



Murrumbidgee Cultural Water plan

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More information

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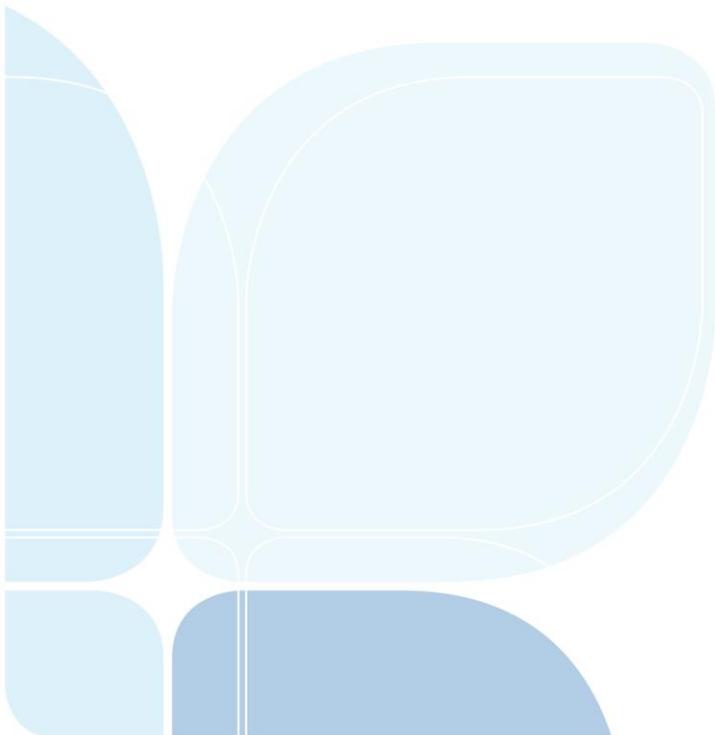
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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing April 2018. However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of Local Land Services or the user's independent adviser.

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1. Purpose/Intent of Murrumbidgee Cultural Water Plan

1.1 Purpose

The Murrumbidgee Cultural Water Plan has been developed to guide the effective delivery and use of cultural water as described under the Murrumbidgee Cultural Access Licence (CAL) or Cultural Water Allocation that has been established under the Water Sharing Plan (WSP) for the Murrumbidgee Regulated River Water Source.

This plan provides background on: what is cultural water; water management in NSW; allocation of cultural water in the Murrumbidgee Catchment; conditions of usage; and benefits from cultural water delivery.

The plan also includes priority lands for cultural water delivery. This includes a number of targeted culturally significant wetland areas in the catchment. It also includes a process by which Aboriginal communities can nominate additional areas and locations for cultural watering for independent assessment.

1.2 Cultural Water

NSW statement

Water sharing plans in NSW recognise the importance of rivers and groundwater to Aboriginal culture. The plans will allow Aboriginal communities to apply for a water access licence for cultural purposes such as manufacturing traditional artefacts, hunting, fishing, gathering, recreation, cultural and ceremonial purposes. An Aboriginal cultural licence can also be used for drinking, food preparation, washing, and watering domestic gardens.

The licences will be considered in both inland and coastal surface water and groundwater systems and will generally be granted, as long as the water is not used for commercial activities. These cultural licences are generally capped at 10 megalitres (ML) per licence per watering year (July – June).

Commonwealth statement

The Commonwealth Water Act (Amended 2008) prescribes an Indigenous water subcommittee and an Indigenous member of the Basin Community Committee to guide the consideration of Indigenous matters relevant to the Murray Darling Basin's water resources. Beyond this, there is little statutory recognition of Indigenous cultural water in Commonwealth law.

This plan will seek to define the use of Cultural Water for Indigenous purposes. This will involve interaction with wider water planning procedures such as the Murray Darling Basin Plan.

1.3 Cultural Water in the Murrumbidgee Catchment

NSW Statement

The WSP for the Murrumbidgee Regulated River Water Source (as amended on 1 July 2004) specifies that an Aboriginal Cultural Access Licence (CAL) is available for use each watering year (1st July to 30th June) and the combined volume used on this license cannot exceed 2,150 ML per water year.

The Murrumbidgee River Management Committee that designed the WSP generally agreed that there needed to be a dedicated volume for Aboriginal cultural uses, designed to specifically meet the unique purposes of the Aboriginal Traditional Custodian people's of the Murrumbidgee catchment.

The WSP infers that for CAL water to be applied to sites and wetlands it must be ordered and managed by Aboriginal people or communities. The mandatory licence conditions in the WSP also states that sites and wetland watering must be for recreational and or cultural purposes, including cultural teaching.

The WSP is currently being reviewed with the new plan to be in place by 1 July 2015.

1.4 Murrumbidgee CAL– conditions of use

Part 11 of the Murrumbidgee WSP makes mandatory conditions for Aboriginal Cultural Access Licences:

All regulated river (high security) (Aboriginal cultural) access licences shall have mandatory conditions that only allow the taking of water by Aboriginal persons or communities for personal, domestic and communal purposes including the purposes of drinking, food preparation, washing, manufacturing traditional artefacts, watering domestic gardens, cultural teaching, hunting, fishing, and gathering, and for recreational, cultural and ceremonial purposes.

In the Murrumbidgee, CAL water can only be taken by non-Aboriginal persons or communities if the request is supported by an Aboriginal person or communities and the stated benefits to the Aboriginal community are demonstrated.

The Murrumbidgee CAL is a high security licence with a share component of 2,150 megalitres (ML) per year. High security licences receive 95% allocation (ie. for the cultural access licence, an allocation of 2,042.5 ML is allocated against a 2,150 ML share) before any general security allocation is made, and then progress from 95% to 100% allocation on an equivalent basis to general security licences. As stated in the mandatory conditions, the use of the CAL is limited to specific cultural purposes that do not include commercial gain.

In addition to the Murrumbidgee CAL described in the W SP, other volumes of extractive licenses and both planned and adaptive environmental water may also be put to Aboriginal cultural uses. In such instances, the general principles of the CAL mandatory conditions would guide the use of such additional cultural watering.

1.5 Murrumbidgee CAL - other conditions

The Murrumbidgee CAL cannot be banked or carried over. The maximum available allocation available each year of 2150 ML, regardless of the amount of CAL used in previous years.

The Murrumbidgee CAL cannot be used for commercial purposes and cannot be traded. Any use contrary to the defined mandatory conditions will not be permitted.

1.6 Murrumbidgee CAL permitted uses

- Inundation of floodplain wetlands
- Provision of habitat for native animals
- Provision of habitat for threatened amphibian species Regeneration of bush tucker and medicine plants
- Regeneration of hunting grounds
- Natural control of invasive plant species. Revegetation of cleared areas
- Soil stabilisation around Aboriginal sites, including burials and mounds Protection of freshwater fishtraps (ie. at Balranald Weir)
- Protection of established trees, threatened by drought (ie. Scarred trees, Red Gum/black box)

- Education and knowledge sharing
- Reintroduction of traditional practices – tool making and collection of plants Water to care for Aboriginal country
- Water to improve the quality of selected waterways and wetlands Water to re-introduce culturally significant wetland plant species
- Water to be used by Aboriginal communities for washing and gardens
- Water to assist the negotiation of access and use arrangements between Aboriginal communities and key targeted private lands
- Water to improve the health of Aboriginal communities through use of wetlands resources
- Water to maintain healthy fish stocks for consumption by Aboriginal people
- Benefits include:
 - An increase in the participation of Aboriginal people in NRM generally, and particularly in the recovery of inland aquatic ecosystems
 - As a showcase of the unique ways Aboriginal people use and manage the resources of inland aquatic ecosystems
 - Social and intergenerational promotion of cultural practices and awareness
 - Increased exposure to traditions, and affiliations with elders who carry on traditions, examples include fishing, ceremonies, making artefacts, traditional foods and how they are collected and prepared

2. Murrumbidgee Cultural Watering Plan link with Environmental Water Plan

The Regulated Murrumbidgee River enjoys a comprehensive set of planned and adaptive environmental water accounts.

Generally, adaptive environmental water makes up part of the bulk access extractive use element of a W SP. However, sometimes such water may be applied to environmental uses.

The three planned environmental water accounts in the Murrumbidgee are collectively referred to as the Murrumbidgee Environmental Water Allowance (EW A), and their operation is recommended by the Murrumbidgee Environmental Water Advisory Group (EW AG). The terms of operation and membership of the Murrumbidgee EWAG are described in the Murrumbidgee WSP. The W SP also describes how the Minister (for Water) will make decisions about the EWA when the EW AG cannot provide advice.

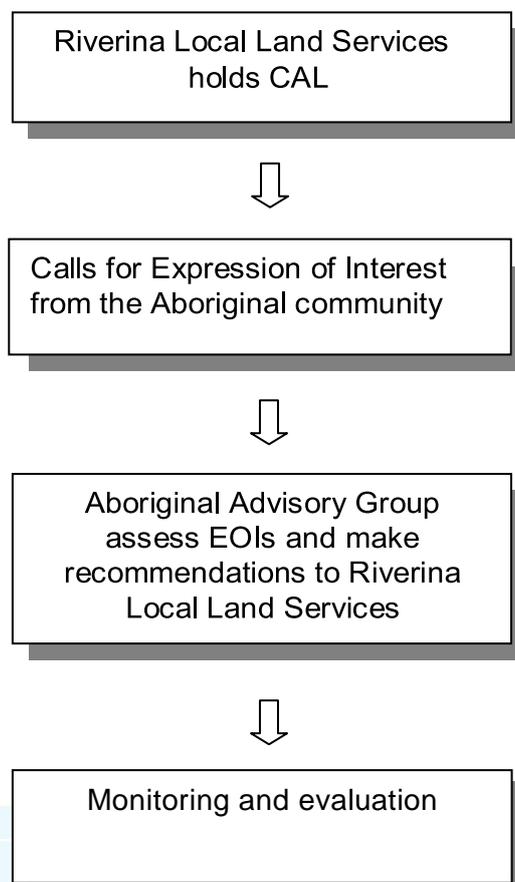
The Murrumbidgee River is also an important part of the operational Murray Darling Basin. As such, it involves environmental flow associated with basin wide outcomes from time to time.

Examples include environmental flow associated with The Living Murray program, or Commonwealth environmental flow to aquatic assets in the Murrumbidgee itself.

The Murrumbidgee CAL is not a form of environmental water. It is intended to be used by Aboriginal people for their cultural purposes. However, there are important linkages between the CAL and environmental accounts, not least of which is that both volumes may be intended to inundate the same sites. Similarly, the outcomes of the CAL operation may be enhanced by piggy-backing, or augmenting environmental flow events.

A core principle of this plan is that the operation of the CAL must always be informed by the operation of the EW A or other environmental watering events. Close synergy between the two types of water is needed to maximise the outcomes of CAL operation, and to ensure that the environmental water is not used where the CAL might be better applied. As with environmental water, other water license accounts may from time to time be applied to Aboriginal cultural purposes in addition to the Murrumbidgee CAL.

3. Procedure for making CAL operation recommendations



3.1 Procedures for CAL Usage

3.1.1 Murrumbidgee Cultural Water Licence Holder

Riverina Local Services will hold the Murrumbidgee CAL on behalf of the Aboriginal traditional owners for the Murrumbidgee regulated river system at 0% allocation. This decision has been made in order to streamline & reduce the administrative requirements of individual Aboriginal people and organisations applying for separate allocations under the CAL through the NOW.

Riverina Local Land Services will seek advice and endorsement from its Aboriginal Advisory Group regarding how the CAL is to be used each watering year.

Riverina Local Land Services (LLS) has a legislative responsibility to ensure correct governance and processes are adhered to with regard to funding allocations.

This funding allocation responsibility includes approving the CAL. All projects and programs managed by Riverina Local Land Services are subject to a management agreement, part of which requires monitoring and evaluation reporting during the term of the project.

Riverina Local Land Services may request all or some of the monitoring and reporting actions below:

1. Inspection by Riverina Local Land Services staff before CAL-watering of the site
2. Inspection by Riverina Local Land Services staff whilst CAL-watering is being carried out at the site
3. Inspection by Riverina Local Land Services staff at the completion of the CAL-watering of the site
4. The submission of a written report about what has occurred with the CAL-watering and the results at the conclusion of the CAL- watering event. A pro-forma will be supplied for use, including the monitoring and evaluation.

3.1.2 Aboriginal Advisory Group

The Aboriginal Advisory Group will meet periodically throughout the year to deliberate on a range of natural and cultural heritage matters in the Riverina. The CAL is one of many topics which the reference group considers. The Terms of Reference for the group are reviewed as required, and the membership of the Panel is inclusive of the many families and communities across the Riverina.

3.1.3 Role of the Aboriginal Advisory Group on the Cultural Water Plan

Each year, Riverina Local Land Services will call for 'Expressions of Interest' (EOI's) from the Aboriginal community for use of the CAL. An example of the EOI form is included at Appendix 1 of this plan. The Committee will meet to consider the range of EOI's, particularly in light of the mandatory conditions and culturally significant targeted sites/places. The Committee will then endorse a watering program to Riverina Local Land Services.

The annual CAL watering plan will also produce a simple matrix of potential and priority watering sites. An example of this matrix is provided at Appendix 2 – Priority Sites.

4. Cultural significance

Wetlands can have archaeological, historical, social and spiritual significance. For example, wetlands are often the focal point for human communities and have special social and spiritual importance to Aboriginal people.

Wetlands may support certain 'totemic' plants and animals and areas related to dreaming stories or provide natural resource-gathering areas. They may include places connected with important people and can even contain physical evidence of past uses of the area.

5. Conclusion and ongoing work

This plan is intended to inform the processes and products of the Murrumbidgee CAL operation.

In terms of process, Riverina Local Land Services holds the licence and manages the application and licensing arrangements annually with NOW. Riverina Local Land Services will call for expressions of interest each year to use the CAL, and conduct monitoring and reporting of the use of the CAL.

The Aboriginal Advisory Group will include the CAL in its deliberations on a needs basis. It is expected that at least once a year, the Group will assess the various EOI's received by Riverina Local Land Services based on the mandatory conditions listed in the W SP. The Group will then make a recommendation to Riverina Local Land Services about how the CAL ought to be used.

Annually, this process will produce a CAL watering plan which will make up part of the ordering process required by licensing at NOW. This annual plan will include provisions for monitoring and reporting on the CAL operation.

Review and improvement of this process will be an integral part of the deliberation of the Aboriginal Advisory Group.

6. Review and follow-up of this plan

This plan needs to be a living document. It is fully expected that certain sections in this plan will evolve overtime, and that certain information will be clarified or validated. As such, this plan will be reviewed and built upon by the Riverina Local Land Services and the Aboriginal Advisory Group.

The Plan will next be reviewed as required by Local Land Services.

More information

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