

# **Report to the Murray Darling Basin Commission**

## **Indigenous Response to the Living Murray Initiative**

**April 2003**

## **Introductory Note**

Please note: This is a report commissioned by the MDBC to detail Indigenous responses to The Living Murray.

The contents of this publication do not purport to represent the position of the Murray-Darling Basin Commission.

The intention of this paper is to inform discussion for the improvement of the management of the Basin's natural resources.

# Contents

Part 1 Executive Summary

Part 2 Community Engagement Process

Part 3 Way Forward

## Attachments

1. Consolidated community responses
2. MLDRIN Position Paper
3. Responses from each public forum
4. Responses from each Traditional Owner workshop

# Part 1 Executive Summary

## 1.1 Background

The Murray Darling Basin Ministerial Council agreed to the following vision for the River Murray in March 2001 – *“a healthy River Murray system, sustaining communities and preserving unique values”*.

In April 2002, the Ministerial Council:

1. agreed to hold a community-wide consultation process about environmental flows, beginning in April 2002;
2. directed that a comprehensive study be done on the costs and benefits to the environment and the community of returning water to the environment;
3. recognised a need to spend \$150 million on modifying dams, weirs and locks and other measures to make best use of all the water currently available to the environment; and
4. recognised the importance of establishing water trading arrangements for the efficient allocation of the scarce water resources of the Basin and that the effectiveness of these arrangements will depend on clear definition of access rights to water.

The Murray Darling Basin Commission (MDBC) is to report to the Ministerial Council on community engagement. It wants to determine the community's knowledge, values, aspirations, issues information needs and concerns in relation to the vision of the Ministerial Council.

The MDBC has commissioned this report to detail Indigenous responses to these matters.

In compiling this report, the Farley Consulting Group (FCG) has worked in conjunction with MLDRIN.

This report is required to:

1. identify the range of issues, concerns, values and aspirations raised throughout the consultations, including knowledge gained from consultations undertaken by MLDRIN;
2. outline the geographical scope, representation and interests covered in the consultations;
3. provide direction for the broader community engagement strategy to address any issues relating to engagement and communication requirements for Indigenous communities.

## **1.2 Introduction**

The Murray Darling Basin Ministerial Council is asking the community to discuss the best way to achieve its vision of “a healthy River Murray system, sustaining communities and preserving unique values”. The Murray Darling Basin Commission (MDBC) is to report on community engagement to the Ministerial Council.

### **1.2.1 Feasibility Study**

An initial Feasibility Study was undertaken by MLDRIN and FCG in October 2002. The Study was accepted by the MDBC in December 2002.

The Feasibility Study identified the need for a two-stream approach:

- one by MLDRIN to engage Traditional Owners/Nations through workshops;
- one by the FCG to engage other Indigenous people and organisations through public forums.

The Feasibility Study also identified the need for a three-stage Indigenous Engagement Project:

- stage 1 to report on issues, concerns, values and aspirations;
- stage 2 to inform the community of Ministerial Council responses to stage one, consider social and economic impact research, and gather subsequent community reactions;
- stage 3 to advise the community of actions that will be taken by government.

### **1.2.2 Community Engagement Process**

Indigenous responses were gathered in two streams:

- workshops with Traditional Owners/Indigenous Nations;
- public forums to enable input from other Indigenous people and organisations.

Responses from the two streams are remarkably consistent. The central themes are:

- 1. Shared Vision**
- 2. Recognition,**
- 3. Respect for country,**
- 4. Involvement**
- 5. Policy Change**

#### **1.2.2.1 Shared Vision**

The vision for the River Murray is one of a healthy, living river system with natural flows and cycles.

It is essential that the visions of Indigenous Nations are accepted in holistic terms. It is also important to note that while the visions of Indigenous Nations could be the same or similar, they will also be independent due to the inherent cultural diversity of each Nation in relation to traditions, sites, stories and cultural practices.

Such diversity is not confined to Indigenous Nations – it is reflected in the different approaches and priorities of States and Territories within the Commonwealth system.

Management of the River Murray needs to incorporate a range of outcomes including those listed below:

- Healthy
- Free flowing
- Alive
- Natural cycles
- Restocked
- Revegetated
- Access rights for Indigenous people so they can move freely to continue cultural practice
- Traditional fishing/hunting
- Indigenous people and Nations recognised and respected for what and who we are
- The rivers and tributaries are respected and cared for
- Indigenous Nation recognised as sovereign entities in their own country.

#### **1.2.2.2 Recognition**

Distinct rights exist for Indigenous peoples as part of their rights to self-determination. These rights should be recognised as inherent and holistic. They are:

- Customary rights of Indigenous Nations along the Murray Darling system; and
- Human rights to maintain a cultural economy

Customary rights relate to cultural self-determination and the preservation of distinctive cultural identities.

Human rights to maintain a ‘cultural economy’ relate to Indigenous Nations being able to undertake activities that secure sustainable capital from the natural resources that traditionally and historically belong to each Nation.

#### **1.2.2.3 Respect for Country**

Indigenous peoples clearly identified concerns about the lack of respect not only for themselves, but also for the natural resources of the country.

The river system must be treated with respect, as it is the lifeblood of the country. If the river is in poor health, it can not provide spiritual, cultural, economic and social benefits to all those who depend on it.

The basis of management of the river system must be a whole landscape approach, including all tributaries of the River Murray. The objective for management of the river's resources must be **sustainable use** with the core values of the river system preserved as a legacy for future generations.

To fully respect the river and all adjoining systems, the mouth of the River Murray should be open. This can only occur if the needs of the river are respected - it effectively means increasing natural flows, bringing back native fauna and flora and eradicating introduced species such as carp and willow trees.

#### **1.2.2.4 Indigenous Involvement**

The community engagement process highlighted quite clearly that Indigenous people want to be actively involved at all levels of management of natural resources throughout their traditional lands.

The initial building block for involvement by Traditional Owners should be protocols with Indigenous Nations about how they wish to do business with government and the general community on management of natural resources.

The draft Memorandum of Understanding between the MDBC and the Murray and Lower Darling Rivers Indigenous Nations (MLDRIN) is a starting point and should be endorsed by the MDBC, the States on the Ministerial Council and the ACT.

Cultural Heritage Management Plans (CHMPs) then should be developed between government and Indigenous Nations with custodial responsibilities for the river system. The CHMPs should have the force of law and reflect the inter-relationship between environmental values and spiritual and cultural values.

#### **1.2.2.5 Policy Approaches**

The consultations raised a number of issues about the policy approaches used by government for management of the river system and the role of Indigenous people in the policy development process.

There was a clear view that cultural, environmental and social values should be given equal status with economic values when policy and management decisions

are made. This would require the development of new indicators and changes to the structure of water pricing in the Basin.

It also was very clear that Indigenous Nations believe they have rights to be engaged and involved, and wish to be engaged and involved, at all levels in the management of the river system.

### **Water allocations to provide for cultural economy**

There was a widely held view that a water allocation should be available to each Indigenous Nation to enable them to exercise their custodial responsibilities to care for the river system. Each Nation would decide whether its allocation should be used to increase environmental flows or to help generate a more independent economic base for their people. The decision would be taken in the context of the health of the river system and their custodial responsibilities.

At the same time, there should be initiatives to encourage more efficient use of water. This would entail public investment in incentives and assistance for industry and other water users to change management systems.

### **Compensation**

Indigenous people reject the concept of compensation for any loss of water allocations by industry as inequitable, given the legislative history of Australia that prevents Indigenous Nations from having any rights to water.

The spiritual, cultural, economic and social health of Indigenous peoples depends on the health of the river system. If the system is unable to provide such support, many Indigenous people believe there is a basis for compensation for loss of traditional values.

### **Environmental flows**

Indigenous people believe the policy objective must be to restore natural flows and cycles to the river system. The current reference points determined by the Ministerial Council for increased environmental flows are unsatisfactory. Even the top reference point has only a low to moderate probability of restoring the health of the river system.

Indigenous people also believe management of the river system's resources should be made more efficient. This may entail additional public investment in infrastructure.

Indigenous people are frustrated that the Ministerial Council has been unable to achieve a whole of government approach to management of the Basin's natural resources.

## **Indigenous Intellectual Rights**

Indigenous people want traditional knowledge recognised for the contribution it can make to resource management and as an Intellectual Property Right.

They believe there should be comprehensive public education campaigns so the community has a better understanding of what is required for sustainable resource use and of the central importance of country to Indigenous culture and spirituality.

### **1.3 Recommendations**

1. That the issues, concerns, values and aspirations of Indigenous people:
  - be placed on the Issues Log of the broad community engagement process;
  - be considered by the MDBC and the Ministerial Council.
2. That the Ministerial Council and the MDBC receive a delegation from Indigenous Nations to allow discussion of the issues.
3. That the MDBC proceed with the three-stage Indigenous Engagement Project detailed in the Feasibility Study and provide necessary resources.
4. That the MDBC provide a forum for Indigenous Nations to come together to determine their position on natural resource management issues and continue to provide support for MLDRIN in this respect.
5. That the MDBC and the Ministerial Council develop legally binding agreements/protocols with Indigenous Nations, according to their traditional boundaries. The agreements/protocols should establish a framework for involvement by the Nations in management of the Basin's natural resources.
6. That the MDBC and the Ministerial Council ensure Indigenous Nations are represented on all natural resource management bodies in the Basin and centrally involved in their policy and management decisions.
7. That the MDBC and the Ministerial Council ensure that cultural, environmental and social values are given equal weight with economic values in policy and management decisions and water pricing in the Basin.
8. That the MDBC and the Ministerial Council develop Cultural Heritage Management Plans (CHMPs) with Indigenous Nations, according to their traditional boundaries.
9. The CHMPs should be incorporated into all relevant natural resource plans and local council development plans.

10. The CHMPs must be implemented by the respective Indigenous Nations, according to their boundaries, and provide employment for Indigenous people. They also should provide access for Traditional Owners to sites and areas of significance and for hunting and fishing.
11. That the MDBC and the Ministerial Council provide a water allocation for each Indigenous Nation.
12. That the MDBC and the Ministerial Council extend the current reference points for environmental flows so healthier outcomes for the river are possible.
13. Resources are essential to enable equitable engagement by Traditional Owners in natural resource management. Resources will be necessary for negotiation, training, capacity building, and support for Traditional Owner representatives.
14. Cross-cultural training should be undertaken at all levels of government and by natural resource management bodies.

## **Part 2 Community Engagement Process**

### **2.1 Introduction**

#### **Project Management**

A project Steering Committee was established to oversee the project. It comprises two MLDRIN representatives, one representative of the Community Advisory Committee to the Ministerial Council, and one representative from the office of the MDBC.

The Steering Committee identified where workshops and public forums should be held.

#### **MLDRIN Traditional Owner Group Coordinators**

MLDRIN appointed three coordinators to work with the MDBC and FCG. Each coordinator was given responsibility for consultation with particular Nations.

MLDRIN coordinators held workshops with the following Traditional Owners:

- 12 December 2002 in Murray Bridge – Ngarrindjeri, Kurna and Peramangk Nations;
- 18 December in Swan Hill – Wamba Wamba and Wadi Wadi Nations;
- 20 December in Albury – Wiradjuri Nation;
- 24 January in Barmah – Yorta Yorta Nation;
- 28 January in Deniliquin – Wamba Wamba Nation;
- 1 February in Balranald – Muthi Muthi Nation;
- 5 February in Robinvale – Mungatanga Elders
- 9 February in Menindee – Barkindji and Nyiamppa Nations.

#### **Public Forums**

Public forums were held by FCG on:

- 5 February in Murray Bridge;
- 7 February in Buronga
- 9 February in Menindee
- 12 February in Swan Hill
- 14 February in Albury.

#### **Community & Public Awareness Strategy**

The public forums were advertised in:

- Koori Mail;
- National Indigenous Times;
- Murray Valley Standard;
- Sunraysia Daily;

- Barrier Daily Truth;
- Swan Hill Guardian;
- Albury Border Mail.

In addition, invitations to the public forums were faxed/mailed to 60 Indigenous organisations, based on lists provided by the MLDRIN coordinators.

The MDBC made a presentation on The Living Murray initiative to each workshop and public forum.

### **MLDRIN Community Fact Sheet**

A MLDRIN fact sheet and brief was tabled at each workshop and public forum and a MLDRIN representative presented their views.

The following standard questions were put to each workshop and public forum:

*What is your vision for the River Murray?*

*What is the significance of the River Murray to you?*

*What are the values that should be preserved?*

*What is a healthy river?*

*How should the river's resources be used? What interests should be recognised?*

*What's wrong with the River Murray now?*

*What are the specific areas of cultural significance along the River Murray?*

*How should Indigenous interests in the River Murray be recognised?*

### **Project Feedback Process**

Responses have been consolidated for the purpose of this report, but individual reports from workshops and public forums are attached.

A draft report was considered by the Steering Committee and the MLDRIN Working Group in Berri on 5 March. The draft was authorised with some amendments.

## **2.2 Outcomes of Community Engagement Process**

### **2.2.1 Introduction**

This section of the report provides an overview of the Traditional Owner/Nations consultations and the broader community responses. For responses from individual meetings, refer to the attachments.

In summary the key issues that arose are succinctly identified in the MLDRIN position paper on The Living Murray document:

- Recognising the need for **justice**
- Establishing a package of **rights**
- Development of **reparation** and **compensation**

- Embracing Indigenous **self determination**
- Development of an **economic base** for Indigenous Peoples
- Ensuring cultural and environmental **heritage protection** measures

## 2.2.2 Summary of Community Responses

The following information is a summary of the responses from the Traditional Owner/Indigenous Nations workshops and public community forums.

### 2.2.2.1 Significance of the River Murray

The River Murray is vital to Indigenous communities in many ways - spiritually, culturally, ecologically, economically, physically and socially.

The River Murray is central to the survival of Indigenous communities in terms of both environmental health and community health. The purity and quality of the water are critical for the safety of communities and children.

#### Cultural Economy

The River Murray needs to be seen as a “cultural economy” to the Indigenous Nations that belong to the River. The “cultural economy” includes all the natural resources in the River Murray definition.

This ‘cultural economy’ previously allowed Indigenous Nations to maintain their traditional lifestyle across their country. This economy now has been diminished by the poor health of the river system that has decimated traditional sources of food and medicines.

As one group explained – “The healing that we use Old Man Weed for needs to be done by the River. It is the same with fish – we need to catch, cook and eat by the River. Now, we can’t get clay out of the bank to coat the fish or to use on our skin – this is a big part of women’s business.”

#### Cultural Heritage

The cultural heritage of the River was a significant issue for all Indigenous people. Limited access to traditional lands and lack of acknowledgement of inherent/ birth rights were regarded as impediments to the protection of cultural heritage.

Common responses were:

- “Traditional vegetation along the river banks is disappearing, and it is harder to find with the changing of the habitats”
- “The green tree frog and the black frogs are no longer to be seen.”
- “Birds such as the ducks and swans have nowhere to nest as all the swamp country and flood ways no longer get flooded out.”

- “Fish traps are being destroyed due to constant high levels of water, and not being able to maintain the fish traps as we used to do.”
- “River banks are being eroded away due to constant high levels of water, some areas of the river flood plain are constantly under flood.”

#### **2.2.2.2 What are the values of the River Murray that should be preserved?**

It is important to protect and preserve the nurseries/wetlands/waterways from degradation.

Indigenous people must be given more involvement to protect and care for the river and take on more responsibility to ensure that the river is properly managed

The customary rights of Indigenous people should be recognised, protected, preserved and respected. These customary rights include:

- Spiritual connection
- Management of significant sites
- Protection of Indigenous history/sovereignty/people’s knowledge
- Preservation of Indigenous rights and heritage
- Access for hunting and fishing.

#### **2.2.2.3 What is a healthy river?**

A healthy river is free of toxins and introduced species. It has natural flows and cycles that feed all its parts such as the tributaries, creeks and nurseries. The native wildlife and plant species feed off the river as it provides the necessary nutrients to keep them alive.

The river provides life through food and quality drinking water to Indigenous nations. It also provides life to the Australian community. It provides natural medicines to heal sickness and enjoyment for recreational purposes.

A healthy river is protected by government from abuse and overuse.

A healthy river is essential to ensure that future generations of Australians can enjoy the same quality of life as past generations.

#### **2.2.2.4 How should the river’s resources be used? What interests should be recognised?**

It was acknowledged that all interests and people should be recognised.

A key issue is the lack of recognition of Indigenous interests and need for equal access and rights to water.

The entire ecosystem in and around the river needs to be maintained and looked after. If water is unhealthy, everything else will decline.

Protected areas need to be in place along the rivers to allow fish and other aquatic life to recover from over fishing. The traditional peoples of a given area should be working with government departments to identify such areas and monitor and regulate use of the river's resources.

Native fish should be restocked into the waterways and noxious animals, such as European carp, should be removed.

Speedboats should be confined to certain areas and their speed limited. Speedboats erode the river banks, wash up little fish and shrimp onto the bank and make it impossible for those who want to fish on the bank, or just enjoy the River.

#### **2.2.2.5 What's wrong with the River Murray now?**

The central responses were that the river is "over-used" and "abused" and that government has failed to ensure the river's resources are used in a sustainable way. In so doing, government has failed future generations.

#### **2.2.2.6 What are specific areas of cultural significance along the River Murray?**

There are a number of significant sites along the River that are listed on each State's Heritage List.

These are protected and must continue to be preserved. However, drought levels and over use have reduced water levels and exposed significant sites that are not listed.

There needs to be some form of compensation or avenue that enables recompense where sites have been degraded, or violated by land owners and the river's recreational users.

#### **2.2.2.7 How should Indigenous interests in the River Murray be recognised?**

Participants identified a range of strategies that should be applied. They include the following:

- Engaging existing recognised Indigenous groups such as: Traditional Owners, Communities, Heritage groups, Native Title groups, individual landowners and specialist Indigenous organisations and enterprises.
- Enhancing existing legislation (eg Heritage Act).
- Recognising Traditional Owners and their traditional custodial responsibilities for land and waters.
- Recognising Elders as the voice/speakers for their country and their people.
- Providing adequate resources for Traditional Owners so they can participate equitably in policy and management decisions.
- Developing mechanisms for compensation where the traditional “cultural economy” is diminished or destroyed.

#### **2.2.2.8 What is your vision for the River Murray?**

The vision for the River Murray needs to be seen in context. There are common themes, but each Indigenous Nation is independent of all others and has its own custodial responsibilities, which may be exercised in different ways.

The Indigenous vision for the river system is holistic – it incorporates spiritual, cultural, economic and social values. All are inter-related. All the issues need to be addressed together.

The fact that there may be different views from Indigenous Nations should not be surprising. The same position exists in non-Indigenous society. Different States and Territories and the Commonwealth have their own legislative frameworks and approaches to issues.

## **Part 3 Way Forward**

The Way Forward requires a collaborative effort, where all mainstream stakeholders and Indigenous Nations are engaged in achieving a shared vision.

This report identifies the issues, concerns and recommendations of Indigenous peoples. They require a response from the MDBC and the Ministerial Council so a clear agenda can be established.

Memorandums of Understanding (MOU's), protocols and agreements are a starting point to provide a pathway for the way forward.

However, statutory recognition of Indigenous Nations as Traditional Owners and sovereign people was seen as fundamental to progress.

Adequate resources and appropriate infrastructure for Indigenous Nations to undertake community capacity building activities also are essential.

Detailed steps are contained in the recommendations.

## **Attachment 1 Consolidated Community Responses**

### **What is your vision for the River Murray?**

Consistent responses were;

1. The cultural and spiritual significance of the river system to Indigenous people should be recognised, respected and accepted. “The land and rivers and the people are one.”
2. The river system should provide life to all.
3. It should be alive, healthy and free-flowing. “It should come back to life from the reeds to the insects.” “So that the black cockatoo returns to our country.” “The cod needs to continue from the mountains to the sea.”
4. The river should be brought back to its natural flow cycle.
5. People should be able to drink straight from the river. It should be clear, so you can see the bottom, and there should be sandy beaches.
6. The total ecosystem, including tributaries, should be respected.
7. The river’s resources should be used sustainably and protected for future generations.
8. Cultural heritage is respected and protected. Traditional custodial responsibilities can be discharged.
9. Indigenous people are responsible for ensuring cultural heritage is protected, and are employed to do so.
10. Traditional Owners should have access to significant sites and areas. There should be no barriers to continuing their cultural practice.
11. Traditional rights to fish and hunt are accepted.
12. The relationship between environmental and cultural and spiritual values is understood and accepted.
13. Native fish, birds, animals and plants abound.
14. Water is passed on in a good state to those downstream.
15. The river is free from blue-green algae.

16. The river is not polluted.
17. There is a better understanding and relationship between Traditional Owners, government and the community. Traditional Owners, government and the community come together in the long-term to protect the river system.
18. Traditional Owners are part of all decisions that affect the health of the river system.
19. Regulations about use of the river's resources are strictly enforced.
20. There are education campaigns about how to use the river system sustainably and the connection of Traditional Owners to their country.
21. Introduced fish and plants should be controlled and removed

### **What is the significance of the River Murray to you?**

Consistent responses were:

1. The river is central to the culture of Indigenous Nations who have traditional custodial responsibility for the Basin. It provides their identity and their spirituality. "It is our lifeblood". "It is life". "Our beliefs are entwined in the river itself".
2. The river system is integral to song-lines and creation stories. It is the source of totems for groups and individuals.
3. The Basin contains many places of significance – burials, mounds, initiation sites, men's and women's places, ceremony grounds, meeting and gathering places.
4. The Basin is rich in relics and artefacts, middens, ochre grounds, camping sites, ovens, scar trees.
5. As the health of the river declines, Indigenous culture is eroded and diminished. Traditional Owners are devastated at loss of native fauna and flora and pollution of the river. Cultural and spiritual values are linked inextricably to environmental values.
6. The river helped to establish relationships between Indigenous Nations. There is an obligation on those upstream to provide good water to those downstream.

7. It provides connection between Indigenous Nations. It was a trade route and still is a highway.
8. The river has major economic importance. It is a source of food, fibre, water, medicine and other sustenance.
9. It also can help to generate greater economic independence. There are commercial opportunities in eco-tourism, cultural tourism, native nurseries and seed collection.
10. The decline in the health of the river system therefore has led to a decline in the economic position of Indigenous people. There are less cod, yabbies, mussels, eggs, plants and animals. Less traditional food sources and reduced commercial opportunities mean a fall in the standard of living and greater reliance on welfare.
11. The river is a place of healing. It provides a sense of balance and relief from stress and sickness.
12. The river provides social connection between Indigenous people and with non-Indigenous people. It is a source of recreation and can be a vehicle for reconciliation.
13. The whole river system is significant. It must be treated as a single ecosystem. Everything is connected and everything has its place. Wetlands are the nursery for life in the river. Land clearing leads to salinity and destroys biodiversity.
14. The river is critical to health and welfare. Communities need a clean and reliable water supply.
15. The river is a source of cultural education for Indigenous youth. It creates opportunities to put young people in touch with their culture and move away from the cycle of alcohol, drugs, domestic violence and sexual abuse.
16. The river is important for future generations. It provides history and culture, continuity and connection.
17. Traditional Owners are absolutely frustrated and devastated that their cultural responsibilities for care of the Basin are not recognised properly by government and the community.

### **What are the values that should be preserved?**

Consistent responses were:

1. The river system has cultural, spiritual, environmental, social and economic values. All should be protected and preserved. Their significance is detailed in the previous section.
2. The whole system must be treated with respect. If it is in poor health, it can not provide cultural, spiritual, environmental, social or economic benefits.
3. The natural cycles of the river are very important. There must be times of flood and dry. If water levels remain high, trees and other vegetation will drown. If levels are kept low, trees and vegetation will die of thirst. There must be balance to the cycles.
4. The Basin must be managed on a sustainable basis. Resources must be used within their capacity so they can be maintained into the future.
5. The tributaries of the Murray are all part of the river system. The system must be approached as a whole. There are complex inter-relationships that must be recognised between seasons, river flows, fish, plants and animals.
6. The river provides bush medicines and is essential to the physical and spiritual health of communities in many ways.

### **What is a healthy river?**

Consistent responses were:

1. The whole river system must be treated with respect and its resources used in a sustainable way.
2. There must be a “whole of landscape” policy approach.
3. There must be a long-term vision and long-term management.
4. There must be strong natural flows of water that flush the system regularly and keep the river mouth open.
5. If the river is healthy, culture and spirituality will be strong.
6. Water should be clear and drinkable.
7. Salinity must be reduced and water quality improved.
8. Native fish, animal, bird and plant species should abound. “We should be able to see the cod and hear the frogs. There should be plenty of yabbies and

mussels. There should be reeds, catfish and birds. The grasses should come back.”

9. Flows should coincide with breeding seasons at the right time of the year.
10. Wetlands (nurseries) should be healthy.
11. Barriers to natural flows should be reduced – dams, locks and weirs.
12. Natural cycles of wet and dry should exist.
13. Water should be free of chemicals, pollution and algae.
14. Turtles should be free of algae.
15. There should be no black mud at the bottom of the river.
16. Introduced species such as carp and willows should be controlled and removed.
17. River-banks should be stable and protected from erosion.
18. Stock should be controlled so the impact of watering points is reduced. There needs to be fencing all along the river.
19. There should be no rubbish in the river.
20. There should be public education programs so everyone is aware of the importance of the river system and how everything is inter-related.

**How should the river’s resources be used? What interests should be recognised?**

Consistent responses were:

1. The river’s resources should be respected and used in a sustainable way.
2. The resources should be protected for future generations.
3. The resources should be shared between all interests. They should not be locked up, but they should be used within their capacity.
4. The first priority should be to ensure sufficient quantities and quality of water for human consumption.

5. There is a responsibility on those upstream to ensure those downstream receive good water.
6. Management decisions should maintain the biodiversity of the total catchment.
7. The custodial responsibilities of Traditional Owners must be recognised by government and the community. Lack of recognition causes great frustration and pain. "The scales are now unbalanced and our Ancestors are unhappy and restless. They will stay this way until balance is restored."
8. Traditional Owners must be centrally involved in decisions about resource use in the Basin.
9. There should be water allocations for Indigenous Nations to enable them to discharge their custodial responsibilities.
10. The economic values of the river system should not be placed ahead of spiritual, cultural, environmental or social values. Management decisions should take all values into account.
11. Indigenous interests should be recognised according to traditional Nation boundaries. The unique governance structure of each Nation also needs to be recognised and protocols developed with each Nation about how they want to do business.
12. The intellectual property rights of Traditional Owners need to be recognised and accepted. They apply to particular knowledge about the properties of the natural world.
13. Efficiency of water use must be improved. Flood irrigation and open channels are inefficient.
14. Technology should be adopted to a greater extent to improve efficiency eg drip-feed irrigation.
15. There should be government assistance available to improve the efficiency of water use. Where there is public benefit, there should be public investment.
16. However, no compensation should be paid to industry for any loss of water access. Rights to water are a general community right. No-one owns water resources. No compensation was paid to Indigenous people for loss of their country.
17. Farmers will stay, but their management systems will have to keep on improving.

18. Management of water resources and the Basin as a whole needs to improve. There should be a “whole of government” approach because the Basin’s ecosystem is regulated by many agencies. Cooperation and coordination between the Commonwealth, States, the ACT and Local Government are essential.
19. Government should develop partnerships and agreements with the community, including Traditional Owners, to apply sustainable resource use principles and plans.
20. Agreements about resource use, particularly water use, should be monitored and penalties apply if the terms are breached.
21. Regulations about resource use need to be enforced effectively.
22. Water used by industry should be re-cycled and not pollute the river system.
23. River-banks should be fenced and the number of stock watering points should be reduced.
24. Comprehensive public education programs are required to ensure the community understands what is required for sustainable resource use.

### **What’s wrong with the River Murray now?**

Consistent responses were:

1. The river system is not being treated with the respect it is due.
2. Too much water is being taken out of the river system.
3. There is not enough natural flow to keep the mouth of the Murray open or to flush the river system. Infestations of blue-green algae have increased and water in some areas of the system is stagnant.
4. Water quality has fallen greatly. The water is undrinkable now.
5. Pollution by industry has increased. There is not enough oxygen in the river. There is too much sediment and black mud.
6. Salinity has increased and the water table is rising.
7. The amount of native fish, bird, plant and animal life has fallen and native species remain under threat.

8. Introduced species are increasing in number, particularly carp and willow trees.
9. Erosion of river banks has increased. Contributing factors include land clearing, artificially high flows, artificially high river levels, carp and wash from boats. In some areas, the river is twice as wide as it used to be.
10. Because the environmental values of the river system have been reduced, cultural values have been eroded. Spiritual connection to country and the living world is being lost.
11. Traditional Owners do not have access to sites and areas of cultural significance. As a result, it is harder to teach young people about their culture.
12. The Ministerial Council's reference points for greater environmental flows only give a low to moderate probability of improving the health of the river system. Scientific advice is that an extra 4,000 gl would be needed to give a moderate chance of restoring a healthy system.
13. The science of natural resource management does not incorporate Indigenous cultural knowledge.
14. Indigenous spiritual connection to the river system is not recognised or accepted.
15. Historical knowledge is not respected and utilised properly.
16. The need for agreement between members of the Ministerial Council slows down government decisions.
17. There is no "whole of government" approach. Many agencies have interests in the Basin and their approach needs to be better coordinated and integrated. The Ministerial Council should accept its responsibility to improve things.
18. Those upstream don't always accept responsibility for their actions.
19. Regulations about water use and quality are not enforced effectively.
20. Illegal fishing is reducing native fish stocks.
21. Water is not always used efficiently. Evaporation rates are high and much irrigation is wasteful, particularly flood irrigation. The rice, cotton and wine industries are greedy about water.

22. The price of water and management decisions about its use do not fully reflect cultural, spiritual, environmental and social values. Neither do catchment management plans.
23. Natural cycles of flood and dry do not occur. Regulators prevent flooding in many areas.

### **What are specific areas of cultural significance along the River Murray?**

Consistent responses were:

1. The entire river system and Basin are culturally significant to Indigenous people. The system should be recognised as a cultural landscape.
2. Significant sites are found from the river-banks to the flood plains to the sand hills.
3. Some Elders hold special knowledge about particular places.

### **How should Indigenous interests in the River Murray be recognised?**

Consistent responses were:

1. The custodial responsibilities of Traditional Owners to care for the river system must be recognised by government and the community.
2. There should be respect for traditional knowledge. It can help greatly to improve sustainable management.
3. Traditional knowledge should be accepted as an Intellectual Property Right.
4. Indigenous Nations must be centrally involved in management decisions about the river system within their nation boundaries. They must be involved right from the beginning.
5. Management decisions within the Basin should incorporate cultural, spiritual, natural and social values, as well as economic values.
6. Natural cycles should be restored in the river system. This will replenish natural and cultural values.
7. Each Indigenous Nation should be granted a water allocation in recognition of its cultural responsibility to care for the river system. The allocation could be used to increase environmental flows, depending on the health of the river

system. If the river is healthy, it could be used to improve the economic position of the Nation.

8. Each Indigenous Nation has its own unique governance structure that determines how it will engage with government and the community.
9. There should be protocols with different Nations about how they want to do business and how they will engage in natural resource management in the Basin.
10. The draft Memorandum of Understanding between the MDBC and MLDRIN is a good starting point and should be endorsed by the MDBC. It also should be endorsed by the Commonwealth, the States on the Ministerial Council and the ACT.
11. Each Indigenous Nation should develop a Cultural Heritage Management Plan (CHMP) to apply within its boundaries.
12. CHMPs should have the force of law and be a part of each regional/catchment plan within the Basin. They need to reflect the inter-relationship between environmental, cultural and spiritual values.
13. There must be adequate resources to develop and implement the CHMPs. Funds should be available for workshops and negotiations between Indigenous Nations, government, private landholders and the community.
14. The CHMPs should be implemented by Indigenous Nations. They may entail the development of a series of agreements with landholders, local government, the State/Territory etc.
15. The CHMPs should provide for access by Traditional Owners to sites and areas of cultural significance and for hunting and fishing.
16. Monitoring should be an essential component of CHMPs and should be undertaken by Indigenous rangers. Training programs will be necessary.
17. Indigenous Nations should be represented on all natural resource management bodies that have interests within their traditional boundaries.
18. There should be resources to provide a support network for Indigenous representatives on natural resource management bodies.
19. There also is a need for capacity building and community development within Indigenous Nations so they can contribute effectively to sustainable resource management.

20. The boundaries of Indigenous Nations should be recognised in signage and other public information.
21. The use of traditional place-names should be encouraged, in consultation with Traditional Owners.
21. School curricula should include local Indigenous history.
22. The importance of Indigenous cultural heritage should be promoted in public information and education.
23. Cultural training should be undertaken at all levels of government and within natural resource management bodies.

## Attachment 2 MLDRIN Position Paper

### The Living Murray

The issues are those as determined by members of the Murray Lower Darling Rivers Indigenous Nations. Words as highlighted are icons to the core interests of Indigenous peoples.

### Issues Log for Indigenous Peoples

1. **Acknowledgement** of Indigenous connection to lands and waters is based on their own view of **Creation** and this is reflected within a **spiritual** web that is linked to important places and **ceremony**
2. **Elders** are held with Indigenous society with **respect** and this needs to be given **empowerment** through an effective **decision making role**. Their collective and individual **knowledge bank** has been passed on through many generations of living within their lands and waters. This knowledge or **intellectual property** and **values** need to be held and imparted with the utmost respect and protection.
3. **Indigenous Nations** need **recognition** and **respect** as having **inherent rights** that are unique to their country. It is the **responsibility** of each Nation to hold on to their **sovereignty**, their **autonomy** and their rights to **self-government**.
4. Indigenous Nations have the ability to provide **advocacy** through strong processes that provides **unity** and **co-operation**. A process that provides for their **united** voice. Indigenous Nations are committed to a shared vision for the future through ensuring **consultation on all levels** and **sharing of knowledge**.
5. Indigenous Peoples hold a holistic concept to their lands and waters which are seen as different to the western value systems. We can learn to **co-exist** through the development of **protocols** which acknowledge the unique interests of Indigenous Nations and its people. These can be incorporated within **processes and procedures** of natural resources wealth sharing which includes water with Indigenous Nations.

They include the need for:

- Recognising the need for **justice**
- Establishing a package of **rights**
- Development of **reparation** and **compensation**

- Embracing Indigenous **self determination**
- Development of an **economic base** for Indigenous Peoples
- Ensuring cultural and environmental **heritage protection** measures

Refer to: [www.thelivingmurray.mdbc.gov.au](http://www.thelivingmurray.mdbc.gov.au)

**Murray Lower Darling Rivers Indigenous Nations contact person is Derek Walker.**

# **Attachment 3 Responses from each Public Forum**

## **3.1 Albury Public Forum – 14 February 2003**

### **General Comments**

- There need to be natural cycles in the river – ebb and flow, dry and flood. The river is over-managed.
- The Basin's landscape needs to be approached as a whole – everything is connected. The key issue is management of the whole river system – not just environmental flows.
- Indigenous people don't want to be just consulted. They want to be a central part of decisions about the river system and part of management. They are intensely frustrated because they are the Traditional Owners, with custodial responsibilities under their law, but other people make the decisions about the river. They have never surrendered their custodial management rights.
- Public education about the issues is important so the need for action is understood.
- Indigenous people believe spiritual, cultural and environmental values are more important than economic values and must be taken into account in management decisions
- Big changes in farm management systems are necessary so agriculture becomes more sustainable. The country can't stand the high water and chemical use necessary for some crops.
- Involvement in natural resource management can create a new economic base for Indigenous people – monitoring, rangers, rehabilitation etc.

### **What is your vision for the River Murray?**

- The river should be healthy and free flowing.
- Traditional Owners should be heavily involved in management decisions and Indigenous people should be employed to deliver various programs.
- The whole river system should be respected.
- Everyone should come together to make the river healthy and protect its spirit – Indigenous people, landholders and government.
- Funding should be available to do what's necessary to make the river healthy.
- Knowledge should be shared.
- Natural cycles should be restored – the natural ebb and flow.
- There should be total landscape approach to management.
- The river system should be abundant with native fish, birds, animals and plants.

- Everyone should understand the importance of keeping the river healthy and what needs to be done.
- The river should be a focus for reconciliation.

### **What is the significance of the River Murray to you?**

- The river is critical to culture. Identity and spirituality come from country.
- The whole ecosystem is important to culture. Everything in the Basin is inter-related and it all makes up country. The wetlands have to be looked after and land clearing must stop.
- The river is part of song and story lines.
- There are burials all along the river.
- Water is life.
- There are many important sites – men’s places and women’s places, ceremony grounds.
- The river is a birth place.
- It is critical to health – a source of fresh water and medicines. It is also a healing place.
- The river system provides a rich variety of food.
- The river is a meeting place and point of connection between people and Nations.
- It is a trade route and highway.
- The river and its water should be respected. Changes now are disturbing it. There are faster flows and water is colder.

### **What are the values that should be preserved?**

- Cultural values are critical. The identity of Nations is attached to the water.
- Cultural and spiritual values depend on environmental values. Identity is attached to country.
- Cultural, spiritual and environmental values should have equal standing with economic values in management decisions and be included in the price of water.
- Traditional knowledge about the river system, and all the things that make it up, is invaluable. It should be respected and utilised.
- There are important social values. The river is a point of connection for people and nations.
- The river is important to health – a source of medicines and a place of healing.
- It is essential for education of youth about their culture.

- The river system has economic values. It provides food and fibre and can be a base for further economic development of Indigenous communities – nurseries, tourism.
- The river provided the socio-economic system for Indigenous Nations.

### **What is a healthy river?**

- The water should be clear and clean with no pollution. It should be drinkable.
- There should be natural flows with no barriers.
- Natural cycles should be restored so there are floods and dry periods.
- Extraction should be reduced.
- If the river is healthy, spirituality will be strong.
- There should be long-term management plans for sustainable use.
- There should be an abundance of native fauna and flora.
- Wetlands should be healthy.
- There needs to be a total landscape approach to management.
- Public education is important so people understand how to care for the river system.

### **What's wrong with the River Murray now?**

- The river is over-used. Too much water is being taken out and extraction must be reduced.
- Recreation needs to be controlled. The increase in boating and fishing means there are too many people on the river and cultural sites are being destroyed.
- The river is over-managed. There are too many dams and weirs. As a result, natural flows and cycles are reduced.
- There is too much pollution – chemicals, crop run-off, stock watering and rubbish.
- There are too many introduced species and pests, particularly carp.
- There should be buffer zones along the river to minimise damage and erosion.
- The river needs a good flush to get rid of blue-green algae and clean it out.
- Water use is inefficient. Some crops are inappropriate because they need too much water. More technology should be used eg drip feed irrigation.
- Management and regulation need to be improved. Too much water is wasted.
- Use of chemicals needs to be better monitored and controlled.

- Water used by industry should be re-cycled so it doesn't pollute the river.
- More public education is required so the community understands how to care for the river system.

## **How should the river's resources be used? What interests should be recognised?**

- Resources must be used in a sustainable way. They should be used sparingly, sensibly and with discipline.
- They should be shared by everyone.
- The river system should go back as far as possible to its natural state.
- The spirit of the river must be protected.
- Resources should not be locked up, but they must be used within their capacity.
- Indigenous people recognise the need for farming enterprises. However, farm management systems should be sustainable.
- Traditional Owners must be involved in all decisions about the future of the river system. Traditional Owners have custodial responsibilities for the country.
- Public education about sustainable resource is important.
- Research and science are essential to keep improving management and efficiency.

## **What are the specific areas of cultural significance along the River Murray?**

- The total ecosystem of the Basin is significant.
- Elders hold special information about some sites and places.

## **How should Indigenous interests in the River Murray be recognised?**

- Cultural Heritage Management Plans (CHMPs) should be developed by Indigenous Nations for their country.
- The CHMPs should have the force of law and be incorporated into each regional/catchment plan for resource management.
- Each Nation should manage and implement its own CHMP. Funding should be provided for this purpose.
- Indigenous people should be employed to implement the CHMPs. Training programs need to be available.

- Traditional Owners should be represented on every natural resource management body that works within their boundaries and be involved in decisions right from the beginning. There should be support networks and resources for the Indigenous representatives.
- There should be public education programs about the custodial responsibilities of Traditional Owners and cross-cultural training at all levels of government.
- Indigenous Nations should be granted water allocations in recognition of their custodial responsibilities for the river system.
- Traditional knowledge should be respected and valued. It should be protected as an Intellectual Property Right.
- There should be protocols with Indigenous Nations about how they wish to engage with government and the community. Public funding should be available to negotiate and develop the protocols.

## **3.2 Buronga Public Forum – 7 February 2003**

### **General Comments**

- Traditional Owners are angry that they have not been involved and listened to in the past.
- Industry and government have not respected the river system – it is in poor health now.
- A healthy river is needed for healthy communities.
- The river is just one part of the equation – the whole Basin needs to be considered.
- Tree clearing is a critical issue – rain won't come if all the trees have been cut down.
- Snowy River Hydro is part of the problem. They only release snow water when they can maximise their profits from electricity.
- Management decisions and water pricing should take environmental and cultural values into account. They only consider economic values now.

### **What is your vision for the River Murray?**

- The river should be preserved for future generations.
- It should be a healthy, living system with natural flows and cycles.
- It should have World Heritage listing.
- Water from the river should be clean and drinkable.
- The river should be supporting communities on a sustainable basis into the future.
- We need to “keep it flowing, keep it going.”
- There should be plenty of native fish, yabbies, mussels, birds, plants and animals.

### **What is the significance of the River Murray to Indigenous People?**

- The whole river system is important. It sustains country and nurtures families.
- The river system is central to Indigenous cultural heritage and spirituality.
- The river carries Dreaming stories, songs and tribal traditions. There are burial sites, middens, ceremony sites. River red gums have particular significance.
- The river is important as a food source – fish, yabbies, mussels, eggs, seeds, animals and plants.
- It also is important as a source of medicines and healing.

- The river's resources are important for future generations.
- Wetlands are a nursery for biodiversity and need to be protected.
- The river is a point of connection for different Indigenous nations.

## **What are the values of the River Murray that should be preserved?**

- Preservation of cultural values is the number one priority.
- Economic values also are important – the river provides food and other sustenance. There are potential economic benefits for Indigenous people from eco-tourism and cultural tourism.
- The river has health and healing values. It is a source of bush medicines. Clean water is essential for healthy communities.
- It also has social significance. It connects Indigenous nations and provides recreation.
- “The river is our life. We can't survive without it.”
- The river system needs to be considered as a whole – all the tributaries and wetlands. The whole Basin needs to be approached as an inter-connected ecosystem. Everything has its place.

## **What is a healthy river?**

- The issue is the health of the whole ecosystem.
- The river system will only be healthy when its resources are used in a sustainable way.
- “We should be able to hear the frogs. There should be no algae on the turtles. There should be plenty of mussels, yabbies and shrimps.”
- The water should be clear and blue.
- There should be free migration of native fish species.
- Introduced species like carp and willow trees need to be removed.
- There should be natural cycles and floods. The river should flow – there should be no stagnant areas and no blue-green algae.
- There should be no black mud on the bottom of the river.
- Salt levels must be reduced.
- Pollutants must be removed.

## **How should the river's resources be used? What interests should be recognised?**

- The river's resources should be used in a sustainable way.
- There should be public education about how to use resources sustainably.
- Resources need to be managed in a more efficient way. Flood irrigation is very wasteful. Technology such as drip feed irrigation should be used.
- There should be strict penalties if resources are misused and the penalties must be enforced. There must be effective monitoring of regulations.
- Farmers will stay, but their management systems must change.
- The price of water should reflect environmental costs. The price of water needs to be increased so it is used more efficiently.
- Governments and their agencies must operate in a better way. There needs to be a whole of government approach to the Basin. There should be greater integration and coordination of programs and partnerships with the community and Traditional Owners. Financial resources should be pooled.
- Management needs to be re-educated. Traditional knowledge should be respected.
- Water used by industry should be recycled. "Gray water" should be used more efficiently.
- "Whitefellas should not talk for blackfellas."

## **What's wrong with the River Murray now?**

- There is not enough water in the system. Water has been over-allocated.
- There is not enough water for a proper flush of the system so there's lots of blue-green algae.
- The river system is polluted.
- The river is saline and salinity is poisoning the ground in the Basin.
- Water quality is poor and the water is undrinkable.
- Natural cycles and flows have been disrupted so wetlands and lagoons are affected..
- Introduced species (carp, willows etc) are killing off native species.
- Erosion is a big problem. It is being caused by artificially high flow rates, keeping river levels high, land clearing, high use (boats etc), and carp.
- Illegal fishing is reducing native fish numbers.
- Traditional Owners do not have access to all of the river. They cannot visit significant sites and areas. They are unable to exercise their traditional rights to hunt and fish.

- As a result, Elders cannot teach youth and young people are losing their culture.

## **What are the specific areas of cultural significance along the River Murray?**

- All of the river system has high significance. Everything is connected.
- There are some places that are special. Elders hold knowledge about them.

## **How should Indigenous interests in the River Murray be recognised?**

- “We need to plan for everybody.”
- There should be sustainable natural resource management plans so commercial water use is regulated and monitored.
- Cultural Heritage Management Plans (CHMPs) should be developed by each Indigenous Nation for its country. They should have the force of law.
- The CHMPs should be incorporated into each regional/catchment plan for resource management.
- The CHMPs should be developed and managed by Aboriginal Nations.
- Indigenous people should be employed to implement the CHMPs.
- Indigenous Nations should be represented on each natural resource management body within their boundaries. They should be a foundation of management bodies and central to their decision making.
- There should be adequate resources for negotiation, development and implementation of CHMPs and regional/catchment plans.
- Natural resource management bodies should employ Indigenous people to manage and rehabilitate country. Training programs should be available for this purpose.
- There must be a whole of government approach to natural resource management.
- Traditional knowledge and law should be respected and accepted. It should be protected as an Intellectual Property Right.
- There should be water allocations for Indigenous Nations. This would help Traditional Owners exercise their custodial right to care for the river system. If the river is healthy, allocations could be used to generate greater economic independence and self-determination.
- Industry should not be compensated for any loss of water allocations. However, there should be government assistance for water users to make their management more efficient.
- There needs to be public education so everyone is aware of what needs to be done, and so the importance of Indigenous cultural heritage is recognised.

## **3.3 Menindee Public Forum – 9 February 2003**

### **General Comments**

- Traditional Owners are angry and frustrated that their advice and knowledge have been ignored in the past. “We said there should be no more clearing. We said there should be no more dams. We said they shouldn’t use big pumps. Now the river is sick and it’s all a mess.”
- However, the initiative by the Ministerial Council and MDBC to engage with Indigenous communities is welcome. “We just hope it isn’t too little, too late. We just hope they will listen to us this time.”
- Indigenous families were shifted to allow construction of weirs, locks and dams. They were removed from their traditional country.
- The need for everyone to share water is accepted. “The river provides life to everyone.”
- But the way in which water is shared must change. There is no value placed now on the cultural and environmental components of water. Their values are just as important as economic values. There must be value attributed to food, bush medicines, connection and important cultural places.
- Indigenous culture is cemented in the environmental values of the river’s whole Basin. If the river is sick, culture is sick. That’s the case now. A breakdown in culture is leading to a breakdown in the social order – substance abuse, violence.
- Indigenous people need access to the river to protect their culture and for hunting and fishing. Access is important to protect burials and sites and for ceremonies.
- The way in which Indigenous Nations engage with government and the community must be culturally appropriate. There should be a big meeting of all the Traditional Owners along the river. They all should work together.
- There needs to be more water in the river. The reference points from the Ministerial Council don’t go far enough. There will need to be compulsory acquisition of water, as well as more efficient use.
- Government needs to act more cooperatively and there should be better coordination and integration of all the government programs.

### **What is your vision for the River Murray?**

- The water should be clear and drinkable.
- Natural flows and cycles are restored and native fish, plants, birds and animals abound.
- The river should provide life to all and be protected for future generations.
- Environmental, cultural and spiritual values should be given equal weight to economic values in management decisions.
- Traditional Owners should be involved in all decisions from the beginning and not just a rubber stamp.
- Everyone cooperates to keep the river healthy.

## **What is the significance of the River Murray to Indigenous people?**

- The whole river system has huge cultural significance. It is central to Dreaming and creation stories. It contains burials, mounds, significant sites, ceremony and initiation grounds, men's and women's places, middens, scar trees, camping and meeting places. "It is our life."
- Indigenous people have a special spiritual connection to the river. It gives them identity and connection. It contains their history.
- The river has economic importance – it provides food, water and sustenance.
- It is important to the health of communities. Healthy communities depend on healthy water. The river also provides medicines, healing and spiritual balance.
- It has social significance. It provides social connection and recreation and is important for language.
- The river system must be considered as an integrated whole. Everything is connected – tributaries, wetlands, flows and cycles, fish, birds, plants, animals and the seasons.
- The river system is important to educate youth. That is harder now because access is restricted.

## **What are the values of the River Murray that should be preserved?**

- Cultural and spiritual values – see previous section.
- Water quality is paramount. Good water is critical for a healthy community.
- Natural and environmental values. A natural landscape is integral to Indigenous culture and spirituality. Cultural and spiritual values depend on natural values.
- The river has economic values. It provides food and sustenance and economic opportunities such as eco-tourism and cultural tourism.
- It has social values – recreation and connection between people and nations.

## **What is a healthy river?**

- Water should be clean and drinkable. Salinity should be under control.
- There should be natural flows and cycles. There should be no blue-green algae. Wetlands should be healthy.
- There should be an abundance of native wildlife and vegetation – reeds, catfish and birds.
- Introduced species should be under control, particularly carp and willows.
- Industry should use the river's resources in a sustainable way.
- Management and use should be efficient, according to best management practice.

- The river should not be polluted. It should be free of rubbish.
- There should be less erosion and greater control over stock watering.
- “We should be able to see a catfish nest.”
- Everyone with an interest in the river should be working together – Traditional Owners, landholders and all levels of government.

## **How should the river’s resources be used. What interests should be recognised?**

- There should only be sustainable use. The river’s resources need to be preserved for future generations.
- The benefits provided by the river should be shared equally. The biggest slice should not go to multi-national companies that take their profits overseas. Benefits should be spread across local communities.
- The central interests of Traditional Owners must be recognised. They have custodial responsibilities for the country under traditional law. Management decisions must recognise and protect Aboriginal culture.
- Indigenous people should have access for hunting and fishing, to protect sites and burials, and for ceremonies. There should be “rights of passage” for them.
- Indigenous Nations should have water allocations so they can meet their traditional responsibilities.
- Management decisions should treat the Basin as a whole ecosystem. Everything is inter-related.
- Traditional knowledge should be respected. It can contribute to better management and sustainable use.
- Traditional knowledge should be protected as an Intellectual Property Right.
- Industry has interests, but should operate in a sustainable way.
- There are sustainable economic opportunities for Indigenous people – cultural tourism, eco-tourism, bush medicine, bush tucker.
- There are social and recreational interests. The speed of boats should be controlled to reduce erosion of the river banks.
- The river has an important education function. It is a place for the Elders to talk to youth and for Indigenous people to talk to non-Indigenous people.

## **What’s wrong with the River Murray now?**

- Too much water is being taken out for irrigation. Water is over-allocated.
- There’s not enough water for natural flows. It needs a good flush to get rid of the blue-green algae.

- The Upper Darling is affected by management decisions about the Basin. The issues are not just confined to the Murray and Lower Darling.
- Water use should be reduced. It needs to be used more efficiently. Management is poor.
- Water quality is low. Water is undrinkable.
- There's too much pollution from salt and chemicals. There's not enough oxygen in the water.
- Pollution needs to be regulated properly and the penalties should be strictly enforced. There needs to be investment in new technology and much better monitoring.
- Introduced fish and plants are taking over from natives – particularly carp and willows. Native aquatic plants are affected. There are no catfish or frogs.
- Salinity is everywhere. “There are salt stains on the grapes and vines.”
- Environmental costs are not reflected in the price of water. Cultural and environmental values are just as important as economic values.
- There is no whole of government approach. Inter-state water agreements should be reviewed.

### What are the specific areas of cultural significance along the River Murray?

- The whole river system and Basin has high significance.
- Elders have special knowledge about some important places.

### How should Indigenous interests in the River Murray be recognised?

- Traditional Owners should play a central role in all decisions about natural resource management in the Basin.
- They should be represented on all natural resource management bodies within the boundaries of their Nation.
- Decisions about resource management should be made in a way that is culturally appropriate. Each Nation should decide how it wants to engage with government and protocols should be developed. The MLDRIN MOU is a good starting point.
- The decision making process should empower Elders.
- There should be resources to provide support to Indigenous representatives on resource management bodies, including mechanisms for them to gain authority from their Nation. This will entail meetings of Traditional Owners.
- Each Indigenous Nation should develop a Cultural Heritage Management Plan (CHMP) for their country. The CHMP should have the force of law and be part of each regional/catchment plan for resource management.
- Each Nation should have responsibility for implementing its CHMP and employ Indigenous people for this purpose.

- Natural resource management bodies should employ Indigenous people to protect cultural heritage and rehabilitate country.
- There should be protected areas along the river where there is no professional fishing or boats.

## **3.4 Murray Bridge Public Forum – 5 February 2003**

### **General Comments**

- Participants pointed out that they have traditional custodial responsibilities for the river, but the public forum was the first time they had been asked to contribute to policy and management decisions.
- They questioned whether the MDBC approach was sincere and whether non-Indigenous people would listen to Indigenous views and advice.
- They regard input to management of natural resources as an essential component of cultural heritage protection and self-determination.
- “Respect” for the land and waters and Indigenous cultural heritage must be the cornerstone of the MDBC’s and Ministerial Council’s approach.

### **What is your vision for the River Murray?**

- The river should be alive and healthy.
- It should be free flowing, with natural cycles of flood and dry.
- The river system needs to be re-stocked and re-vegetated with native fish, plants and animals.
- There should be access rights for Indigenous people for hunting and fishing.
- Indigenous people should be able to move freely to continue their cultural practice.
- The attached poem was felt to encapsulate many people’s vision – Spirit of the Murray.

### **What is the significance of the River Murray to Indigenous People?**

- The river has enormous spiritual and cultural significance – song-lines, traditional stories (Dreamtime), burials, sites of significance, particular formations, ceremony grounds, camping areas. The whole river system should be registered as a significant Indigenous site.
- All of the river system is significant – wetlands, tributaries, total catchment area. The total biodiversity must be considered – water, birds, animals and fish all are inter-related.
- It provides life – food, water, vegetation.
- It is central to the survival of communities. The purity and quality of water are central to community and environmental health.
- It provides social connection and meeting places for different nations.
- The river should be recognised and accepted as a “cultural economy”, which has declined as the health of the river has declined. There has been a reduction in the quantity and quality of fish, yabbies, plants and animals. Some species have disappeared completely. As this has occurred, there has been greater reliance on other forms of income, mainly welfare, to survive.

- The river provides some commercial opportunities eg cultural tourism and can be a component of economic development and self-determination..
- It is critical to cultural education of Indigenous and non-Indigenous people.
- Language is important. Instead of using terms like “wetlands”, “swamps” and “marsh”, the term “nursery” should be adopted. The term “stakeholders” should not be used for Indigenous people – “Traditional Owners” should be used instead. The word “Aboriginal” should not be used – Indigenous people should be recognised by their traditional Nations.

## **What are the values of the River Murray that should be preserved?**

- Indigenous cultural heritage, language and dreaming. Customary rights must be recognised, protected, preserved and respected.
- Biodiversity of the total catchment and respect for the land and waters.
- Social values, including opportunities for connection between Indigenous peoples and between Indigenous and non – Indigenous people (can assist reconciliation).
- Economic values. However, economic activity must be sustainable. It might include sustainable agriculture, eco-tourism, cultural tourism, fishing, bush tucker and bush medicine, seed collection and propagation. Training and employment are needed for Indigenous communities to develop a more independent economic base and protection of Indigenous intellectual property rights is essential.

## **What is a healthy river?**

- Where the total river system is respected.
- Alive and free flowing.
- Natural cycles of flood and dry apply.
- Pollution free – the water is clear and drinkable, with natural filtration (bullrushes, rocks, reeds).
- Stock usage is controlled and livestock prevented from polluting the water. This will require education of landholders and fencing programs.
- Plentiful wildlife, plants, bush tucker.
- No introduced species eg carp, willows.
- All unnecessary obstructions are removed.
- Industry activity is sustainable – better management of water resources, more efficient usage, controls on water usage, the price of water reflects cultural and environmental values as well as economic values.
- Salt and salinity are controlled.
- Existing legislation to protect the river is enforced.

How should the river's resources be used? What interests should be recognised?

- The river's gifts should be respected.
- All interests and people should be recognised.
- The only use should be sustainable use. This will entail effective controls and monitoring, accurate pricing (to reflect cultural and environmental values), better use of technology (eg drip feed irrigation) and collection/recycling of "grey water". There was strong opposition to flood irrigation.
- Indigenous interests must be recognised. There should be water allocations for Indigenous communities that can assist economic growth and independence.
- The first priority should be human consumption.
- Biodiversity of the total catchment must be maintained.
- There should be collaborative approaches between Indigenous peoples, landholders and government to identify and implement sustainable practices and vegetation.

### **What's wrong with the River Murray now?**

- It is not being treated with respect.
- It is polluted.
- It is over-allocated.
- Management needs to be improved. Buck passing between the States and the States and the Commonwealth reduces outcomes.
- Salinity is high and the water table is rising.
- There is lack of historical knowledge.
- Infrastructure is poor.
- There is no "whole of government" approach. Those upstream don't take responsibility for their actions.
- Cultural values have been eroded.
- Local knowledge is not respected and utilised.
- There is not enough public education about the importance of the river system and how to keep it healthy.

What are the specific areas of cultural significance along the River Murray?

- The entire river system is significant. Everything is connected to everything else.
- Elders hold special knowledge about some places.

## **How should Indigenous interests in the River Murray be recognised?**

- Protocols should be developed between Indigenous Nations, government and the community about how to do business.
- Cultural Heritage Management Plans (CHMPs) then should be developed by each Nation for the area within its traditional boundaries.
- The CHMPs should have the force of law.
- The CHMPs should be administered by Indigenous Nations and Indigenous people should be employed for this purpose.
- The CHMPs should be incorporated into each regional/catchment plan for management of natural resources.
- Each Indigenous Nation should be represented on all the natural resource management bodies that operate within its traditional boundaries.
- Indigenous facilitators should be employed by natural resource management bodies.
- Training programs should be available to enable Indigenous Nations to participate in natural resource management.
- Necessary resources should be available to develop and implement protocols and CHMPs; employment of Indigenous rangers and facilitators; training programs; support networks for Indigenous representatives and community capacity building.
- Existing legislation should be reviewed and amended if necessary to give effect to these aspirations.

## SPIRIT OF THE MURRAY

Just sitting here, gazing at the mist amongst the trees, watching the “Gray Water” of the Murray – did it always use to be?

The fine rain is drifting like a light cotton cloud, and I hear my spirit calling. I cry out aloud.

“Oh Spirit of the Murray, great Ponde, where are you? Man has wrecked the Murray and is poisoning you too,

With barrages, locks and weirs, the river cannot run, the endless sight of houseboats,  
Great Ponde, what have we done?

In the days of Ponde Dreaming, when the natives walked the land,

The Murray was crystal clear, not interfered with by man.

The Dreamtime is forever, passed down as we go.

But not the mighty Murray. Man has stopped her flow.

The Ngarrindjerri people along your banks would roam.

You gave them food and water, to them you were their home.

They used to dive for mussels and make baskets from your reeds.

If they pulled up plant life, they would replace it with seeds.

Most backwaters have been reclaimed, with cattle left to graze,

With crops of wheat and rice, sometimes even maize.

They are irrigating cotton and sending their toxin back to you,

Oh Mighty Murray River, what are we going to do?

The Spirit of the Murray is still so strong and free.

Memories of Ponde Dreaming will always stay with me.

So I sit here and watch the Murray, in the place I call my home,

And I think of the Murrundi Ponde, and how the natives used to roam.

We have to save the Murray. We have to let it run

And stop the toxin waste, now we can see what man has done,

The Mighty Murray needs us, it is up to us who care,

Our only natural resource, and the Ponde still live there.

Composed by Rayleigh Burgess

## **3.5 Swan Hill Public Forum – 12 February 2003.**

### **General Comments**

- Government should have been listening to Traditional Owners a lot earlier.
- The Ministerial Council and the MDBC should receive a delegation from Traditional Owners to discuss all the issues.
- The river system needs a big flush. There should be reference points above 1500 gl for environmental flows.
- There should be resources to provide support for Traditional Owners so they can participate equitably in natural resource management.
- Traditional knowledge should be respected. It can make an important contribution to management of the Basin.
- Traditional knowledge should be accepted as an Intellectual Property Right. Indigenous people should be paid for its use.
- Farmers need to diversify and change their management practices so they use less water and use it more efficiently.
- There should be consultations with Traditional Owners before any earth is moved for construction of Basin infrastructure eg barriers, dams etc. Unless this occurs, cultural heritage could be destroyed.

### **What is your vision for the River Murray?**

- It should be a healthy, sustainable system that everyone can use.
- It should be protected for future generations.
- There should be a long-term concrete commitment by government and the community to solving the problems. “We’re committed. So should the government be.”
- Indigenous people should be employed to assist in management of the river system.
- Youth should be educated and trained to take over custodial responsibilities.
- Cross-cultural training should be introduced at all levels of government so there is better understanding of the importance of country to Indigenous spirituality and culture.

### **What is the significance of the River Murray to you?**

- The river system is central to spirituality and culture. “It is our lifeblood, our life.” It provides identity and spiritual connection.
- It holds Dreaming and creation stories and contains many important sites, burials and middens. There are many artefacts and scar trees.

- The river is a highway for Indigenous Nations.
- It provides social connection to Nations and recreation.
- It is important to health. Communities need clean water. The river also provides many medicines.
- It is an important food source – fish, yabbies, mussels and ducks. Food and resources are shared.
- The Basin is a single ecosystem. Everything inter-connects.
- The river system holds the history of Indigenous Nations.
- The river is a meeting place.

### **What are the values that should be preserved?**

- Cultural heritage values are the most important – see previous section.
- The natural and environmental values are critical. Culture and spirituality depend on the natural landscape and are eroded as it is degraded.
- The river system has economic value as a source of food and sustenance. It also provides some opportunities for employment and economic development – eco-tourism and cultural tourism.
- The economic position of Indigenous people has been reduced by the poor health of the river system. There is less food available and therefore greater dependence on welfare. “The river used to feed us – not anymore.”
- The river has social value as a point of connection, a meeting place, a source of medicines, and for recreation.
- Water quality is essential to the health of communities and the river’s ecosystem.

### **What is a healthy river?**

- The water should be clear, clean and drinkable.
- The grasses should come back.
- There should be an abundance of native fish, plants, birds and animals. There should be plenty of yabbies and mussels.
- There should be no pollution from industry.
- Introduced species should be eradicated – carp and willows.
- There needs to be a total ecosystem approach to management. Everything depends on everything else.
- Land clearing should be stopped. It makes it harder to rain and increases salinity.
- Education programs are required so the community knows how to care for country.

## **What's wrong with the River Murray now?**

- Management is not good enough. Regulation of effluent and crop run-off is poor. Water quality should be monitored properly and tested regularly.
- Water is polluted.
- Flows need to be increased to flush out the system.
- There should be natural cycles in the river – periods of flood and dry.
- There is not enough water in the river system. Too much water is being taken out. Water use must become more efficient. Assistance should be available for this purpose.
- There is some illegal use of water – it is stolen. There should be much better monitoring of water use.
- Irrigation water should be re-cycled and should not pollute the river system.
- Governments buck-pass and don't act quickly enough to solve the big issues like the Murray Darling system. They need to accept their responsibility.

## **How should the river's resources be used? What interests should be recognised?**

- Resources must be used sustainably. There needs to be much better resource management.
- Industry is important, but it must be sustainable.
- The whole community needs to work together to make the river system healthy – Indigenous people, non-Indigenous people and government.
- Government needs to coordinate its activities and deliver a “whole of government” response to the problems.
- The river and the Basin should be treated with respect.
- The inter-connection between environmental, cultural and spiritual values needs to be recognised in management decisions.
- Community understanding of sustainable resource use is important. There should be comprehensive public education programs and school programs.

## **What are the specific areas of cultural significance along the River Murray?**

- The total landscape is significant. Every element is connected.
- Elders hold special knowledge about some places.

## **How should Indigenous interests in the River Murray be recognised?**

- Each Indigenous Nation should develop a Cultural Heritage Management Plan (CHMP) for its own country.
- The CHMP should become part of each regional/catchment plan for resource management.
- Indigenous Nations should implement their own CHMP. They should receive resources to negotiate and administer it. Indigenous rangers should be employed.
- Traditional Owners should be represented on all natural resource management bodies that work within their boundaries. Indigenous representatives need resources to consult properly with their people and make sure information is gathered and distributed in an appropriate way.
- Traditional knowledge can make an important contribution to improving the health of the Murray. Indigenous Nations should be involved in decision making right from the beginning.
- Traditional knowledge should be recognised as an Intellectual Property Right. Royalties should be paid for its use eg bush medicines.
- Indigenous Nations should be entitled to water allocations. This would help them to meet their custodial responsibilities and give them some extra economic options.
- There should be protocols for Indigenous Nations to engage with government and the community about sustainable use of country. The protocols would recognise Nation boundaries. The draft MOU between MLDRIN and the MDBC is a good step. Traditional Owners need a forum where they can all come together to discuss the issues and their responses.

# **Attachment 4 Responses from each Traditional Owner workshop**

## **4.1 Barkindji and Nyiampa Nations**

Mendinee, 9 February 2003

### **Vision Statement**

- Clean water.
- Better working relationships with government and other parties along the river.
- The beliefs and customs of traditional people to be understood and accepted and included in management policies.
- More traditional fish and bird life back in the river.
- Less irrigation.
- No sprays and chemicals in the waterways.
- The lake system back to its natural state.
- More environmental flows down the Darling River.
- Better structures in place for the management of the waterways.

### **What is the Significance of the Murray River to the Barkindji / Nyiampa Peoples?**

- It's our culture and life line
- Cultural and spiritual link to the Dreaming
- Provides us with our medicines and foods
- A place for ceremonies
- Hunting and fishing
- Sacred sites and burial grounds
- Men's places and women's places

### **What are the Values that should be preserved?**

- The water itself
- Cultural values, sites and trees
- Sacred burial grounds
- Women's places
- Men's Places
- Bora grounds
- Ochre pits
- The different languages along the river should be protected and looked after as the river brings all the languages together.
- Fish and yabbies
- Frogs are becoming less and harder to find.

- Vegetation along the banks is disappearing
- Cod and perch (native fish)
- Social aspects of the traditional people need to be respected and protected along the waterways.

### **What is a healthy river?**

- Clean water
- More fish in the river.
- More native vegetation along the banks and floodplains
- Flushing of the river, using environmental flows
- Abundance of bird and aquatic life in and around the river
- Clean water, for drinking and swimming
- Less salt levels in the water
- Less soil and debris in the water
- Abundance of crayfish
- When the frogs come back, then we know that the river is healthy again as there are so few frogs left.
- Irrigators should be made to change their ways and use best management practices.

### **How should the natural resources be used and what interests should be preserved?**

- Better management practices in place .
- People upstream should be made to look after the water, before it comes down stream.
- Water should be clean
- Traditional rights for hunting and gathering of traditional foods and medicines.
- Less pumps on the riverbanks.
- No clearing of the land near the waterways.
- Irrigators should be made to use better techniques in managing the water.
- Traditional tribal groups should have water rights within their own country.

### **What's wrong with the Murray River now?**

- The problem starts upstream.
- Cattle and irrigators are major problems.
- The water table is rising.
- Salt in the water.
- Introduced pests such as the carp and red fin , willow trees.
- Cotton and rice farming use too much water.
- Barmah choke needs to open up.
- More environmental flows need to be put into the river.

## **What are specific areas of cultural significance along the Murray River?**

- Burial grounds
- Birthing trees and women's places
- Men's places
- Middens and scar trees
- Canoe trees
- Dreaming connections along the river.
- Fish traps

## **How should Traditional interests in the Murray River be recognised?**

- There have been lots of meetings in the past but the government departments haven't listened to the Traditional Owners.
- Traditional people should have a meaningful management role concerning the river.
- Traditional rights and connections should be respected.

## **4.2 Mungatanga Elders**

Robinvale, 5 February 2003

### **Vision Statement**

- Clean and clear water.
- Water is passed on to the next tribe's country in a healthy state.
- More native fish and aquatic life in the river for us and other users of the river.
- Tougher laws put into place to stop irrigation and clearing on or near the rivers.
- Drainage catchments in place to stop run off from irrigators.
- To be able once again to go to the river in the warmer months and enjoy a good feed of yabbies, and crayfish in the winter months.
- No blue green algae in the rivers.
- To see natural floods come across the flood plains.
- A better understanding and working relationship between the government agencies and the traditional peoples.

### **What is the Significance of the Murray River to the Mungatanga Elders?**

- It is the lifeline of the people, no matter where they come from.
- If people live on the river then they are affected in one way or another.
- We have an obligation to the people down stream, just as the Mutthi Mutthi people up stream have the same obligation to us - the rivers have been managed for thousands of years that way.
- There are no longer native fish in the Murray in the same numbers as they were years ago - the Murray crayfish has declined.
- The MDBC has not recognised cultural issues and spiritual connection until now.
- The traditional vegetation along the river banks is disappearing and it is harder to find with the changing of the habitats.
- Green tree frogs and black frogs are no longer to be seen.
- Birds such as ducks and swans have nowhere to nest as all the swamp country and floodways no longer get flooded out.
- Fish traps are being destroyed due to constant high levels of water. We can't maintain the fish traps as we used to do.
- River banks are being eroded away due to constant high levels of water. Some flood plains are constantly under water.

### **What are the values that should be preserved?**

- Water Quality
- Trees
- Habitat
- Aquatic life
- Because there's blue green algae, we cannot swim in the river during the summer periods
- Logging of timber in the flood plains and along the river bank itself should be stopped.
- Speedboats on the river should be kept to certain areas to minimise erosion of the banks

- Cattle and stock should be kept away from the riverbanks to lessen the impact of erosion.
- Lagoons and swamps, creeks and flood plains should be nurtured by drying and wetting areas.

### **What is a healthy river?**

- More native vegetation along the banks and floodplain
- Flushing of the river, using environmental flow
- Abundance of bird and aquatic life in and around the river
- Clean water for drinking and swimming
- Less salt levels in the water
- Less soil and debris in the water
- Abundance of crayfish
- When the frogs come back then we know that the river is healthy again as there are so few frogs left.
- Irrigators should be made to change their ways and use best management practices.

### **How should the natural resources be used and what interests should be preserved?**

- The main resource that should be managed and looked after is the water itself.
- The entire ecosystem in and around the river needs to be maintained and looked after – if water is unhealthy, then everything else will only decline along with the river.
- Protected areas need to be in place along the rivers to allow fish and other aquatic life to recover from over fishing.
- The traditional peoples of a given area should be working with government departments.
- Native fish should be restocked into the waterways.
- Noxious animals, such as European carp, need to be removed from the waterways.

### **What's wrong with the Murray River now?**

- The river is in an unhealthy state.
- No natural floods.
- Little numbers of native fish.
- Aquatic life is disappearing at a rapid rate.
- Major increase of salt levels in the water.
- Sediments in the water.
- Irrigation is too close to the river itself and poisons from the spraying are entering the water.
- Speed boats are contributing to erosion of the river banks.
- Warm water is allowing blue green algae to become a major problem in the summer months.
- Willow trees are growing on the waterways, reducing oxygen levels in the water.

## **What are specific areas of cultural significance along the Murray River?**

- Midden sites along the waterways.
- Burial Grounds.
- Mounds in the flood plains and fire places.
- Ochre grounds.
- Traditional places, where ceremonies occurred.
- Women's sites.
- Men's sites.
- Dreaming and spiritual places.
- Canoe trees and scar trees

## **How should Traditional interests in the Murray River be recognised.**

- Recognition for the traditional people.
- Property rights for the Traditional Owners of the areas that are in their traditional tribal areas.
- There should be respect for the traditional people's knowledge of the area.
- An economic base should be there for the traditional peoples of that area.
- Compensation for the loss of utility for the traditional peoples.
- Government agencies should be workshopping more with the traditional people.
- Local government should be working with the traditional people.

## **4.3 Mutthi Mutthi Nation**

Balranald, 1 February 2003

### **Vision Statement**

- To be able to see the water that passes through their country – no blue-green algae.
- Able to drink straight from the river and have sandy beaches.
- Able to see the bottom.
- Water passed on to the next country in a healthy state.
- More native fish and aquatic life in the river for everyone.
- Increased access for Traditional Owners.
- Tougher laws to stop irrigation and clearing on or near the rivers.
- Drainage catchments in place to stop run off from irrigators and other farmers.
- To be able to enjoy a good feed of yabbies and crayfish
- To see natural floods come across the flood plains.
- Removal of noxious weeds and feral animals.
- A better understanding and working relationship between government agencies, water users and the traditional peoples.
- Greater employment of traditional people in management and rehabilitation of the river.
- Able to meet with other Traditional Owners so all the issues can be brought together throughout the river system.

### **What is the Significance of the Murray River to the Mutthi Mutthi Peoples?**

- It is the life line of the people
- The river means everything – it is our culture.
- Our culture depends on a clean healthy river.
- We belong to the river and land – they don't belong to us
- We have a strong spiritual connection to the river. It is part of our Dreamtime. It gives us our totems.
- Our spiritual connection is being affected because traditional owners don't have access to all the river.
- The river provides medicines - the healing we use Old Man Weed for needs to be done by the river
- The river provides food – we can't get fresh mussels and turtles now. We can't get duck eggs and witchity grubs because they need natural floods and that doesn't happen any more. Spawning happens just before natural floods.
- We can't get clay from the river banks to cook the fish and heal our skin – this is a big part of women's business.
- Fish traps have been destroyed. Some are constantly covered by water. Others are exposed so people break them up.
- Traditional vegetation along the river banks is disappearing.
- Green tree frogs and black frogs can't be found any more.
- There are much fewer native fish in the river.
- Now we re-stock the river with fish from other places. They don't belong – they don't have souls. They don't taste the same when they don't belong and don't have souls.

- We used to get a lot of pelicans – not any more.
- People can't take from the river all the time. Sometimes we have to give something back.
- There is a cultural obligation to provide clean water to those downstream. That is how the rivers have been managed for thousands of years.
- Everyone depends on the river and is affected one way or another by its health.
- The natural creeks have gone. We used to teach our kids how to swim and fish in the creeks before going to the main river. Yanga Creek isn't there any more.
- River banks are being eroded away by constant high levels of water.
- Birds such as ducks and swans don't have anywhere to nest any more because there's no floods. Swamp country is drying up or flooded all the time – the natural flows and cycles are gone.

### **What are the values that should be preserved?**

- Water quality – the water itself. We should be able to drink it and fish should be able to live in it.
- No current in the river means there's no life.
- Trees and vegetation.
- Habitat.
- Aquatic life eg turtles.
- Cultural sites – women's places and men's places.
- Traditional heritage
- Bora grounds.
- Burial grounds.
- Everything about the river is of value to the Mutthi Mutthi.
- Leave the snags in for the fish.
- The lagoons and swamps, creeks and flood plains need to be restored with natural flows and cycles.

### **What is a healthy river?**

- Strong natural flows – having water come down the river.
- More native vegetation along the banks and floodplains.
- Where it is flushed out regularly.
- Abundance of bird and aquatic life in and around the river.
- Clean water for drinking and swimming.
- Less salt levels in the water.
- Less soil and debris in the water.
- Stop logging and clearing of native vegetation.
- Water flows without chemicals.
- Where there is water on the flood plains.
- Abundance of crayfish.
- When the frogs come back then we know the river is healthy again.
- Traditional burn offs in the flood plains to lessen the amount of silt, soil and debris entering into the waterways.
- No irrigation on the river banks.
- No blue-green algae. We can't swim in the river in summer months because of the algae.
- Noxious animals, such as the European carp, need to be removed from the waterways.

## **How should the natural resources be used and what interests should be preserved?**

- The main resource that should be managed and looked after is the water itself.
- The entire ecosystem in and around the river needs to be maintained and looked after. If the water is unhealthy, then everything else will decline along with the river.
- Protected areas need to be in place along the rivers to allow fish and other aquatic life to recover from the over fishing – four year ban on fishing and ten years on crays and yabbies to give them time to regenerate.
- Cattle should be kept off the river banks. If farmers want stock water, they should pump it to troughs.
- Irrigation should be halved.
- There should be designated areas for speedboats. Their speed should be limited. They erode the banks, wash up little fish and shrimp and make it impossible to fish or just enjoy the river.
- Artificial creeks should be closed down – they’re just evaporators. Put pipes in, but make sure they can’t swallow the fish.
- The traditional peoples of a given area should be working with government departments.
- Native fish should be restocked into the water ways.
- We need to fix the Murrumbidgee first before the Murray can be helped.
- We won’t have any resources if things keep going the way they are now. If we can fix the rivers, we can guarantee resources into the future.

## **What’s wrong with the Murray River now?**

- The River is unhealthy – it’s sick, sad and lonely for its natural environment..
- There are no natural flows and floods.
- The water is too warm and shallow.
- Creeks have been cut off.
- Floodplains need floods.
- Billabongs and lakes need to be re-filled.
- All the trees that do the job of keeping the river clean are gone.
- There’s no ducks, swans or snakes.
- There’s no yabbies – “the last feed of yabbies I had from around here was in 1981.”
- Too few native fish - aquatic life is disappearing at a rapid rate.
- Water quality needs to be improved – “it looks like sullage water from my kitchen sink.”
- They flood the grazing land and then just let this flow back into the river.
- Locks are stopping the river.
- We need water in the Barmah but it is being kept there too long. It turns into black water with no oxygen and kills the crays and fish.
- There has been a major increase of salt levels in the water.
- There’s too much sediment in the water.

- Cropping is too close to the river and the poisons from spraying are entering the water.
- Willows are everywhere.
- Speed boats are contributing to erosion of the river banks
- Warm water means blue green algae has become a major problem in the summer months.
- Water in the back areas, such as the lagoons, swamps and creeks is becoming stagnant because there are no natural flows.
- There's a significant impact from towns – drains, chemicals, cigarette butts.
- Lack of access for traditional owners to maintain spiritual connection and hunt bush tucker.
- We've never had a forum before where the Mutthi Mutthi can talk about the river. This should be written down in a brochure like the "Living Murray."

### **What are specific areas of cultural significance along the Murray River?**

- All areas are significant.
- Midden sites along the water ways.
- Burial grounds eg Yanga Lake that need to be protected.
- Mounds in the flood plains.
- Fire places.
- The clay pans, but they have dried up.
- Ochre grounds .
- Traditional places, where ceremonies took place.
- Women's sites.
- Men's sites.
- Dreaming and spiritual places.
- Lakes.
- Canoe trees and scar trees.
- Deep holes and bends where mystical creatures and people live.

### **How should Traditional interests in the Murray River be recognised?**

- There should be a cultural plan put in place for the entire Murray River and its connecting rivers.
- Mutthi Mutthi people should be employed to write the plan for their section of the river.
- Mutthi Mutthi people need to be recognised as having cultural rights to the river and compensated if they lose these rights.
- The traditional people who live and have a birthright from the area should have a say in the management of the resource, to ensure it's there for future generations.

- Traditional knowledge must be respected and used to manage the river better.
- Traditional Owners should be able to have economic benefits from the river eg water allocation, growing/spawning fish.
- There should be recognition of Traditional Owners through MOUs, legislation, partnerships, local planning, a cultural heritage management plan.
- Government agencies should workshop these issues with Traditional Owners.
- Local Government should give recognition with signs, walking paths etc.
- Mutthi Mutthi people would like their own book like “The Living Murray” so everyone understands their role.
- Traditional Owners should have better access to the river. They should not have to use public access points because they have some business/activities that is private.

## **4.4 Wamba Wamba & Wadi Wadi Nations**

Swanhill 18<sup>th</sup> December 2002

**NOTE: Representatives of both Wamba Wamba and Wadi Wadi gave separate vision statements with the remaining questions answered in one voice.**

### **Wadi Wadi Vision**

That the Black Cockatoo returns to our country. Recognition of the creation stories relating to the Murray Cod making the course of the rivers. That the Murray Cod can only exist if the flood regime and environmental flows are reflective of the seasons, to allow for their free passage along the whole river system the cod needs to continue through to the mountains to the sea.

### **Wamba Wamba Vision**

The creation of Indigenous peoples is linked to the river and traditional owners need to be respected and be able to have say in its future. River to be brought back to its natural flow a balance needs to be made to reflect its spiritual life.

### **What is the significance of the Murray River & its tributaries to the Indigenous people?**

- Creation stories are a part of the river
- Maintain fish passage to protect creation
- Cultural heritage
- Sacred sties
- Food source
- Balance
- Spiritual connection
- Our lives are connected to the river as well as our emotional wellbeing
- Gathering place
- Camping grounds

### **What are the values of the river that should be preserved?**

- Flood plains
- Box trees, red gums, she-oaks and acacias communities be maintained
- Water regimes, river patterns are linked to seasonal activities
- plants
- animals

- fish
- birds
- Cultural resources relates to timing and seasons
- High in winter low in summer
- Floods should occur at least every 3 years
- Flood duration should be 6 months
- Ceremony and family
- Cultural heritage
- Sites and places of significance
- Nyah Forest
- Piamble floodplain forest
- Lake Tyrell
- Kow Swamp
- Gunbower-Perricoota
- Koorangle
- People need to be preserved as our life is dependant on the river
- Indigenous people are the river and should be included in preservation

### **What is a Healthy River?**

- Clean, resourceful river
- Fish, medicines, birdlife, swan eggs, mussels etc
- Drinkable potable water in the river
- Chemical free
- Cultural resource
- Sustaining Indigenous communities along river
- Sharing resources in times of hardship
- Maintains health, emotional and physical

### **How should the river resources be used?**

- Community decision
- Recognition that Indigenous definition of resources are not the same as mainstream view
- Indigenous peoples / traditional owners should have say over the use of any resources including
  - water allocation
  - management
  - water quality

### **What interests should be recognised?**

- Indigenous traditional owners
- Family groups
- Elders

- Respect
- Inherent Rights
- Self Government
- Unique Indigenous Governance process

### **What's wrong with the River Murray now?**

- Polluted
- Spiritual connections of Indigenous peoples not recognised
- Losing spiritual connections to living world
  - plants
  - animals
  - Indigenous peoples
- Water in hands of individuals and multi national companies
- Environmental flows not a reality
- Environmental flow not enough
- Natural flows have been removed
- Environmental flows not coordinated to Indigenous practices
- Science of natural resource management does not incorporate Indigenous cultural knowledge

### **How should Indigenous traditional owner's interests be recognised?**

- Management plans need to incorporate Indigenous perspectives
- Indigenous interests should be a priority
- Inclusion of Indigenous interests within policy, framed in legislation
- Valid processes and procedures for Indigenous rights and interests
- Management plans include Indigenous interests at the local traditional owners level
- Native Title rights to be recognised and enacted outside of litigation
- Indigenous traditional owners need funding, resources and capacity building at the traditional owners Nation level
- Cultural resources relates to timing and seasons
- High in winter low in summer
- Floods should occur at least every 3 years
- Flood duration should be 6 months

### **Special considerations**

Compensation should be made available to Indigenous Nations for loss of livelihood and disruption to enjoyment of our spiritual and cultural life.

## 4.5 Wamba Wamba Nation

Deniliquin 28<sup>th</sup> January 2003

NOTE: The people represent at this meeting held responsibility for country within Nth East section of their traditional lands in NSW and not directly on the Murray River the Edwards being their main tributary.

### VISION STATEMENT

“For the Murray River & its tributaries to come back to life from the reeds to the insects”.

“Since we were created in the Dreamtime by our Spiritual Ancestors, the land, water and cultural places have continued to sustain all life in a naturally balanced way.

Our people have continued to respect and care for our land and waters in a way that sustained and maintained that balance.

The scales are now unbalanced, and our Ancestors are unhappy and restless. They will stay this way until balance is restored.”

### What is the significance of the Murray River and its tributaries to the Wamba Wamba peoples?

Participants commenced by naming the important waterways in the country around Deniliquin most particular around Moonaculla Aboriginal Reserve and the Werei Forest.

- Edwards
- Wakool
- Neimur
- Tumugery
- Collegan
- Yellakool
- Reedy Creek
- Moonaculla Lagoon
- Box Creek
- Chinamans Hole
- Bunjip Hole

The Elders held particular knowledge regarding streams, runners and billabongs that no longer fill due to changes in the water regimes in through the country.

- Its our provider for life
- We are one with our country
- The river flows like blood through our veins
- Spiritual places of our dreaming
- Important for our future generations
- Place for our people to gather, camp, fish and hunt
- Social and Economic
- Cultural Places

## **What are the values that should be preserved?**

### Cultural Heritage Places

- Canoe trees
- Mounds
- Burials
- Middens/ ovens
- Werie Forest as a whole is a significant site to us
- Bunjip Holes

### Foods and Medicines most of which are no reduced/rare/extinct from area

- Turtles long and short neck
- Catfish
- Trout cod
- Mud tench
- Mussels
- Ducks/Swans/Eggs
- Black shags/chicks
- Mountain ducks
- Kangaroo grey & red
- Wallabies
- Platypus
- Echidna
- Dingo's
- Bush turkey
- Old man weed - medicine
- Cumbungi – paste
- Reeds – baskets
- Wattle – medicine
- Wild honey – sugar bag
- Native cherries – fruits
- Quandongs – nuts and paste

## **What is a healthy river?**

- Life people, plants birds, fish and animals
- The flows should coincide with the breeding seasons at the right time of the year
- Regimes should go back to natural times - summer dry and winter floods
- Clean drinkable water
- Solid banks – stopping the wash caused by water regulated flows

## **How should the natural resources be used and what interests should be preserved?**

- Wise use of river resources
- Respectful of sustaining life not for wealth and gain but for the future
- Stop looking after the interests of the tourists and farmers and look after the rivers
- Return to dry land cropping
- Utilising lands as nature wanted not what man wants it to be.

- Preserving nature, flora, fauna, Indigenous peoples for future generations

### **What is wrong with the Waterways now?**

- Indigenous land and water management practises not being used ie: low burns
- Recreational sports ie: high speed boats
- Whitemans playground
- Erosion caused by hooved animals ie: cattle and sheep
- Feral animals ie: rabbits
- Feral fish ie: carp
- Lack of water in the right season
- Timber harvesting
- Apariaries
- Land Clearing
- Water quality
- Lack of low burning in the right seasons
- Erosion of banks due to water regulated flows

### **What are specific areas of cultural significance along the Murray and its tributaries?**

- All our country is important it is part of our creation and our heritage.
- Many were identified in question 1.

### **How should Indigenous traditional interests be recognised?**

- Respect, recognition, adoption and implementation of specific policy for Indigenous inclusion for natural resources in their traditional country.
- Recognition that past and present government policy and practises have and continue to have an effect on Indigenous peoples.
- Kinship connections to the country be recognised and provided for within policy.
- Compensation both monetary and non monetary/ royalties to be available to Indigenous peoples in for loss of access to natural resources due to their degradation and decline.
- Acknowledgement for the spiritual and cultural continuity of Indigenous peoples to their land and waters
- Dual naming to reflect both past and present Indigenous names for rivers, streams significant places even bends of rivers. To include the stories that go with the name of each river or site.

### **Recovery of water how much?**

There was discussion on the amount of water that would need to be returned to the river system. The recommendation that at least 10,000gig be returned back to the river system each year.

## **4.6 Wiradjuri Nation**

Albury on 20<sup>th</sup> December 2002

**NOTE: Wiradjuri representatives were from Tumut, Griffith, Wagga and Albury**

**What is the significance of the Murray River & its tributaries to the Wiradjuri people?**

- The river is our life of creation our maker being Biaimi
- The land and rivers and the people are one
- Without a healthy river the people will not be healthy
- Responsibility, or duty of care
- We look after the river and the river looks after us
- Water is life, life is water
- Significance to our economy, the resources
- Hunting and gathering rights
- Provides for the Australian economy
- Trading Routes
- Traditional resources are provided by land and waters
  - Tool
  - Fish
  - Stones
  - Ochre
- Trading Information

**What are the values of the river that should be preserved?**

- Indigenous name for the river should be preserved
- Wiradjuri name for the Murray river “Milliwa” be used
- Its life, biodiversity, balance
- Language names
- Ceremony it creates a focal point for cultural and social values
- Creates gathering places
- Recognition of traditional owners
  - laws and customs
  - rights
- Traditional Knowledge
- Significant places
  - Burial
  - Middens

## **What is a Healthy River?**

- Living river
- No restrictions i.e.: weirs
- Reproducing life
- Proper water regimes
  - dry in summer Dec-Feb
  - wet in winter June – Nov
  - 12nth watering cycles for wetlands/billabongs
  - 7 year water cycles for large floods to cover flood plains
- Clean, no silt
- Slow erosion, stop trees falling into river
- Balance
- Fresh luses/flows to clear water ways
- No carp
- No willows
- All non indigenous species should be removed
- Traditional flows non regulation

## **How should the river resources be used?**

- Term traditional or natural is the same thing
- Restore ecosystems and biodiversity
  - fish
  - animals
  - flora
- Maintain the health of the river without that we have nothing
- Without imposition by mankind
- Potable water/ drinkable to sustain life in our communities
- Sustainable economic use of resources
- Recognition of traditional owners rights

## **What interests should be recognised?**

- Recognition of traditional peoples of the river includes our laws, customs and traditions
- Recognition of Indigenous interests of all communities reliant on rights
- Balance of interests
- Equity for all
- Traditional peoples recognition based as right as first peoples
- The rights to maintain identity as first peoples and traditional owners

## **What's wrong with the River Murray now?**

- Blocked
- Dying
- Over use of resources
- Drowning river
- Not allowing for drying out of banks
- Not balanced by the seasons
- Mis management of natural cycles
- Too much control, too many weirs and regulators and dams
- Rubbish in the system is blocking the flows

## **What specific areas of cultural significance along the river?**

- This knowledge belongs to the Wiradjuri people
- Rather than identify specific sites the Wiradjuri should be engaged to identify significant places along the river

## **How should Wiradjuri's interests be recognised?**

- Recognition of Wiradjuri as the traditional owners of their traditional land and waters
- By recognising our interests as custodians of the lands and waters
- Wiradjuri Elders be recognised as the voice/speakers for their country and their people
- To adequately resource the traditional owners to participate equally
- Indigenous peoples should be compensated based on traditional rights to economic sustainability

## **What is Wiradjuri's vision for the Milliwa and Murrumbidgee?**

- To be we are recognised and respected for what and who we are
- That our rivers and tributaries are respected and cared for
- That every traditional owners/nation be recognised in their own country
- To be respected for what and who they

## **Special considerations**

- The river should be the first priority
- Equitable distribution of water only after environmental flows have been secured
- Restoring maximum amount of water back to the environment
- Compensation to be provided for reduction of water allocation to farmers based on existing use

## **4.7 Yorta Yorta Nation**

**Barmah 24th December 2002**

### **Vision**

Recognition of Yorta Yorta peoples connection to their land and waters. The river back to natural flows, able to see the bottom, natural floods during breeding seasons.

### **What is the significance of the Murray River & its tributaries to the Indigenous people?**

- We are part of the creation story of the river
- Our beliefs entwined in the river itself
- Provider of food of life
- River and land is us Yorta Yorta people
- Gives life is central part of life

### **What are the values of the river that should be preserved?**

- life to our environment trees, birds, animals insects and water life be maintained
- Plants and medicines and food
- Cultural sites and places

### **What is a healthy river?**

- River flows at natural seasons of the year
- Clean, clear water
- Return of vegetation, mussel
- Less regulators

### **How should the river resources be used?**

- Rivers should be more important to any other interest
- Barmah Choke be recognised as a natural constraint it aids the quality and quantity of water
- Prevention of fish kills through mismanagement

### **What's wrong with the River Murray now?**

- Too much lost already
- Quality should be returned to how is was quality preserved
- Land clearing impacts on climate

- Management having impacts on fish
- Evaporation in storage's
- Impacts of particular crops i.e.: rice and grapes effecting river health
- River is twice as wide as it use to be. Was able to walk across in the summer
- Barmah Millewa management plan was drawn up without reference to the environment or a cultural heritage focus
- Too much emphasis on mechanical regulators
- Not just restricted to people along the river i.e.; farmers. It is about a broader national community
- Power boat racing at Echuca causing erosion
- Use of regulators to stop flooding
- To much emphasis on monetary do we need present levels of exports

### **What places are of cultural significance?**

- All along the River as it is part of creation
- Every bend of the river is significant to Yorta Yorta
- Sites on the bends show where our peoples camp evidence of sites
- Sites are found from the river banks to floodplains to sandhills

### **How should Indigenous traditional owner's interests be recognised?**

- Specific recognition of the MLDRIN Memorandum of Understanding
- Indigenous peoples need access to resources and technical advice
- Policy needs to be equitable to allow for Indigenous interests not just farmers
- Enough water available after environmental allocation for social and economic outcomes for Indigenous peoples

### **Special considerations**

- An environmental levy should be paid by users of the rivers water
- Government should not have to buy water for the environment
- Limits should be made on what is grown
- How much do we want to make from the country this should be balanced to the lands sustainability
- If farmers are to be paid compensation then so should townspeople and other parts of community
- Indigenous peoples should be compensated for loss of access to traditional resources
- Environmental flows should be enough to allow flow through the Murray mouth