such as the Queensland Murray Darling Committee etc, Gundabooka recommends that IRAG members choose their own representatives, taking account of the subject matter that each organisation handles, and the need to share the workload and responsibilities among IRAG members.

(d) Meetings

Frequency & timing

For both options 1 and 2, the frequency of meetings of each type of group (local, catchment and/or regional) must take account of:

- the need for adequate time for each group to understand technical matters/issues, discuss their own perspectives and views, and develop their responses/advice
- the need for adequate iterations of meetings to allow Traditional Owners in local groups to discuss proposed policies/strategies/actions etc that affect their country and provide their views back to the appropriate groups
- the timeframes set for regional and catchment planning.

Although each of the groups should probably meet no less than four times each year, it is likely that more frequent meetings will be needed at times, for example to discuss particular issues or to fit in with 'tight' planning deadlines. Each group would need to

time its meetings to obtain information or feedback from its 'higher level' groups and/or provide advice to them.

Meeting protocols

In order to build ownership of the proposed mechanisms for Indigenous involvement, Gundabooka recommends that the Indigenous Regional Advisory Group (IRAG) be invited to develop and/or agree on protocols that each group (local, catchment and regional) would then follow. It could include protocols for making decisions (e.g. by consensus or by voting), handling conflict, group membership protocols (using the sub-principles recommended in this report, listed in Appendix 4, as a starting point), protocols for reporting the outcomes of meetings more widely etc. This approach will provide a measure of self determination, help ensure a consistent approach, and help to build capacity.

(e) Communication

Effective communication will be essential 'both ways' within each group (i.e. between the various members and Observers), between the regional, catchment and/or local groups and between the members and Observers on each group and the communities and/or organisations they represent.

All communication by group members, Observers, and any other people invited to attend meetings must take account of the appropriateness of the method, style, delivery, venue and language for all the participants. To help facilitate understanding and good communication when the catchment and/or regional groups are first established, Gundabooka recommends that cross cultural awareness training be carried out as part of each group's activities.

Relevant issues, and the activities and outcomes of local, catchment and/or regional advisory group meetings should also be communicated to a wider audience, for example through local and/or regional Indigenous newsletters, newspapers, radio etc.

(f) Supporting resources

Any mechanism to involve the region's Indigenous nations in natural resource planning and management will need appropriate support. This includes:

- policy and personal support at the highest level of the relevant Queensland Government agencies, Queensland Murray Darling Committee and the South West NRM groups
- the appointment of coordinators, with a suitable operational budget, to provide coordination, facilitation and planning assistance to the ILAGs/ICAGs/IRAG
- sitting fees, travel, meal and accommodation expenses of members of the Indigenous nations who attend ILAG/ICAG/IRAG meetings.

The number of coordinators will depend on which of the two structural options is implemented. Gundabooka recommends the following arrangements for each option:

- Option 1: 1x Coordinator plus 1x Assistant Coordinator
- Option 2: 2x Coordinators (one male, one female) plus 2x Assistant Coordinators.

The recommended number of coordinators for each option is based on the probable work load and to ensure the coordinators have backup, mutual support, and training opportunity.

The duties of the coordinators will include:

- establish and maintain networks with the Indigenous nations in the region and help develop and implement the agreed structure for Indigenous involvement
- establish and maintain networks with key government and non-government nrm agency bodies/personnel
- coordinate and provide administrative and organisational support to the structures set up for Indigenous involvement
- support strategic and nrm planning by the IRAG/ICAG/ILAGs and prepare material requested by them for input to nrm policies, plans and management activities
- coordinate training needs for IRAG/ICAG/ILAG members
- help organise cultural awareness training for key government and non-government nrm agency personnel
- facilitate information flow between advisory groups and the wider stakeholder audience
- facilitate partnerships for natural resource management projects
- manage operational expenses and acquit the budget for Indigenous involvement

The operational budget will need to cover the expenses of the coordinators, the IRAG/ICAG/ILAG Indigenous members and meeting expenses. Items that will need to be covered are listed below.

Coordinators

- salaries and on-costs
- vehicle lease and fuel
- travel allowances
- office rent*
- office equipment (phone, facsimile, mobile phone, photocopier, stationery etc)*
- support budget (e.g. to obtain legal advice, provide training, communication costs)

(* these costs may be reduced if the coordinators share office accommodation with an existing nrm body)

IRAG/ICAG/ILAG members

- sitting fees
- travel allowance (accommodation, meals not covered by meetings)
- vehicle allowance (fuel/mileage)

Meetings

- rental of meeting rooms
- meal expenses
- capacity to hire meeting facilitators
- preparation of communication materials for meetings

To help facilitate the work of the coordinators and the establishment of arrangements for Indigenous involvement, there would be value in the coordinators being co-located

with one of the key natural resource management bodies in the region. Gundabooka suggests that the Queensland Murray Darling Committee office would be the most appropriate.

5. Discussion

The *Scoping study on Indigenous involvement in natural resource management* carried out for the Murray-Darling Basin Commission (see section 2(b) earlier) recommended three principles that are critical for meaningful involvement of Indigenous nations in natural resource planning and management activities in the Murray Darling – South West region. These principles are:

- 'create partnerships between Indigenous peoples and government based on respect, honesty, and capacity to participate equally, with shared responsibility and clearly defined accountability and authority'
- 'natural resource decisions need to deliver social, economic, environmental and cultural outcomes that are equitable and appropriate to ... Indigenous people'
- 'developing the capacity ... of Traditional Owners and local Indigenous communities is an essential and integral component of effective and ongoing Indigenous involvement in natural resource management ... this is a responsibility of all natural resource managers'.

The literature review (Appendix 3) also outlined aspects of Indigenous involvement that are critical for non-Indigenous people to understand:

- Aboriginal rights under law to be engaged in governance of their country really only asserts what, for Indigenous people, is their natural right
- management agencies/organisations must involve Indigenous people as significant partners with bodies of knowledge and practice that are potentially relevant to natural resource management
- processes for inclusion must recognise the rights and responsibilities of all Traditional Owners according to their preference rather than the preferences of the non-Indigenous agencies/managers
- non-Indigenous natural resource management managers/agencies must not view Indigenous involvement as a process of 'allowing' Aboriginal participation
- outside interference, pressure and non-recognition of Indigenous methods will decrease the ability of Indigenous communities to engage to their fullest extent
- clarity is required from the start about who has the 'power' to make what decisions, and on what basis.

Gundabooka believes that the mechanisms it has outlined in this report pave the way for the Indigenous nations in the Murray Darling – South West region to be meaningfully involved in government and non-government natural resource management activities. The way in which the mechanisms meet the Queensland principles for funding proposals for Indigenous involvement are summarised in Appendix 6. The extent to which the mechanisms are acceptable to Indigenous nations in the region must be determined by allowing the nations to discuss the report and provide feedback on it.

The two structural options provided in section 4(b) are not necessarily mutually exclusive. Gundabooka believes that the simpler option 1 would be a good starting point, and pave the way for a natural 'evolution' over time to option 2. The recommendations in sections 4(d) and 4(e) that the nations finalise the proposed sub-principles (summarised

in Appendix 4) and develop their own meeting protocols will be important aspects of self determination during the early stages of establishing any involvement process.

The proposed structures (options 1 and 2) both rely on members being drawn from the Indigenous nations in the Murray Darling – South West region, except for the chairperson of the Indigenous Regional Advisory Committee. Gundabooka has proposed that an external Indigenous person should chair the IRAG meetings. This is because Gundabooka feels a person with no 'cultural stake' in the outcomes of the meetings will be able to better focus on good processes during the meetings and on getting good outcomes for all the nations. The disadvantages of this proposal are that the person would not necessarily be familiar with country in the region and may be viewed with mistrust as an 'outsider'. It is also not promoting self-determination and is not helping to build local capacity for leadership. For these reasons, it may be valuable to have an independent chair help establish the new involvement structures and move to having a 'local' Indigenous chairperson as the structures and processes evolve.

6. Appendices

Appendix 1: Terms of Reference

Appendix 2: List of people who attended meetings

Appendix 3: Literature review

Appendix 4: Draft sub-principles for Indigenous Advisory Groups

Appendix 5: Proponent Principles

Appendix 6: Response to Water Plan

Appendix 1: Terms of Reference

BACKGROUND

In the Murray Darling Basin and Bulloo catchments, the Queensland Murray Darling Committee, South West Natural Resource Management (NRM) Group and Queensland Government are currently undertaking a range of natural resource management activities including planning and on-ground actions. In particular, in November 2000, the Council of Australian Governments (CoAG) endorsed the Commonwealth's proposal for a National Action Plan for Salinity and Water Quality (NAP). Through the NAP, funding will be provided for planning and on-ground action to address critical natural resource management issues in the Basin. In early 2002, a Bilateral agreement was signed between the Queensland and Commonwealth Governments outlining the commitment of both parties to addressing salinity and deteriorating water quality.

A cornerstone of the Agreement is the active involvement and participation of rural and regional communities. Indigenous people and Traditional Owners in particular are recognised as having a special relationship with and interests in the management of country. To date, involvement of Traditional Owners (and other Aboriginal organisations and groups) has been largely inadequate. Steps are now being taken to improve the involvement of Traditional Owners and other Indigenous people in the future planning and implementation activities.

Some initial conceptual work has been done regarding effective Indigenous partnerships in the Sustainable Management of the Queensland Murray Darling Basin and South West NRM Region. This consultancy represents the basis for further discussions with Traditional Owners and other Indigenous groups on how effective engagement can be achieved in their area.

In addition to the National Action Plan and other natural resource management planning activities, the Queensland Government through the Department of Natural Resources and Mines is currently preparing a water resource plan for the Warrego/Paroo, Nebine and Bulloo catchments. The plan is being prepared under the *Water Act 2000* will address the following issues:

- Allow transparent sharing of water to protect environmental values and human interests;
- Make sure water users' allocations are secure for the life of the plan;
- Ensure that new allocations are issued only if they are able to be sustained;
- Protect the health of the rivers and underground water reserves.

Public participation is an essential part of the plan's preparation. A draft plan is currently on public display and community groups are encouraged to make submissions on the draft plan. To date, Aboriginal issues have been largely facilitated through the involvement of representatives from the Queensland South Representative Body. Further involvement of Traditional Owners is necessary.

PURPOSE OF CONSULTANCY

The purpose of the consultancy is twofold –

- The primary focus - Explore and prepare for the implementation of effective and efficient mechanisms for Indigenous participation in NRM planning and implementation activities in the Queensland Murray Darling Basin and South West NRM areas. This is to ensure that Traditional Owner and other indigenous issues, concerns and values in relation to the managing the land and rivers within the Basin and South West regions are included and addressed across the range

of future NRM plans as well as to establish the mechanism for ongoing participation in regional NRM planning processes; and

- Additionally - to gain agreement from Traditional Owners that this mechanism be used to develop Indigenous input into the draft water resource plans for the Nebine, Warrego, Paroo and Bulloo Rivers and collate initial comments on the draft plans.

Please Note: In assessing consultancy proposals, the proponents reserve the right to assess the additional Water Resource Planning part of proposal separately from the primary focus of the consultancy. Hence the consultant may wish to supply the costs of doing both parts together as well as separately. Consultants may also choose to tender for just one component of the work.

PRIMARY DUTIES AND RESPONSIBILITIES

The consultancy will support the Queensland Murray Darling Committee, the South West NRM Group and Queensland Government by undertaking the following:

- Review relevant reports and documents relating to the involvement of Traditional Owners and other Indigenous people in NRM in the region and past consultation effort;
- Make contact with Traditional Owners of the South West and Queensland Murray Darling Basin regions with a view to gathering views on how Traditional Owners and other indigenous people wish to participate in ongoing NRM planning activities in the region;
- Drawing from this existing work and from initial contacts, explore potential models for effective Indigenous engagement in ongoing NRM planning and management within the region;
- Organise and facilitate a forum/s of Traditional Owners of the QMDB and South West NRM regions and other relevant Aboriginal organisations to determine the preferred options for involvement in line with agreed principles for funding such an involvement process (see Attachment 1);
- Liaison with relevant officers of Queensland Murray Darling Committee, South West NRM Group and relevant State government officers regarding the development of funding arrangements for possible engagement options and to present at/be available for participation at the forum/s;
- Provide a report of the outcomes and findings from the forum/s to indigenous communities and individuals involved; and
- Facilitate discussion between Traditional Owners, the State government agencies and regional NRM bodies who are potential investors in Indigenous involvement mechanisms, to establish final agreement regarding the details of that investment.

In addition, in relation to the Water Resource Planning aspects of this consultancy, facilitate indigenous community input into the draft water resource plans for the Nebine, Warrego, Paroo and Bulloo Rivers.

Appendix 2: List of people who attended meetings

Toowoomba meeting Saturday 24th May 2003 Bidjara Traditional Owners

Patricia Fraser, Ros Graham, Fay Jackson, Rene Riley, Joyce McCarthy, Elsie Broderick, Lena Broderick, Regina Lawton, Jodie Lawton, Darlene Robinson, Shane Wyman, Floyd Robinson, David Fraser, Keelen Mailman, Lionel Fraser, Rusty Fraser, Betty Wyman, Bob Mailman, Jim Taylor, Troy Lawton, Raymond Riley.

Cunnamulla meeting 26th February 2003

Evelyn Widgell, Dolly Fox, John McKellar, Daniel McKellar, Wayne Wharton, Bert McKellar, Lames Campbell, Peter Seckold

Toowoomba Meeting Wednesday 19th.March 2003

Sandra Grimshaw, Pam Robinson, Stephen Hagan, Joan Gray, Olive Murphy, Grace Weatherall, Jim Hagan, Andrew Robinson, Christine Warner, Christine Lucas, James Hagan, M.M Carthy, Kayleen Hopicus

Boggabilla Meeting Wednesday 25th June 2003

Rebecca Bell, Cheyenna Dennison, Mavis Dennison, Amelia McIntosh, Elise Dennison, Judy Dennison, Reg Haine, Rachel Foster, Leonie Binge, Fleur Herscovitch, Glenda Duncan, Ken Hicks, D. Dennison, Marlene Howard, Lonnie Duncan, Pauline Cain, Judy Duncan, Margaret Duncan, P. Duncan

St George Meeting 28th April 2003

Kevin Waters, Thelma Waters, Thelma E Waters, Dianne Connolly, Raymond Bolland, David Combango, Bill Saunders, Henry Noble, Richard Thurston, Jason Connolly, Elysia Saunders, Pam Turnbull, Joe Turnbull.

GUNDABOOKA CONSULTANCY

LITERATURE REVIEW

INDIGENOUS NATURAL RESOURCE MANAGEMENT PROJECT PAROO, BULLO, WARREGO AND NEBINE RIVERS SOUTH WESTERN QUEENSLAND

Tjanara Goreng Goreng
Indigenous Training Group
Queanbeyan NSW 2620
June 2003

Documents, articles, publications, books, serials and journals were found in relation to the topic as indicated in the initial discussions and contract with Gundabooka. I undertook a search of available documents specific to the region, the State, Australia and in International literature relating to Indigenous natural resource management issues with specific reference to the rivers indicated and to water and rivers management.

References were sourced from the following libraries:

- Environment Australia public library, John Gorton Building Canberra
- Australian Institute of Aboriginal & Islander Studies, Canberra
- The Australian National University Library, Canberra
- University of Canberra, ACT
- Centre for Aboriginal Economic Policy Research, ANU, Canberra (Occasional Paper Series)
- Centre for Indigenous Natural Resource Management, Northern Territory University, Darwin (via interlibrary databases)
- Searches were also undertaken through the Departments of Communications and Prime Minister and Cabinet and the Parliamentary Library to locate relevant policy documents and legislation relating to the topic.
- Overseas material was located in some of the above libraries and sourced via the Internet.

The majority of the literature reviewed for this report was published in the 1990's, some in the 1980's and most recently in 2000 and 2001. The majority of literature highlights complex issues and shows the development of understanding and policy changes over the two decades. Most agree that the inclusion of Indigenous knowledge is underestimated and undervalued but attitudinal change is occurring. Legal recognition of native title rights and further discussion by some authors of intellectual property rights adhering to knowledge in and of the land cannot be ignored by agencies and governments when involving themselves in natural resource management. Models studied and presented show a high level of innovative thinking and developments by indigenous people in the management of their estates with a clear understanding of the global and local issues placing pressures on resources maintenance and sustenance.

Ways of presenting information vary according to the author, the professional discipline from which the work originated (scientific, environmental, conservationist, anthropological or academic) the communities in which the studies were undertaken or information gathered and the type of work being analysed i.e. resource management in national parks, rivers and waterways, areas of freehold or commercial activity such as pastoralists, farmers and others or intellectual property rights/native title rights or environmental conservation.

The body of available literature includes studies, reports, commissions, submissions, academic arguments, scientific reports and analyses in the area of:

natural resource management (e.g. Wadhwa 1983; Churchman, Rosenthal and Smith, 1984, Wallace 1992; Environment Australia: 2002; Szabo: 1994;)

aboriginal site management (e.g. Sullivan: 1992; Repetto: 1986 - International; Mitchell: 1995; UN: 1996; Jonker: 1996 - Canada; Langton: 1998; Birkhead and Smith: 1992)

intellectual property and Aboriginal environmental knowledge (e.g. Williams: 1998; Langton: 1998)

cultural heritage (e.g. Janke: 2001, Hunter: 2000; Wharton: 2000)

Indigenous governance structures (e.g. Nettheim, Ed.,: 2002)

scientific (e.g. Paroo River Association: 1997; Cottingham: 1999; Kingsford & Thomas: 2000; Lower Warrego River Basin Liaison Group: 1992; Green: 1992; Kingsford: 1999;) **management plans:** (e.g. National Parks & Wildlife Service: 1976; Parks & Conservation: 1988;)

historical & pictorial (e.g. McKellar: 2003; King: 1928; Etheridge: 1920; Lindsay: 1943; Rowlands: 1973)

This list forms the most immediate referenced literature and does not include all literature sources found or examined.

A Reference section is included at the end of the review.

Introduction to the Literature Review

This review is part of a wider process which Gundabooka Consultancy is undertaking for the recognition and inclusion of Indigenous communities with traditional responsibility for the Paroo, Nebine, Warrego and Bulloo river catchments and natural resource management of the area. This literature review seeks to find similar sources of information, processes, models and research which either supports the findings of the consultants or presents alternatives.

Documents already provided by Gundabooka consultants indicate that indigenous people believe that a number of things must occur in the management of the rivers. In brief these are:

- dialogue and assessment with Indigenous communities
- access to rivers by and for Indigenous communities
- no charge to Indigenous people for water usage from these rivers
- listing two areas of the Paroo River on the Australian Heritage Register

Other matters raised by indigenous communities with responsibility for the rivers are:

- better rivers management
- better management of the artesian basin
- that present structures do not consider indigenous cultural needs and models of governance and
- there are no effective outcomes for Indigenous people and the wider natural resource management community

The literature review showed:

- Indigenous people have a wealth of knowledge, information and understanding of the natural resources in their traditional areas which is unique to them and not held by any other authorities
- the inclusion of those with traditional responsibility for the management of natural resources is vital to preserve those resources and to maintain the heritage and cultural value of an area
- indigenous knowledge and its recognition as essential to natural resource management in Australia is not entirely understood or supported by other authorities in particular western scientific traditions
- Indigenous peoples have a high level of concern and desire to be involved in rivers management
- the inclusion of their cultural traditions in management and use of natural resources is important to the effectiveness of maintenance and integrity of an area
- recognition of sites of significance and protection or heritage listing is essential in order to decrease degradation and loss of that resource forever
- a range of positive arguments from scholars, scientists, researchers and government consultants, which support the inclusion of Indigenous people in the management of land, rivers, waterways and natural resources on land where they have traditional and contemporary roots.

There is a clear indication in the national and international literature that indigenous people have long historical and traditional attachment and knowledge of the areas of land for which they have spiritual responsibility. This wealth of knowledge has not been sufficiently recognised by the western and scientific traditions as significantly important for inclusion and use in management of natural resources and therefore this lack of inclusion of Indigenous knowledge degrades effective management of the natural resources in question. There is sufficient evidence to show that inclusion in not only consultation and representation, but on the ground management in partnership with other agencies and bodies enables the most effective way of caring for the land and the resources within it. The contribution of Indigenous knowledge and western knowledge in partnership can enable the maintenance and integrity of vital resources. Models of governance and management have been found in the review which support one of the proposed models of local, regional, Traditional Owners representation for communities in the rivers management in On Land, On Country.

Traditional, Historical and Cultural Significance enabling to Natural Resource Management

In understanding the long historical and traditional connections to the rivers and areas of cultural significance within them, western traditions and agencies will have available to them resources of knowledge not available or collectable in their own traditions. Indigenous people's knowledge is passed down generation to generation and is unique to them. Western scientists and western agencies have only the knowledge available to them of a specific region which they have collected since coming to Australia. In general the literature shows that indigenous environmental knowledge has been recognised as existing but ignored by mainstream conservationists and resource managers - although it can be seen to be changing in some regions.

Michael Dodson, the first Aboriginal and Torres Strait Islander Commissioner writes:

There is another dimension that invests land with meanings and significance - which transforms land and environment into landscape and into 'country'. That other dimension is culture. Culture is what enables us to conceive of land and environment in terms that are different to conventional European notions... 'landscape and environment' are human constructs - they are terms that are inherently shaped by the ways in which humans perceive, or think about the world around them. (Dodson 1996: 25)

His explanation of the Aboriginal domain and understanding of the ability of Aboriginal people to integrate that wisdom with other traditions to enable the maintenance and sustenance of the natural environment is coherent and practical.

What I am suggesting is the need for integrating the views, approaches and experiences of indigenous peoples into national strategies for environmental and conservation management. What I am suggesting is a partnership...between western knowledge and 'scientific' approaches to land and environmental management, and indigenous knowledge and approaches. Such a partnership, I suggest, should provide the basis for sound, sustainable environmental management and protection. (Dodson 1996: 26)

Australian Aboriginal people's relation to their lands and resources is not unique among the world's diverse indigenous societies. There are common characteristics across Indigenous societies around the world.

For Indigenous peoples, their lands and waters underpin who they are and are the foundation of their very survival as peoples. Over and over again, when reflecting on biodiversity or indigenous knowledge, indigenous people from all over the globe insist that living things cannot be separated from the land they grow on or live in and that people's knowledge and myriad uses of natural resources cannot be separated from their culture, and their survival as peoples on the land. This oneness - of land and the things that live in it, of people, their knowledge and their cultural connection with the land - is the only basis for meaningful consideration of biodiversity and indigenous knowledge about it. What is at stake is the intellectual integrity of peoples, no simply intellectual property. (Christie 1996:66)

Nancy Williams in Intellectual Property and Aboriginal Environmental Knowledge argues the case for recognition of Indigenous people intellectual property and proprietary rights in flora, fauna, information and knowledge of land and waterways in which they have traditional interests and spiritual links and may become subject to commercial harvesting or other economic interests. She states:

Aboriginal proprietary interests in resources and knowledge of them can be defined and negotiated so that the Aboriginal owners can receive an equitable benefit from their commercial use.

Strategies for Managing and sustaining land.

Aboriginal strategies for developing, managing and sustaining land have been studied nationally by a number of researchers and show conclusively that Indigenous knowledge has developed innovative responses without adequate resources, which have the ability to do more for the environment and natural resources than western responses. Marcia Langton writing on behalf of the Centre for Indigenous Natural and Cultural Resource Management at the Northern Territory University after a comprehensive study of the Yolngu People of Arnhem Land and their role in natural resource management of their traditional estates argues:

Aboriginal strategies for managing natural environments in the Arnhem Land region are developing in ways which ought to inspire a reconsideration of the assumption that Aboriginal land requires the imposition of expert western land management systems to replace Indigenous systems. The responses of these Aboriginal groups to global pressures such as commercial development of natural resources are instructive. They show that innovative, small scale commercial valuation of wildlife and monitoring programs which rely on Indigenous knowledge have the potential to lead to sustainable management of the region in a way that solutions imposed by remote standardised national systems cannot. These groups, though inadequately resourced to support their natural and cultural resource management initiatives, demonstrate that indigenous knowledge systems, while local in their application, can be central to the global conservation project. (Langton 1998: 72)

There has been over the years an ignorance and non-recognition by western scientific natural resource management experts of the ability of Indigenous knowledge to sustain natural resources effectively.

The collaborative efforts of Indigenous landowners in the Arnhem land region for sustainable management of their estates expose the 'science fiction' of the inferior status of indigenous knowledge in relation to western scientific knowledge. (Langton 1998: 73)

Western tradition has espoused that Indigenous knowledge is non-economic and relegates it as simply 'cultural' which is unreliable because it is not based in empirical belief systems that have scientific methods of verification. This denies the powerful human knowledge and thousands of years interaction and dependence which produced an intimate knowledge of a traditional owners estates and the human-nature relationship in natural resource management. This is what Indigenous people bring to the maintenance and sustenance of natural resources. It is not an accident that the Indigenous people of the rivers area are aware of the sensitivity of the ecosystem and the necessary ways to manage it as they have been doing so for thousands of years.

The Aboriginal people of the rivers region fear for the ecosystem of the rivers which is indicative in their statements:

.... there needs to be better river management,.....pesticides kill fish and other flora and fauna and there are now foreign fish in the rivers..... The rivers are drying up, destruction of Aboriginal land is occurring.....we must manage the artesian basin.... (On Ground On Country: 2003)

Langton continues: *aforethought, caution, intent and cultural constructions of landscapes for the inheritance of future generations are characteristic of the Aboriginal engagement with the environment and have been masked by certain fallacious assumptions about that engagement as non-economic and its only value being 'cultural'. The case studies studied in her research: indicate that Aboriginal governance of landscapes provide examples of the role of indigenous knowledge, which contradict these generalisations. (Langton 1998: 73)*

Aboriginal people were denied the 'power' to exercise their responsibilities for their estates because of the imposition of systems of dependency and removal from their estates during the assimilation programs of the last two centuries. The emergence of laws and rights to land and natural resources has strengthened Aboriginal peoples assertion of their governance of the natural domain. For the people of the rivers area

their rights under law to be engaged in governance of their estates asserts what for them is their natural right.

Sustainable ecological management of the areas is question is principally a problem of human decision-making. The challenge for responsible management is to develop beyond narrow disciplinary boundaries and this requires conceptualising the problems to include indigenous people as significant partners with bodies of knowledge and practice with potential relevance to this challenge.

As Langton asserts: Indigenous knowledge exists in its own right and will do so for so long as Aboriginal and Torres Strait Islander societies survive. Sound research and management planning can serve to identify that relevance.

In relation to models the review found that challenges exist between integrating western and indigenous knowledge in a way which is equal, appropriate and produces the most effective management of those resources enabling all interests to be considered and for indigenous people to maintain their responsibilities whilst pursuing their economic initiatives where appropriate.

our present state of knowledge, incorporating as it does both western and indigenous bodies of knowledge, there are signposts to the challenges to be faced in the attempt to develop models for shared responsibility in the management of natural resources.

The hope that Aboriginal people hold is that an appropriate economic relationship with the natural world will permit continued occupation of traditional estates and reoccupation of those lands absented by their traditional owners during the assimilation period. (Langton 1998: 75)

The potential for unnecessary and avoidable environmental degradation is increased when assumptions, generalisations and speculation dictate management decisions. It is essential that western partners in managing the natural resources:

learn more about the ancient traditions of environment management whose laws have been described as a 'sacred endowment'. (Williams 1998)

Galarrwuy Yunupingu, senior Gumatj clan leader and Chairman of the Northern Land Council, describes indigenous laws and indigenous knowledge as:

A law for the land. A law for the people in a place.

This succinct description is much more profound and complex than it might seem. Aboriginal knowledge and traditions in managing traditional estates can no longer be ignored and indigenous peoples presence on the land can no longer be ignored. The issue is developing an effective process for inclusion, recognition of all traditional owners rights and responsibilities according to their preference rather than the western agencies and agents preference. It is no longer possible to ignore the wealth and depth of knowledge amongst indigenous traditional owners and elders nor their inherent spiritual and cultural responsibilities.

Models must be developed in dialogue with responsible traditional owners and moulded into processes, which support the appropriate cultural practices of those groups. Outside interference, pressure and non-recognition of indigenous methods will serve only to decrease the ability of indigenous communities to engage to their fullest extent and design the best way for them to do so.

Aboriginal Involvement in Natural Resource Management in Australia: Some Models

Kakadu National Park was proclaimed in 1979. This park is largely owned by the traditional Aboriginal owners and leased back to the Australian National Parks and Wildlife Service to be managed as a national park. The lease back agreement outlines the roles and responsibilities of the parties. A Board of Management was established with a majority Aboriginal membership and an Aboriginal Chair. The board makes all the decisions on major issues affecting the park.

In addition there is significant employment of Aboriginal people in the park. A similar process has been in place at the Uluru/Kata Tjuta National Park involving leaseback of the park to the Director of the Australian Nature Conservation Agency. Title to this area was granted to the Traditional owners in 1985 and joint arrangements were put into place from that time on.

The success of joint management depends on a commitment from all individuals and institutions involved as suggested by Steve Szabo, then Assistant Director of the Australian Conservation Agency's ATSI Programs who writes:

The term 'bothways' is often used by traditional owners at Uluru to describe the integration of two diverse approaches and values in terms of land management. It also describes the way management takes place at Uluru and is essentially what is required to succeed. A marriage between traditional knowledge, skills and understanding of Aboriginal people and the modern scientific approach to natural resource management is clearly in the best interests of the whole nation. It also assists in the maintenance and continuity of the indigenous culture of Australia and supports important human rights for indigenous people. (Szabo 1994:18)

The models in Arnhem Land referred to by Langton indicate not only Aboriginal people involving themselves because of their traditional ties and responsibilities but because they are responding to global and commercial pressures for management and maintenance of their resources. The resultant economic and commercially viable projects are good for both Indigenous and western traditions. Langton's research shows that Indigenous people are able to operate in both worlds and both ways with a high level of ability and responsiveness.

Other models referred to were found in the book, 'Aboriginal Site Management in National Parks and Protected Areas'. (Sullivan 1992: 169-177). *Section Four documents and examines current models of Aboriginal 'involvement' in management and includes a critical examination of joint management structures at Kakadu, the Kimberleys (Nesbitt), Queensland (Briggs and Zigterman; Hill; Symonds) and South Australia (Richardson).*

These authors make the critical point of the need to increase Aboriginal involvement in management which requires dealing with the barriers to this occurring, including the lack of political will and management practices which are based on euro-centric views on the nature of land and Aboriginal cultures.

In the same publication, editors, Birckhead and Smith in the article titled: 'Conservation and Country: A Reassessment', argue that the *concept of 'involvement' is seen to develop a position from which Euro-Australia 'allows' Aboriginal participation in management rather than accepting Aboriginal management practices as an integral part of effective management. (Birckhead & Smith: 1992: 1)*

The literature supports the development of models which provide appropriately integrated and acknowledged Indigenous knowledge based within the traditional ownership and proprietary rights of a traditional group and ways which utilise indigenous ways of governance in the management of natural resources. This involvement must no longer be tokenistic by governments and conservation agencies, but seen as including knowledge not previously available to euro-western traditions in natural resource management and thus enhancing the sustainability and maintenance of the land and resources within it.

Benefits to conservation and the environment: benefits to Aboriginal people: benefits to other agencies

Joint management has resulted in several positive outcomes for the management of the environment. Szabo notes:

- *a large body of knowledge not previously accessed by western learning becomes available*
 - *knowledge of aspects of the ecology of Australian native flora and fauna,*
 - *seasonality, characteristics and uses of plant and animal resources, understanding and interpretation of cultural sites and*
 - *changing values and paradigms in relation to the environment*
 - *National Parks and other protected areas promoting an Aboriginal perspective provide an added dimension and a richer experience for visitors*
 - *contribution to a better understanding of the natural world and*
 - *enhance the relationships with aboriginal people.*
- These are just some of the direct results of new relationships with Aboriginal people.*

The reintroduction of native species through programs has been facilitated through the intimate knowledge of Aboriginal people of the habits, habitat, diet, breeding cycle and predation of endangered species. Knowledge of local history has been enhanced through assessing the rich oral traditions of indigenous people which contributes to a wider knowledge base for all Australians of their natural resources. The development of contemporary medicines from the traditional knowledge presents a viable commercial development and there are many others.

As Tony Tjamiwa, a traditional owner involved in the joint management of Uluru National Park says:

our park management is running straight...in our park, Aboriginal law is in the front guiding the way. The board of management doesn't get pushed around, they look after Aboriginal law. (Tjamiwa: 1992: 2)

The benefits to Indigenous communities include adequate resourcing for their inclusion, increased access to their traditional lands, respect and valuing of their heritage, knowledge, maintaining their responsibility for country and ensuring passage to the next generation of vital knowledge. Economic and social benefits also derive from their inclusion, notably increased education, training and employment opportunities, commercial and business development, joint partnerships with government agencies, commercial ventures, landholders, pastoralists and farmers not the mention the development of better community relationships between Indigenous and non-Indigenous

Australians in the region. The social benefits being the meaningful employment of people in their local region

Specific Issues for the Traditional Owners of the Paroo, Warrego, Nebine and Bulloo Rivers

Lack of recognition of Aboriginal peoples decisions

Another matter that requires consideration is the lack of recognition applied by authorities such as the Murray Darling Basin Commission and State Heritage Agencies with decisions taken by Aboriginal stakeholders on the management of the rivers and catchment areas. Wayne Wharton of Kooma Consultancy writing in an Aboriginal Heritage report for the Australian Heritage Commission highlights the issues relating to the Indigenous significance of the Paroo River system and indicates an instance when decisions taken by traditional elders were ignored by agencies and other authorities.

At a Paakantji Elder meeting in Wilcannia it was stated that the Paakantji agreed to a low level weir to provide water to the town of Wilcannia and not a high level weir. That there should be no more clearing for cotton growing on Paakantji land. The Paakantji do not want to see any high level weirs on the Menindee Lake system so the situation that currently affects the Lake Victoria catchment is avoided. Another matter raised at the meeting was that the Paakantji people do not support water rights being transferred to the Darling River Management Agency. (Wharton 2000:10)

The elders present at the meeting when these views were expressed found that their wishes were not included in decision making about these specific issues.

Adequate Resourcing of Indigenous People in Natural Resource Management.

Another issue of importance to the people of the region is the adequate resourcing of Indigenous people to engage in the process of management, consultation and representation as a self determining, self empowerment process which is not tokenistic.

"inadequate resourcing may result in Indigenous people rejecting the invitation to participate because they feel their participation may be tokenistic" (Wharton 2000: 14)

This issue was noted in a number of reports previously cited e.g. Langton, Wallace, Williams and Sullivan as occurring in other States and Territories.

Appropriate representation of Indigenous people in models developed.

The matter of traditional ownership and responsibility is an issue to be concluded between all stakeholders within the region. Representation in any model or process must by all accounts include all of those with traditional relationship, spiritual affiliation, specific indigenous knowledge of the regions by way of oral traditions etc and must be not be provided by a representative body or members of such unless they were traditional owners or had rights to speak for that country. In all the studies where representation in management structures was discussed, it was noted that Indigenous people spoke clearly for their preference for traditional ownership and spiritual/religious affiliation to be the basis for a person or groups representation.

This ensured appropriate representation and ongoing generational passage of knowledge in the appropriate way. The structures within which this occurred are diverse and can be developed according to the local/regional area and groups/person within.

Conclusion

After a reading of the literature in Indigenous natural resource management etc, it is evident to the author that there is still a lack of real evidence and reporting on Indigenous structures and ways of working. The information is top heavy with scientific and western traditional evidence however the literature which is available from Indigenous academics, environmentalists, conservationists and policy developers working in Indigenous programs or workers in Indigenous agencies such as land councils has a strong emphasis on recognition, integrated systems, appropriate inclusion which is not tokenistic and therefore includes adequate resourcing and control of management directly either in equal partnership or in the hands of the Indigenous traditional owners. Where this has occurred it has been on indigenous owned land and the practices or sustaining traditional estates is strong despite inadequate resourcing and this is mostly because of the cultural and spiritual responsibility which is passed on from generation to generation. Evidence is also available and cited in studies relating to the strength of rural Indigenous people affected by the assimilation policies of the past in maintaining their indigenous knowledge of their traditional country and their desire to maintain and sustain 'country'. The inclusion of Indigenous people in natural resource management of rivers, lands and other environments is a new phenomenon of the last decade and has not developed to a level where western traditions understand the importance and vitality of Indigenous knowledge. It is imperative that this be the case in the future and that it is now possible for Indigenous people to develop and put in place models of working which enable them to have power and control alongside other agencies or partners. It is evident in a number of studies that there are benefits for all in 'bothways' models and processes. It is the opinion of the author that the proposed models in 'Talking Rivers - Healing Country' and 'On Ground - On Country' which were reviewed provide a basis for models to be developed locally with traditional owners which best represent their ways of working and it is imperative and appropriate for the States/Territories and Commonwealth governments to work with indigenous communities to put in place Indigenous developed and preferred models for the good of all.

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Appendix 4: Draft sub-principles for Indigenous Advisory Groups

Sub-principles for group structures:

- 1) Only Traditional Owners can speak for their country.
- 2) Where more than one Traditional Owner group claims to speak for the same country, each must be provided the opportunity to be involved in discussions about issues affecting the country. It is the responsibility of the competing Traditional Owner groups to agree amongst themselves who will represent them on local Indigenous groups involved in natural resources management activities in the region.
- 3) Indigenous people with historical connection to their country must be provided the opportunity to be involved in discussions about issues affecting the country.
- 4) All Indigenous nations with customary rights and responsibilities for country associated with a catchment in the Murray Darling Basin - South West region must be provided the opportunity to be involved in natural resource management planning processes for the catchment.
- 5) Traditional Owners of country that lies within Murray Darling Basin - South West region may invite other Indigenous people whose country lies outside the region to be involved in their nation's discussions about issues affecting their country.
- 6) Indigenous organisations with an interest in natural resource management in the region must be provided the opportunity to be involved in the region's natural resource management planning processes.
- 7) Relevant non-Indigenous organisations (government and non-government) involved in natural resource management in the region need to participate appropriately in any structures established to promote Indigenous involvement in the region's natural resource management planning processes.

Sub-principles for group members:

- 1) Each group (local/catchment/regional) will decide which of its members will represent it on 'higher level' groups, and take account of the need to provide training for younger community members.
- 2) Members should be able to appropriately represent the views of both Traditional Owners and people from the 'member' nations with historical associations.
- 3) There will be appropriate representation of both men's business and women's business.
- 4) There should be flexibility to allow, when needed, representatives with topic-specific knowledge.
- 5) Representatives should have 'moral support'.
- 6) There should be continuity of attendance between meetings.

Sub-principles for group observers:

- 1) Each observer needs to have sufficient standing within his/her organisation to be able to speak with authority on appropriate matters at the ICAG/IRAG meetings.
- 2) Each relevant organisation can provide only one observer, but the total number of observers must not exceed the number of Indigenous members.
- 3) Where the total number of organisations interested in having observer status is large, the organisations should consider forming a single collective 'interest group' from which one observer is nominated.
- 4) There should be continuity of attendance between meetings.

Sub-principles for group chairpersons:

- 1) The Indigenous Regional Advisory Group (IRAG) will be chaired by an Indigenous person whose country is outside the Murray Darling – South West region.

- 2) Each Indigenous Local Advisory Group and/or Indigenous Catchment Advisory Group will select one of its members to be the group's chairman/chairwoman. Each group should also agree on a deputy chairman/chairwoman.

Appendix 5: Extent to which Proposed Mechanisms meet proponent Principles

Qld government principles	How the principle is addressed
<p>1. Mode of operation and sub-regional focus, including:</p> <p>a. defined sub-regional areas within which Traditional Owner groups would most likely operate</p> <p>b. demonstrated approaches for bringing sub-regional groups together</p> <p>c. demonstrated quality assurance systems (inclusive meetings, conflict management, strategic input into regional nrm processes)</p> <p>d. systems for regularly informing the widest possible range of people about relevant information</p>	<ul style="list-style-type: none"> • Proposed membership of nations within ILAGs (Tables 4 and 6) and ICAGs (see Table 7); • Meetings of IRAG (option 1) • Meetings of ICAG and IRAC (option 2) • Proposed sub-principles • Responsibility of IRAG to develop meeting protocols • Role of IRAG (see tables 3 and 5) and duties of coordinators • Proposed sub-principles for structures and membership • Duties of coordinators
<p>2. Ownership building. How will the mechanism establish a progressive organisation building process that:</p> <ul style="list-style-type: none"> • builds a sense of purpose and ownership among member Traditional Owner groups? • establishes operating norms? • develops, implements and monitors a strategic development plan? 	<ul style="list-style-type: none"> • Building the mechanisms 'from the ground up' and reliance on the nations • Proposal that the nations finalise the sub-principles and develop meeting protocols • Suggestion to start with option 1 and allow the nations to 'evolve' it to option 2 • Proposed responsibility for IRAG to develop meeting protocols for use by all groups • IRAG responsibility (see tables 3 and 5) • Duties of coordinators
<p>3. Building an effective mandate Will the mechanism:</p> <ul style="list-style-type: none"> • have the confidence of the majority of Traditional Owner groups and other Indigenous interests within defined sub-regions? • have open and effective continuing communication with non-aligned Traditional Owner groups? <p>(A critical threshold of Traditional Owner group support for the operation of the mechanism would need to be established and monitored.)</p>	<ul style="list-style-type: none"> • The proposed mechanisms are based on the views expressed by Indigenous people consulted • See proposed sub-principle 2 for group structures <p>Not part of this contract.</p>
<p>4. Good faith with other Indigenous bodies/ organisations Demonstrated good faith in seeking to build strong relationships with relevant Indigenous support agencies and other stakeholders and organisations with an interest in nrm of the region</p>	<ul style="list-style-type: none"> • Proposed structure sub-principle 7, observer sub-principle 1 • Proposed membership (see tables 8 and 9) • Duties of coordinators

Response to the

Draft

Warrego, Paroo, Bulloo and Nebine

WATER RESOURCE PLAN

prepared by:

Gundabooka Consultancy Pty Ltd

Date Wednesday, May 14, 2003

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INTRODUCTION

Gundabooka Pty Ltd welcomes the opportunity to present the views of many Traditional Owners and Indigenous land managers living in south-western Queensland, on the Draft Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2002.

Water has always played a central role for Indigenous peoples, and for many families it is still an essential resource for survival as they rely on fish and crustaceans as an important part of their diets. Water also holds various levels of Cultural, spiritual, social and economic values for Indigenous communities.

Indigenous peoples living in south-west Queensland have a great cultural, economic and social interest in the management of the Warrego, Paroo, Bulloo and Nebine Rivers, in preserving the cultural heritage of the area, in restoring significant areas that have already been damaged and an interest in the general health of these Rivers.

Indigenous people also have a vast knowledge about land and water management and are becoming increasingly aware of recent environmental problems and issues that are affecting landscapes and waterways. It is in the interests of future sustainable land and water management to utilise, not ignore or dismiss, this knowledge. It is also increasingly being recognised that, to be successful, measures and policies implemented to address environmental concerns and issues must include meaningful input from Indigenous Traditional Owners.

The Department of Natural Resources and Mines is currently developing an Agreement for Land, Cultural Heritage and Natural Resources and has released a discussion paper *'Looking after country together'*. Despite realising that 'country' needs 'looking after together', sufficient and culturally appropriate opportunities for Indigenous input and comments on the Draft Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2002 were initially not provided. The processes for obtaining public comments were generally

not suitable for Indigenous communities and as a result did not encourage and or attract adequate Indigenous input. In fact, the majority of people that we spoke to had not heard of the draft report or the process.

The Department is, however, to be commended for addressing this oversight and subsequently providing Indigenous people living in the catchment areas this opportunity to have their interest in the river systems heard and considered.

TERMS OF REFERENCE

The following information better describes the context in which the project is set.

This report relates to the draft water resource plans for the Nebine, Warrego, Paroo and Bulloo Rivers

BACKGROUND

In the Murray Darling Basin and Bulloo catchments, the Queensland Murray Darling Committee, South West Natural Resource Management (NRM) Group and Queensland Government are currently undertaking a range of natural resource management activities including planning and on-ground actions. In particular, in November 2000, the Council of Australian Governments (CoAG) endorsed the Commonwealth's proposal for a National Action Plan for Salinity and Water Quality (NAP). Through the NAP, funding will be provided for planning and on-ground action to address critical natural resource management issues in the Basin. In early 2002, a Bilateral agreement was signed between the Queensland and Commonwealth Governments outlining the commitment of both parties to addressing salinity and deteriorating water quality.

A cornerstone of the Agreement is the active involvement and participation of rural and regional communities. Indigenous people and Traditional Owners in particular are recognised as having a special relationship with and interests in the management of country. To date, involvement of Traditional Owners (and other Aboriginal organisations and groups) has been largely inadequate. Steps are now being taken to improve the involvement of Traditional Owners and other Indigenous people in the future planning and implementation activities.

Some initial conceptual work has been done regarding effective Indigenous partnerships in the Sustainable Management of the Queensland Murray Darling Basin and South West NRM Region. This consultancy represents the basis for further discussions with Traditional Owners and other Indigenous groups on how effective engagement can be achieved in their area.

In addition to the National Action Plan and other natural resource management planning activities, the Queensland Government through the Department of Natural Resources and Mines is currently preparing a water resource plan for the Warrego/Paroo, Nebine and Bulloo catchments. The plan is being prepared under the *Water Act 2000* and will address the following issues:

- Allow transparent sharing of water to protect environmental values and human interests;
- Make sure water users' allocations are secure for the life of the plan;
- Ensure that new allocations are issued only if they are able to be sustained;
- Protect the health of the rivers and underground water reserves.

Public participation is an essential part of the plan's preparation. A draft plan is currently on public display and community groups are encouraged to make submissions on the draft plan. To date, Aboriginal issues have been largely facilitated through the involvement of representatives from the Queensland South Representative Body. Further involvement of Traditional Owners is necessary.

PURPOSE OF CONSULTANCY

The purpose of the consultancy is twofold:

- The primary focus - Explore and prepare for the implementation of effective and efficient mechanisms for Indigenous participation in NRM planning and implementation activities in the Queensland Murray Darling Basin and South West NRM Region. This is to ensure that Traditional Owner and other indigenous issues, concerns and values in relation to managing the land and rivers within the Basin and South West regions are included and addressed across the range of future NRM plans as well as to establish the mechanism for ongoing participation in regional NRM planning processes; and
- Additionally - to gain agreement from Traditional Owners that this mechanism be used to develop Indigenous input into the draft water resource plans for the Nebine, Warrego, Paroo and Bulloo Rivers and collate initial comments on the draft plans.

METHOD

Gundabooka Consultancy strongly believe in conducting our business in a culturally appropriate manner. To do this you must identify who are the right people to be consulting with and then do business in a way that is suitable for them. One of the biggest obstacles is always going to be built around trust issues and respect. Many Indigenous Elders, for justifiable reasons are reluctant to freely offer information and knowledge to strangers, non countrymen and consultants.

To assist in overcoming some of these obstacles and to ensure we do our best to follow local protocols a local Indigenous community member was engaged to coordinate the necessary arrangements, including; identifying and inviting the appropriate community members, venue hire and catering needs. The consultation was broken into a two phase process:

1. a visit to the areas was conducted to meet and set up the logistics, identify key community members, identify and make arrangements with the Local Community Contact person and to meet people informally so they would recognise us when we returned.
2. a second visit was then made to engage with the local people and ascertain their views on the Draft Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2002 and management of the rivers.

In preparing this report, Gundabooka conducted the following field trips:

- Eight day reconnaissance trip in January 2003. This trip was used to identify local contacts and get a feel for the study area. Two consultants travelled by car visiting the following districts: Lightning Ridge, Goodooga, St George, Toowoomba, Roma, Charleville, Cunnamulla and Bourke.

Fourteen day trip in February 2003, visiting Bourke, Cunnumulla and Charleville, holding discussions and listening to local Indigenous people and observing and joining them in their activities. Many of the issues raised were on an informal level whilst people were accessing the river near our camps. Many of the people spoken to requested to remain anonymous. The timing for this particular phase of the consultation could not have been better as it was following some much needed rain. This resulted in a dramatic increase in the interest and use of the Rivers from the communities that we visited.

FORMAL MEETINGS

Two formal meetings were held, one in Cunnumulla and the other in Toowoomba. These meetings were designed to encourage people to participate and put forward their views and issues.

Each meeting was organised by a local person and opened and closed by an Elder of the community.

The meetings were started in an informal manner where background information on the consultants and the project were given.

When needed our consultants would broadly raise issues and then leave them on the table for discussion. This method worked well as many issues were extensively debated in a free flowing manner.

Issues and main points were recorded both in front of participants on a white board and on a computer by a scribe.

CUNNAMULLA

A formal meeting of Traditional Owners was held on 26 February 2003 in Cunnamulla, 10 community people attended. Gundabooka Consultancy were happy with the outcomes of this meeting. A good representation of Traditional Owners attended and at times discussions and debate were strong as issues were tabled. A list of people who attended is at Attachment A.

TOOWOOMBA

A formal meeting of Traditional Owners was held on 19 March 2003 at the Cathedral Center in Toowoomba. Those people that attended were identified and invited by our Local Contact Person Steve Hagan. Discussions were held in an informal manner and were recorded by a scribe. All participants at the Toowoomba meeting were keen to participate and table their views and concerns.

A list of people who attended is at Attachment B

INFORMAL MEETINGS

One on one discussions and informal meetings with families and groups of people were held in all locations. Often this was the best way to engage people who did not attend formal meetings. Due to the nature of our consultations, only relevant Elders and community members were invited to formal meetings, these people were identified by our Local Contact Person.

Our informal discussions gave us other perspectives and awareness of other issues as we spoke to many young people, farmers, fisherman and tourists, both Indigenous and non-Indigenous.

In Cunnumulla we spoke to a young Michael McKeller (Traditional Owner) who passionately stated “I can’t get enough of it, I love the Warrego River. Why can’t cotton farmers get their own water and leave ours alone”. Michael’s passion for the welfare of his country and River is one that was reflective of most Indigenous young people that we met.

CHALLENGES

Gundabooka faced a number of challenges in undertaking this consultation.

Despite reasonable efforts being made, a formal meeting in Charleville was not achieved. During the introduction Stage of our consultations in Charleville, the Elders identified a local person they wished to be engaged to organise further meetings and discussions. At the time of writing this report all efforts to organise a formal meeting have been futile. Although a formal meeting was not held, Gundabooka Consultants spent over 8 days in Charleville, during which time many informal discussions were held and where possible we participated in local activities. We were also able to meet a number of Elders – see Attachment C for names.

During our second trip in February our consultants also encountered some difficulty in reaching venues as roads were often being cut by rising water levels. The much needed rain that was encountered also restricted our access to other areas along the Rivers that locals wished us to see, as many roads were impassable in wet conditions.

Despite these obstacles, Gundabooka was able to meet, formally or informally, with many Indigenous people living on the Warrego, Paroo, Bulloo and Nebine rivers.

FINDINGS FROM CONSULTATIONS

In all areas visited there was a strong belief that Indigenous peoples need to have a greater say in the management of Natural Resources. Many Indigenous people stated their frustration that they are not involved in environmental management and that few opportunities are provided which enable them to have a say in this vital issue. The majority of Indigenous people engaged were not aware of the existence of the Draft Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2002 or that comments had been sought by the Department.

Discussions held with traditional owners showed that they were however very aware of issues that relate to the management of their country. Due to the makeup of people that attended meetings it was very clear who had the right to speak as Elders tabled their views. Although many issues were discussed in length clarification of all outcomes was established during the meetings.

The following issues were raised relevant to the management and general health of the Warrego, Paroo, Bulloo and Nebine water ways.

CULTURAL / ENVIRONMENTAL ISSUES

Issues in relation to the preservation and protection of both natural heritage and Indigenous cultural heritage sites and values were continually raised. It was clear that there is a general feeling amongst Indigenous communities that little to no acknowledgment is given to culturally significant areas in relation to River management.

The integrity of many sites has been damaged or destroyed as a result of management practices that have not adequately assessed or considered the impacts on cultural heritage values. Damage to sites has occurred from:

- Water levels being raised by dams and weirs;
- Erosion of banks from altered flows, stock and the removal of native vegetation;
- Denying access to Traditional Owners who have cultural obligations and care taking responsibilities;
- Feral animals and weed;
- Physical developments such as; clearing vegetation, installing pumping stations, digging channels and building developments and other related infrastructure;
- Sand Extraction – It is viewed that too much sand is being taken from the rivers, and;
- The dumping of rubbish.

SOCIAL ISSUES

The following social issues were identified:

- Access – Due to the erection of fences and the lack of suitable roads, access to many significant areas is now denied. Access was identified as a major issue and seen as a right - the right for Indigenous people to access the Rivers on which they have survived for thousands of years and for which they still have cultural obligations and care taking responsibilities.
- Native Fish - The lack of native fish stocks has had an impact on Indigenous communities. This has dietary and health implications and also impacts on social

values, as fishing is still very much a cultural and social activity. Fishing is not always about catching fish, the river has always played an important role in the passing on of cultural knowledge and in maintaining social relationships and family ties.

- Recreation – Waterways have always provided a recreational outlet, having access to swimming spots and appropriate facilities is seen as a major issue by many, especially the younger community members. As would be expected, it was observed that areas that had facilities were attracting more visitors such as was found at the Cunnamulla Weir, which has good road access, BBQ', toilets and suitable swimming and fishing spots. Although local young people frequently used these facilities, one of the major obstacles was transportation to and from the area. Comments were also made in relation to the positioning of facilities. Concerns were strongly voiced calling for greater traditional owner input into the planning process to ensure the natural and cultural integrity of the river systems is preserved.

LOCAL GOVERNMENT

There is a perception that Local Governments do not have a clear understanding of their responsibilities in relation to water management issues. It was stated that much could be done at a local level to alleviate community problems and establish better relationships between local government representatives and Indigenous communities.

MOUND SPRINGS

Mound Springs is said to be a very special and significant place which is seriously ill. There is a perception that nothing is being done about the health of Mound Springs and

that Governments need to care more about the Rivers and the people who survive on them.

Recommendation:

3. That the health of Mound Springs be addressed in the water resource plan.

PAROO RIVER

- Traditional Owners were opposed to approving shallow water ponding on Paroo catchment areas
- Great concern was expressed in relation to water being transferable and tradeable on the Paroo. It was very clear that Indigenous communities did not want water on the Paroo to be tradeable or transferable.

Recommendations:

5. That no shallow water ponding be permitted on the Paroo catchment
4. That water on the Paroo is not to be tradeable and or transferable.

OTHER ISSUES RAISED DURING CONSULTATIONS

ECONOMIC ISSUES

The following economic issues were identified:

- Employment – There was a common attitude that long-term mechanisms need to be put in place to combat Indigenous unemployment. It was recognised that the majority of employment opportunities were short term, this was considered as a major issue. Employment is widely viewed as one of the few benefits received for the use and exploitation of traditional resources.
- Water allocation – Indigenous communities request that an allocation of water be made available for Traditional Owners;
- Tourism – Tourism is seen as a potential for income and also for providing opportunities for Indigenous people to share cultural knowledge and experiences with non-Indigenous people leading to greater understanding between Indigenous and non-Indigenous peoples.
- Training – Environmental management is considered to be a specialist field and many Indigenous people expressed a desire for technical training opportunities to be provided to compliment traditional knowledge

Recommendations:

2. That a negotiation process be developed and implemented between the State and Indigenous communities with the intention of negotiating Indigenous water allocations.

8. That the Department of Natural Resources and Mines increase employment opportunities for Indigenous people in the Natural Resource Management field.

ADDITIONAL COMMENTS ON THE DRAFT PLAN BY THE CONSULTANTS

The Overview Report notes that waterholes and streams in the catchment areas have important cultural values for Indigenous peoples in the region, including a significant number of Aboriginal sites. It also notes that previously there has been no formal provision for managing the Plan area's water resources to meet these needs. However, this ideal does not find its way into the 'Purpose of plan' (page 5) and is reflected by the absence of a statement of the importance of Indigenous cultural values.

Only a few specific provisions in the Draft Plan take account of Indigenous cultural values: s.33, in limited circumstances, and s.41. Other important decisions made under the proposed subordinate legislation can be taken without regard for Indigenous culture and values, such as:

- s.31 – in making decisions under s.31, the chief executive must consider a number of issues, but those listed at s.31(1) do not include the cultural heritage and values of the Indigenous people living in the Plan area. While s.31(2) provides that s.31(1) 'does not limit the matters the chief executive may consider', while there is nothing in the purpose of the subordinate legislation requiring him/her to consider Indigenous cultural values, it is unlikely that these will feature highly in the decision making process.

- S.36(d) – the volume of overland water flow that may be taken, may be reduced to meet the objectives of the Plan - again Indigenous cultural values are not required to be considered specifically or by a general purpose of Plan clause.
- S.8 and s.44 provide for social and cultural values generally – s.8 is weak in the protection it offers social and cultural values of any sort placing them behind economic activity.

Additionally, s.45 requires that (a) water volume etc, and (b) natural ecosystems are to be monitored. But there is no requirement that *impacts on Indigenous cultural values and places* are to be monitored and reported on.

Recommendations:

6. That in Part 1, the 'Purpose of plan' be amended to create a general provision to meet Indigenous peoples' cultural needs and to, where practicable, reverse damage already done to significant places;
7. That in Part 6 45 Monitoring, an additional requirement (c) be added that requires monitoring of the impact on Indigenous people's cultural needs and places.

OTHER

QLD-NSW BORDER CATCHMENTS MINISTERIAL FORUM

The Qld-NSW Border Catchments Ministerial Forum and the Standing Committee that supports it do not have representation from Indigenous agencies (p.14 of Overview). It is difficult to see how matters affecting Indigenous peoples who live in the Plan area are properly considered in these forums.

Recommendation:

9. That the QLD and NSW Ministers for Aboriginal Affairs are invited to join the Qld-NSW Border Catchments Ministerial Forum and the Departments responsible for Aboriginal Affairs are invited to join the Standing Committee.

RECOMMENDATIONS

1. That governments develop and implement an engagement process for Indigenous communities that is culturally appropriate and equitable.
2. That a negotiation process be developed and implemented between the State and Indigenous communities with the intention of negotiating an Indigenous water allocations.
3. That the health of Mound Springs be addressed in the water resource plan.
4. That water on the Paroo is not to be tradeable and or transferable.
5. That no shallow water ponding be permitted on the Paroo catchment.
6. In Part 1, the Purpose of plan be amended to include a general provision relating to the need to meet Indigenous peoples' cultural needs;
7. In Part 6 45 Monitoring, an additional requirement (c) be added that requires monitoring of the impact on Indigenous people's cultural needs and places.
8. That the Department of Natural Resources and Mines increase employment opportunities for Indigenous people in the Natural Resource Management field.
9. That the QLD and NSW Ministers for Aboriginal Affairs are invited to join the Qld-NSW Border Catchments Ministerial Forum and the departments responsible for Aboriginal Affairs are invited to join the Standing Committee.

ATTACHMENT A

Attendees at the Cunnamulla Meeting on 26th February 2003

Sandra Grimshaw	Badjiri
Evelyn Widgell	Badjiri
Dolly Fox	Budjiri
John McKellar	Budjiri
Daniel McKellar	Kunja
Wayne Whorton	Kooma
Bert McKellar	Kunja
Jackie McKellar	Kunja
James Campbell	Budjiri
Peter Seckold	Budjiri

ATTACHMENT B

Attendees at the Toowoomba Meeting held on 19th March 2003

Pam Robinson	Kullilli
Stephan Hagan	Kullilli
Joan Gray	Mithaka
Olive Murphy	Mithaka/Punthaniwryl
Grace Weatherall	Kooma

Jim Hagan	Kullilli
Andrew Robinson	Kullilli
Christine Warner	Not Stated
James Hagan	Kullilli
M.M. Carthy	Kullilli
Kayleen Hopicus	Kullilli