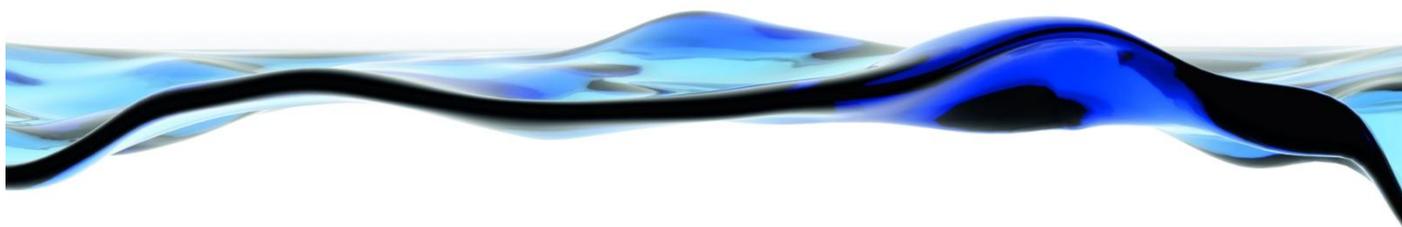


Indigenous engagement in environmental water planning, research and management: Innovations in South Australia's Murray-Darling Basin Region

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Executive summary

This project has identified and assessed engagement mechanisms for incorporating Indigenous decision-making, research interests and knowledges into the environmental water management regime in the South Australian Murray-Darling Basin (SAM-DB) region. These mechanisms include innovative ‘tools’ such as the Kungun Ngarrindjeri Yunnan Agreement strategy (Listen to what Ngarrindjeri have to say – KNYA) and the Ngarrindjeri cultural knowledge protection regime that seek to provide protection for Indigenous knowledges and interests whilst enabling input into research, planning and management activities. Indigenous-led innovations in the SAM-DB region have facilitated a growing engagement of Indigenous people with water planning activities and are providing unique solutions to the national challenge to find better ways to bring Indigenous people into environmental water management.

This project utilised an engaged, collaborative and inter-disciplinary research methodology. This research methodology produced an opportunity for Indigenous knowledge, experience and research to directly inform the research project in ways that better support strategic policy changes. This methodology assists with connecting research more directly with Indigenous and government programs. National and international literature was reviewed to support comparative analysis and identify successful strategies for potential application in the SA-MDB region. The research team workshopped these results with regional Indigenous leaders in natural resource and cultural heritage management as part of the Ngarrindjeri Regional Authority’s (NRA) Yarluwar-Ruwe Program (Caring for Country). The researchers also contributed to detailed discussions about Indigenous engagement in environmental water planning as part of the KNYA Water Workshop 2014. This workshop brought together representatives from Indigenous nations, State and Commonwealth governments, private industry and the tertiary sector. The research team also participated in planning processes associated with wetland management through the NRA’s Murrundi Recovery Project (Riverine Recovery). These activities have assisted with identifying existing processes and developing recommendations relating to Indigenous engagement principles, strategies and frameworks in water management.

This report argues that many of the components of an effective Indigenous engagement strategy and framework have been developed and negotiated in the SAM-DB region over the last two decades. Evidence of the effectiveness and broad promulgation of this engagement strategy can be found in the recently released *Lower Lakes, Coorong and Murray Mouth Environmental Water Management Plan* (M-DBA 2014). These innovations in Indigenous engagement have been developed through KNYA partnerships between the NRA and South Australian Government agencies, in particular, the Alexandrina Council and the Department of Environment, Water & Natural Resources (DEWNR) and its forbears. Importantly, the NRA-led Indigenous engagement strategy is directed at building Indigenous capacity to sustain long-term engagement in natural resource management including water-related research, policy development, planning and management.

What is clear from a preliminary assessment of relevant Australian and international literature is that the new approaches to Indigenous engagements in the SAM-DB region are comparatively unique, locally and regionally relevant, address relevant UN treaties and should hold useful ideas for

'environmental management' in Australia and overseas. National and international knowledge of South Australian innovations is growing in some sectors such as Indigenous governance and nation-building, but limited in the emerging Australian literature focussing on Indigenous people and water management issues. This report argues that South Australia has developed a form of what can be described as partial Indigenous 'co-management' that has been Indigenous-led and characterised by the KNYA strategy since 2009. This approach to Indigenous engagement is generating regional solutions to the broader challenge of incorporating Indigenous interests in environmental water management.

1 Introduction

Ngarrindjeri Vision for Country

Our Lands, Our Waters, Our People, All Living Things are connected. We implore people to respect our Ruwe (Country) as it was created in the Kaldowinyeri (the Creation). We long for sparkling, clean waters, healthy land and people and all living things. We long for the Yarlular-Ruwe (Sea Country) of our ancestors. Our vision is all people Caring, Sharing, Knowing and Respecting the lands, the waters and all living things.

(Ngarrindjeri Nation in M-DBA 2014: 25)

This report provides an account of innovations in Indigenous engagement strategies in environmental water management being led by Ngarrindjeri elders and leaders working in natural resource management (NRM) and cultural heritage management (CHM) in the South Australian Murray-Darling Basin (SAM-DB) (see Hemming & Rigney 2012).¹ The Ngarrindjeri 'Vision for Country' encapsulates the Ngarrindjeri philosophy of being (Ruwe/Ruwar) at the centre of Ngarrindjeri innovations in NRM, CHM and water management. It was first developed in 2006 as a fundamental part of the *Ngarrindjeri Nation Yarlular-Ruwe Plan* and makes plain ongoing Ngarrindjeri traditions, values and aspirations associated with Ngarrindjeri lands and waters. Ngarrindjeri engagement and communication strategies in response to NRM have emerged from a particular set of environmental, historical, cultural and political circumstances (Hemming & Rigney 2008). The discussion in this section will provide the basis for recommendations relating to South Australian government policy directions to Indigenous engagement in environmental water policy development, planning and related research. Many of the components of an effective Indigenous engagement strategy and framework have been developed and negotiated over the last two decades (see Hemming, Rigney & Pearce 2007; Hemming & Rigney 2012; DEWNR & NRA 2012; M-DBA 2014). An important contemporary example of this engagement strategy in action can be found in the recently released *Lower Lakes, Coorong and Murray Mouth Environmental Water Management Plan* (M-DBA 2014). Foundational to this new form of engagement is the development of the contract law, Kungun Ngarrindjeri Yunnan Agreement (listen to what Ngarrindjeri have to say - KNYA) strategy (see Hemming, Rigney & Berg 2010, 2011). Some of these innovations in Indigenous engagement have been developed in partnership with South Australian Government agencies, in particular, the Alexandrina Council and the Department of Environment, Water & Natural Resources (DEWNR) and its forbears (see Hemming & Trevorrow 2005; Hemming & Rigney 2012).

New approaches to Indigenous engagement in NRM and CHM in the SAM-DB have gathered pace since the nationally significant Hindmarsh Island (Kumarangk) Bridge issue in the 1990s. This work has been led by Ngarrindjeri leaders and this strategy has been central to the development of the Ngarrindjeri Nation's peak body the Ngarrindjeri Regional Authority (NRA) (see Hemming & Rigney 2009). Importantly, the work carried out by the NRA using a KNYA strategy, and through partnership projects with the DEWNR such as the federally funded Murray Futures program (Ngarrindjeri

Partnerships Project & Riverine Recovery Project), has been directed at building Indigenous capacity to sustain long-term engagement in NRM and CHM, including water-related research, policy development, planning and management (see Appendix A).

It is important to understand that within the SAM-DB there are two different processes in place for Indigenous engagement.² The second process emerges from a native title claim resolution for a region that includes South Australia's Riverland. The River Murray and Mallee Aboriginal Corporation (RMMAC) is the native title representative body for the First Peoples of the River Murray and Mallee native title claim and the River Murray Indigenous Land Use Agreement (ILUA) that has emerged from this claim. The ILUA provides a starting point for incorporating Indigenous interests and knowledge into NRM and water management within the ILUA boundaries. The NRA and RMMAC are beginning to work together on NRM and water-related projects such as the Riverine Recovery Project and innovations being developed through the Ngarrindjeri Partnerships Project covering the Lower Lakes, Murray Mouth and Coorong are also informing the work of the South Australian Murray-Darling Basin NRM Board and DEWNR in engagements with RMMAC. An assessment of contrasts between the NRA programs and the work of RMMAC could provide a very useful case study in the effectiveness of differing approaches to Indigenous engagement within closely related regions.³

What is clear from a preliminary assessment of relevant Australian and international literature is that the new approaches to Indigenous engagements between Ngarrindjeri and the State are comparatively unique, locally and regionally relevant, address relevant UN treaties and should hold useful ideas for 'environmental management' in Australia and overseas (see UN 2008). It is also clear that recognition of the existing and developing programs in South Australia is partial but growing through the work of the KNYA Taskforce and the public programs of the NRA (see KNY 2012; Hemming & Rigney 2012). The latter includes a long-term partnership between Flinders University and the NRA in promoting innovations through joint research projects, publications, conferences presentations and input to new policy development. National and international knowledge of South Australian innovations is growing in some sectors but very limited in the emerging literature focussing on Indigenous people in Australia and water management issues.⁴ There is also a significant gap in state and federal policy knowledge of the contribution of federally funded State programs such as Murray Futures to the development of foundational support to Indigenous and collaborative innovations in Indigenous 'co-management' of 'Country' - including environmental water management, wetlands planning, Ramsar Icon Site research and management and barrage manipulation. We argue in this report that South Australia has developed a form of what can be described as partial Indigenous 'co-management' that has been Indigenous-led and characterised by the KNYA strategy since 2009. Co-management has been recently identified by Poh-Ling Tan and Sue Jackson (2013) as a useful conceptual direction towards better recognition of Indigenous interests in water management.

2 Research Methodology

This project has provided an opportunity to identify and assess engagement strategies and mechanisms for incorporating Indigenous decision-making, research interests and knowledges into the environmental water management regime in SAM-DB region. These strategies and mechanisms include existing and developing 'tools' such as a Ngarrindjeri cultural knowledge protection regime that seeks to protect Indigenous knowledges and interests whilst enabling Ngarrindjeri input into research, planning and management activities (see Hemming, Rigney & Berg 2010). This is a crucial 'tool' supporting the growing engagement of Ngarrindjeri in water planning activities.

An engaged, collaborative and inter-disciplinary research methodology was used in this project and has been developed and applied in a number of Ngarrindjeri research projects (see Hemming *et al.* 2007; Birckhead *et al.* 2011; Hemming, Rigney & Berg 2010; Beebeejaun *et al.* 2013). Collaborative research, where Indigenous leaders are members of research teams, is the NRA's preferred model. To achieve the Goyder project's objectives the researchers first conducted an assessment and overview of developing programs and processes for Indigenous engagement with water planning and research in the SAM-DB. This included a literature review to enable the inclusion of initial comparisons with other regions in Australia and some international examples. The researchers workshopped these results with Indigenous leaders in NRM and CHM as part of the NRA's Yarlular-Ruwe Program (Caring for Country) (see Hemming & Rigney 2012; M-DBA 2014: 69). The researchers also contributed to detailed discussions about Indigenous engagement in environmental watering planning as part of the KNYA Water Workshop 2014 (DEWNR & NRA 2014).⁵ The workshop had the following aims and brought together representatives from Aboriginal nations along the South Australian River Murray (*Murrundi*) as well as representatives from State and Commonwealth governments, private industry and Flinders University:

1. Consider how to better accommodate Ngarrindjeri interests into water policy and planning;
2. Develop an agreed engagement strategy to implement relevant parts of the MDB Plan; and
3. Continue the two way capacity building process between Government and Ngarrindjeri related to water.

The research team has also participated in planning processes associated with wetland management through the NRA's Murrundi Recovery Project (Riverine Recovery). This included joint 'site' visits and workshops with representatives from the NRA and RMMAC.⁶ These activities have assisted with identifying existing processes and developing recommendations relating to Indigenous engagement principles, strategies and frameworks in water management.

Project progress reports have been provided to the NRA Y-R program and the NRA Board. A draft report was also provided to the NRA's Yarlular-Ruwe Program for comment and input. The authors of this report acknowledge the intellectual input of Ngarrindjeri leaders and elders in the development of the unique KNYA engagement strategy and ongoing programs and mechanisms that support Ngarrindjeri in their responsibility to care for Ruwe/Ruwar (lands, waters, people and all living things). Using an engaged and collaborative research methodology has provided an opportunity for Indigenous knowledge, experience and research to directly inform the Goyder research project in ways that support strategic policy changes. This methodology assists with

connecting research more directly with Indigenous and government programs (see Smith 1999; Hemming & Rigney 2008). The further development and use of this type of research methodology was a key recommendation of the CSIRO Water-For-A-Healthy-Country Flagship Project, the 'Economic and Cultural Values of Water to the Ngarrindjeri People of the Lower Lakes, Coorong and Murray Mouth' (Birckhead *et al.* 2011). The Ngarrindjeri Nation was a formal research partner on this project and senior Ngarrindjeri leaders jointly authored the final report. The Ngarrindjeri focus on capacity building and securing formally recognised, long-term commitments from non-Indigenous governments to resource Ngarrindjeri to exercise their responsibility to care for Yarluwar-Ruwe has been a growing priority in recent decades:

We argue that because Ngarrindjeri water, wetlands and floodplains are so intimately tied to Ngarrindjeri wellbeing there must be a holistic, long-term program for Ngarrindjeri to address the impacts of extensive environmental degradation of Ngarrindjeri lands and waters. This means developing research, employment, education/training, planning, cultural and spiritual processes. In this way Ngarrindjeri can hope to achieve wellbeing in a globalising economy, a twenty-first century world and on *Yarluwar-Ruwe* that is affected by global warming and destructive non-Indigenous land and waters practices.

(Birckhead *et al.* 2011: 42)

3 The historical context to Indigenous engagements with environmental water management in the South Australian Murray-Darling Basin

Since South Australia's establishment as a British colony in 1836 Indigenous people have struggled to protect their cultures, communities, lands and waters (see Mattingley & Hampton 1988; Berg 2010; Trevorrow, Trevorrow & Rigney 2010). In southern South Australia colonisation has perhaps been the most intense, but Indigenous nations such as the Ngarrindjeri have maintained a strong connection to country and a cultural tradition of Ruwe/Ruwar (lands, waters, people and all living things are connected). As a result of this colonial history of dispossession and oppression Ngarrindjeri and other Indigenous nations have very limited 'rights' to water and other natural resources except indirectly through a weakened native title regime and more indirectly through the *Aboriginal Heritage Act, 1988 (SA)* (see McFarlane 2004; Hattam, Rigney & Hemming 2007; Weir 2009, 2012; Jackson 2011). Historically, when water licenses became available along the Murray River, Ngarrindjeri people were still living under protectionist legislation on former missions or in fringe camps and were in no position to apply. It is important to compare this situation to the experiences of indigenous peoples in other comparable settler democracies such as Canada, the USA and New Zealand. In all these examples there exists significantly stronger recognition of Indigenous rights to lands and waters (see Veeder 1964; Hemming, Rigney & Pearce 2007; Langton *et al.* 2009; Strelein 2006; Tan & Jackson 2012).

Ngarrindjeri have continued to draw attention to the damaging changes being made to Ngarrindjeri country (see Ngarrindjeri nation 2006). They argue that the draining of South Australia's South-East has had damaging effects on the flow of water into the Coorong and into the Lower Murray region more generally. The draining of wetlands/nurseries along the Murray and the building of levee banks and barrages to facilitate industries such as dairy farming and fruit growing have had devastating impacts on the health of the SAM-DB and the lives of Ngarrindjeri people.

With changing freedoms after the famous 1967 Referendum Ngarrindjeri began a new strategy of building better 'race' relations with the non-Indigenous community. The Ngarrindjeri (re)conciliation strategy has continued to the present and became a focus in the 1980s with the establishment of *Camp Coorong: Race Relations and Cultural Education Centre* (see Hemming & Rigney 2008; Rigney & Hemming 2014). Always at the centre of this Indigenous communication and educational program have been Ngarrindjeri stories, histories and lessons with a message for non-Indigenous people to develop a respectful, health-giving relationship with Ngarrindjeri lands and waters. In the early 1990s, using new Aboriginal heritage legislation Ngarrindjeri, men and women argued that the waters around Kumarangk (Hindmarsh Island) are spiritual waters and crucial for the life of the Ngarrindjeri Nation. They argued that building a bridge between the mainland at Goolwa and Kumarangk would do irreparable damage to the spiritual context of the region and therefore the health of the River, the Lakes and the Coorong and all connected living things (see Stevens 1995; Bell 1998, 2008; Saunders 2003; Hemming and Trevorrow 2005). In 1995 a Royal Commission was established to investigate these traditions and its findings rejected the Ngarrindjeri traditions (see Stevens 1995; Simons 2003). In 2001 a decision by Justice Von Doussa in the Federal Court of Australia supported the Ngarrindjeri claims to the cultural and spiritual significance of the 'Meeting of the Waters' and the Kumarangk area (Von Doussa 2001). The Meeting of the Waters 'site' has been registered under the *Aboriginal Heritage Act, 1998 (SA)* and has been recently recognised as significant to NRM and water planning in South Australia and the broader Murray-Darling Basin (Hemming 2009; M-DBA 2014).

Indigenous nations and their interests in water have only recently begun to receive some recognition from non-Indigenous governments and agencies across the broader M-DB (see Morgan, Strelein, Weir 2006; MDBC 2006b; Hattam, Rigney & Hemming 2007; Hemming, Rigney & Pearce 2007; Jackson, Moogridge & Robinson 2010; Weir 2012, 2014; Jackson 2011; MDBA 2012; MDBA 2014). This growing recognition has been slow but the continuing work of Indigenous regional alliances, organisations and leaders has led to the inclusion of requirements for Indigenous engagement in water planning in the new Basin Plan (see MILDRIN 2012; NRA 2012; NBAN 2012; Weir 2012; M-DBA 2012). Always included in Indigenous calls for a just recognition of rights is an appeal to non-Indigenous researchers and natural resource managers to shift their understandings of the relationship between humans and non-humans – conceived in Western terms as the divide between 'nature' and 'culture' (see Morgan, Weir, Strelein 2004; Latour 2005; Dhimurru 2006; Langton 2006; Ngarrindjeri Nation 2006; Hemming & Rigney 2008; Weir 2009; Birckhead *et al.* 2011; NRA 2012; MILDRIN 2012; NBAN 2012; FPWEC 2012). The introduction of Ngarrindjeri philosophies of being, knowledges and histories has begun in M-DB policy and planning with the inclusion of the Ngarrindjeri concept of Ruwe/Ruwar and Ngarrindjeri experiences and perspectives of the impact of colonisation and environmental degradation in regional environmental water planning. The following quote provides an important example:

Since the arrival of Europeans the Ngarrindjeri witnessed the draining of their wetlands along the rivers, and in the south east, and the disconnection of the living body of the River Murray, Lower Lakes and Coorong through the installation of locks, levee banks and barrages. They have watched their ngartjis (totems) diminish, their lands cleared and the degradation of Yarluwar-Ruwe.

(M-DBA 2014: 26)

4 Kungun Ngarrindjeri Yunnan: Recent innovations in the SAM-DB region

An Indigenous-led innovative model for engagement between Indigenous people and the State has been established in the SAM-D region. It is centred on what is characterised in Australia as Indigenous 'Caring for Country' activities - a regime that addresses Indigenous rights, responsibilities and interests in their lands and waters. The Ngarrindjeri Yarluwar-Ruwe (Sea Country – all Ngarrindjeri lands and waters) model treats 'Caring for Country' as a holistic nation-building project designed to create a healthy future. The Ngarrindjeri Regional Authority (NRA) has identified 'caring for our people, lands, waters and all living things' as a guiding principle for their goals as the peak body for the Ngarrindjeri Nation. This unique Indigenous governance model, combined with the high-level KNYA engagement strategy, provides this part of the M-DB with well-developed structures and practices designed to support just and effective Indigenous engagement in water research, policy development and management. Importantly, this re-shaping of the contemporary 'contact zone' has produced opportunities for Ngarrindjeri contributions to water research, policy and planning through initiatives such as: the M-DBA's Living Murray Programme; regional Ramsar Icon Site management; State environmental water planning; State Murray Futures projects; and the broader South Australian response to the recent drought (see Hemming, Rigney & Berg 2011; Hemming & Rigney 2012; DEWNR & NRA 2012a; Kirby *et al.* 2013).

The inaugural *KNYA Taskforce Annual Report* (2010-2011) begins with the following acknowledgement of the Ngarrindjeri as traditional owners of Ngarrindjeri lands and waters:

The South Australian Government acknowledges Ngarrindjeri are the Traditional Owners of the land and that according to their traditions, customs and spiritual beliefs its lands and waters remain their traditional country. The State also acknowledges and respects the rights, interests and obligations of Ngarrindjeri to speak and care for their traditional country, lands and waters in accordance with their laws, customs, beliefs and traditions.

(DEWNR & NRA 2012a: 2)

This recognition is repeated in the recent M-DBA's Environmental Water Management Plan for the Ramsar Icon site that covers the Ngarrindjeri 'Meeting of the Waters'. It states that the 'Ngarrindjeri Nation is acknowledged as the traditional owner of the country that includes the Lakes, Kurangk (Coorong) and Murray Mouth' (M-DBA 2014: 5). Federally and locally the NRA is acknowledged by

non-Indigenous governments as the peak representative body for the Ngarrindjeri Nation. The NRA was the first Indigenous peak body representing an Indigenous nation in South Australia. Inspired by its success the State Government has recently introduced a new policy direction in Indigenous affairs aimed at establishing Aboriginal Regional Authorities across South Australia (see Department of Premier and Cabinet 2013). This new policy direction should help support the further development of Ngarrindjeri capacity to meaningfully contribute to regional NRM.

The establishment of the NRA emerged from the Ngarrindjeri leadership's long-term aim of continually improving the wellbeing of Ngarrindjeri *Ruwe/Ruwar* - the inseparable relation between lands, waters, body, spirit and all living things. Much of the energy in this process has been directed towards improving governance, caring for country programs with associated economic development opportunities, and creating new relationships with government at all levels to achieve these objectives.⁷ The NRA is critical in this process, providing a centralised point of contact between non-Indigenous interests and the Ngarrindjeri Nation. This way of doing business has been formally recognised by government at local, State and Federal levels through the signing of KNY agreements and Indigenous Regional Partnership Agreements based around Caring for Country and economic development.

In particular, the 2009 whole-of-government KNYA between the Ngarrindjeri and the South Australian Government was set in place to frame the Ngarrindjeri strategy for negotiating Ngarrindjeri interests in NRM and in particular the South Australian Government's long-term plan for the Coorong, Lower Lakes and Murray mouth (see DEH 2009; KNYA 2009). This is a legal, binding agreement entered into between Ngarrindjeri and various Ministers of the Crown in South Australia. The KNYA provides for the establishment and funding of a joint taskforce that creates a formal context for the NRA to negotiate regarding South Australian Government programs on Ngarrindjeri *Ruwe/Ruwar*. The agreement includes a recognition of Ngarrindjeri traditional ownership; recognition of the NRA as the Ngarrindjeri peak body; and an agreement to negotiate on key, long-held Ngarrindjeri objectives, such as the hand-back of the Coorong National Park. The NRA continues to reinforce the need for a shift in the use of government resources for Indigenous NRM programs to prioritising the provision of long-term support to develop the NRA's capacity to effectively respond to government demands on Ngarrindjeri 'informed consent', and Ngarrindjeri 'participation' in the state's environmental programs.⁸ The KNYA 2009 and the KNYA Taskforce have provided the primary Indigenous engagement mechanism for 'environmental' water planning in the SA M-DB region. Membership of the KNYA Taskforce includes relevant state government departments, the South Australian Water Corporation and the Environmental Protection Authority.

State Government and Ngarrindjeri recognition of the structural role played by the KNYA Taskforce in water planning is reflected in Objective 5 of the *KNYA Taskforce Strategic Implementation Plan*, Endorsed 4 October 2012:

Objective 5: Support coordinated and appropriate engagement with Ngarrindjeri on water related planning and management issues that affect the Ngarrindjeri Nation

Description: The Ngarrindjeri are inextricably connected to the fresh and saltwater of the Lower Murray, Lakes and Coorong. Water resource planning for this region and within the broader Murray-Darling Basin affect water quality and quantity flowing into Ngarrindjeri country. The KNYA Taskforce can help coordinate engagement with Ngarrindjeri across these different water resource planning arenas and support the appropriate integration of Ngarrindjeri interests.

(KNYA Taskforce 2012: 14)

The KNYA Taskforce has been pursuing its stated objectives through initiatives such as the organisation of a series of workshops focussing on Indigenous people and water issues. The authors of this report have contributed to the development and staging of these workshops and a key outcome of the recent KNYA Water Workshop No. 2 was the following:

Development of an agreed way forward

Development of a Water Statement of Commitment between NRA and SA Government is seen as a positive step in clarifying relationships and activities to implement the Basin Plan and progress Ngarrindjeri water interests. The SOC can define engagement principles and agreed actions. This process will also ensure SA meets Water Resource Plan accreditation. It was noted that it was important for MDBA to be aware of this process.

The outcomes of the workshop led to the establishment of a joint working party to draft a Statement of Commitment on Indigenous engagement with water planning in the SAM-DB. This draft is being prepared and will perform an important role in supporting Indigenous input into environmental water planning. It is the view of the authors of this report that if developed in-line with the KNYA strategy the SOC will support the incorporation of Ngarrindjeri aspirations, values and knowledges in regional water planning. Statements of Commitment (SOC) have been developed as crucial 'tools' for articulating the KNYA principles with specific projects and programs. SOC's have been developed for projects such as: *Ruppia* translocation; CLLMMP (Coorong, Lower lakes and Murray Mouth program) Research and Monitoring; Vegetation Management Planning for the CLLMMP; and most recently for up-dating Ramsar Ecological Character Description. They ensure clarity of process and provide protection for Ngarrindjeri cultural knowledge through a Ngarrindjeri-developed cultural knowledge protection regime. Specific clauses and definitions are included in project agreements, research agreements and other documents. The following is an example of a key definitional clause:

Cultural Knowledge means all and any cultural knowledge, whether such knowledge has been disclosed or remains undisclosed of the *Indigenous group*, including but not limited to: (a) traditions, observances, customs or beliefs; (b) songs, music, dances, stories, ceremonies, symbols, narratives and designs; (c) languages; (d) spiritual knowledge; (e) traditional economies and resources management; (f) scientific, spatial, agricultural, technical, biological and

ecological knowledge; and includes documentation or other forms of media arising there from including but not limited to archives, films, photographs, videotape or audiotape.

(Hemming, Rigney & Berg 2010:100)

Crucial to the success of the KNYA strategy is the foundational Ngarrindjeri management planning document - the *Ngarrindjeri Nation Yarluwar-Ruwe Plan: Caring for Ngarrindjeri Sea Country and People* (Ngarrindjeri Nation 2006). It articulates a broad vision and a set of strategic directions for caring for Ngarrindjeri country, emphasising that 'the river, lakes, wetlands/nurseries, Coorong estuary and sea have sustained us culturally and economically for tens of thousands of years' (Ngarrindjeri Nation 2006). It is also important to note that the Ngarrindjeri Yarluwar-Ruwe Plan is given high level recognition in State and Commonwealth contexts. For example the M-DBA's *Lower Lakes, Coorong and Murray Mouth Environmental Water Management Plan* includes the following positioning statement:

This document is to be read in conjunction with the Ngarrindjeri Nation Yarluwar-Ruwe (SEA Country) Plan, the Ramsar Management Plan and the Ecological Character Description Report.

(M-DBA 2014: 5).

In 2007, following in the footsteps of earlier Ngarrindjeri NRM and cultural heritage programs, the NRA established a Caring for Country Program (later re-named the NRA Yarluwar-Ruwe Program) to implement and further develop the visions of the ground-breaking *Yarluwar-Ruwe Plan* (see Hemming, Rigney & Pearce 2007). Through its Yarluwar-Ruwe Program (Caring for Country) the NRA is working with government and local communities to develop new forms of natural resource management that recognise Ngarrindjeri values and incorporate Ngarrindjeri expertise and capacity. The Yarluwar-Ruwe Program facilitates a series of objectives that include: coordinated development and implementation of Caring for Country, strategies and activities within Ngarrindjeri country; a forum for engagement, discussion and innovation; the provision of advice and formal responses to requests from the Ngarrindjeri nation and external bodies such as governments at all levels, education and research organisations, and the business sector; promotion of the NRA and its activities; and supporting the NRA in achieving its goals to build its capacity and create increasing opportunities to manage Ngarrindjeri Yarluwar-Ruwe (lands, waters and all living things).

Importantly, the Yarluwar-Ruwe Program provides a culturally appropriate and strategic Indigenous engagement mechanism supporting a number of major regional NRM partnership projects such as the Murray Futures Program. It also facilitates ongoing and developing partnership between the NRA and the four regional NRM Boards and the NRM programs of the regional Local Councils. It is a successful mechanism for discussion, analysis and decision-making and has been influenced by best-practices in leading First Nation contexts internationally (see Hemming, Rigney & Berg 2011). As a program, it is the conduit for all external and internal projects and programs associated with Ngarrindjeri Yarluwar-Ruwe. First contact from outside organisations is made via the NRA Board and the KNYA Taskforce. Once ideas, projects and programs have been presented through these channels they are referred to the NRA Yarluwar-Ruwe Program for detailed assessment, engagement and consideration.

Importantly, the Yarlwar-Ruwe Program brings NRM, CHM and other related issues together. This is a unique feature of the Ngarrindjeri approach to Caring for Country and is based on the Ngarrindjeri philosophy of being – Ngarrindjeri Ruwe/Ruwar (all things are connected). The NRA vision that Ngarrindjeri lands and waters need to be healthy for Ngarrindjeri to be healthy is at the centre of this approach. Key features of the Yarlwar-Ruwe Program include:

- Formal representation of all appropriate Ngarrindjeri bodies such as Ngarrindjeri Heritage Committee, Ngarrindjeri Native Title Management Committee, Ngarrindjeri Tendi (traditional governance) and others;
- Devolved decision-making – NRA Board has formally established the program to provide a best-practice model for ‘Caring for Yarlwar-Ruwe’;
- Prioritising the establishment of a program of Statement of Commitments (formal terms of reference) and associated working groups that frame and direct Ngarrindjeri/Government projects and programs;
- The development and use of cultural knowledge protection clauses in all NRA contracts, KNY agreements (these are contract law agreements) and research projects (with outside bodies);
- Ngarrindjeri culturally appropriate, decision-making;
- Empowerment of Ngarrindjeri and coordinated, long-term capacity building program;
- Ability to deal with multiple issues and projects including direct engagement in conduct and development of research projects;
- Developing strategies that support cultural change in government policy, programs and practices – ‘abolition of whiteness in government policy’
- Stakeholder involvement through presentations and small working groups;
- Innovative use of technology with a Ngarrindjeri media team producing award winning documentaries and reports on film and digital formats;
- Diverse engagement and partnership building with research, educational and business sector – partnerships with Flinders University, national and international universities, local businesses, government at all levels, NRM Boards, community groups; and
- Ngarrindjeri Caring for Yarlwar-Ruwe supporting and developing economic development and employment securing of NRM contracts, employment, training and education.

In 2009 DEWNR (formerly DEH) and the NRA began working closely to develop the Ngarrindjeri Partnerships Project (NPP), one of nineteen management actions under the CLLMM program and its key Aboriginal engagement strategy. The NPP works across the other CLLMM program management actions and is supporting the development of core capacity within the NRA to ensure that Ngarrindjeri knowledge, experience and cultural values are appropriately incorporated into regional NRM. The NPP Project has supported the NRA to develop the Ngarrindjeri Yarlwar-Ruwe Program and project objectives include securing the future of the innovations developed as part of the NPP. It is intended that emerging Indigenous engagement strategies and Ngarrindjeri capacity relating to environmental water research, policy development will continue into the future as water planning in the SAM-DB region proceeds.

The NRA is also working with DEWNR on a project under the broader Murray Futures Program called the Riverine Recovery Project (RRP), which focuses on 'water savings' and increasing river and wetland health. The NRA renamed their involvement in the project as the Murrundi (River Murray) Recovery Project (MRP) and have identified the following as a key Ngarrindjeri objective - 'Ngarrindjeri working together to bring life to Murrundi (River Murray)'. The Murrundi Recovery Project further strengthens the partnership between the NRA and the South Australian government in NRM and provides clarity in relation to effective Indigenous engagement in water planning. The key aims of the MRP include: building the capacity of the Mannum Aboriginal Community Association Inc. (MACAI – a member organisation of NRA) to care for Murrundi; bringing Ngarrindjeri interests, cultural principals and rights and responsibilities to Ngarrindjeri Ruwe/Ruwar (country/body/spirit and all living things) into water management and natural resource management; and developing long-term strategies for culturally appropriate community development. The NRA is developing a cultural health assessment process (called a Ngarrindjeri Yanarumi index) that is being applied to each wetland complex and is also seeking wetland registration under the *Aboriginal Heritage Act 1988 (SA)* as part of the well-know Ngurunderi creation story of Murrundi (see Ngarrindjeri Nation 2006: 8). The NRA expects that the Sugar Shack Complex will become an example of best-practice Indigenous-led management or 'stewardship' of wetlands in the Murray-Darling Basin.

Through working together on projects such as the MRP representatives of RMMAC and the NRA have begun to share approaches to Indigenous engagement in NRM and environmental water planning. Although RMMAC engages with the State through the River Murray ILUA, and the NRA uses the KNYA strategy, there are close cultural, family and historical connections between Indigenous people from across the SAM-DB region (see Hemming, Wood & Hunter 2000). It is important, however, to understand the differences in the legal parameters of the approaches to engagement with the State adopted by the NRA and RMMAC as they relate to water. The NRA, for example, (2012: 3) have taken the following position regarding *a priori* rights to 'water' in its submission to the M-DBA:

Ngarrindjeri consider they have the first right, a right attached to the exercise of their cultural rights, interests and responsibilities, that precedes all other rights including but not limited to the legislative function of the MDBA to allocate water for particular uses. The rights and interests of the Ngarrindjeri require that water flows into, through, and from, their country from up river. This is a right a priori to all others and the MDBA should commence their consideration of allocations without interference or diminishment of these rights.

This legal/political positioning of Indigenous rights to water needs to be recognised when non-Indigenous researchers, policy-makers and others address the issue of Indigenous engagement. Native title issues are part of this legal context, but the processes involved in the resolution of native title claims have not significantly interrupted the development of a number of inter-related strategies for Indigenous engagement in water planning in the SAM-DB. The following provides a basic summary of key elements of the NRA's strategy for engaging with 'Caring for Country' – a strategy that has at its core the importance of not separating environmental water management from NRM, CHM and Ngarrindjeri wellbeing:

- KNYA Strategy – contract law used to make formal agreements and frameworks for engagement;
- NRA Yarlular-Ruwe – building Ngarrindjeri capacity;
- Cultural knowledge protection regime – using clauses in contract law agreements;
- Integrated Natural and Cultural ‘Resource’ Management – Ngarrindjeri Ruwe/Ruwar philosophy of all things connected;
- Statement of Commitments – using formal SOCs to create frameworks for engagement that operationalise the KNYA strategy;
- Co-management – working with all interested parties in the development of a KNYA approach to respectful co-management of Ngarrindjeri lands and waters and all living things;
- Policy and Management Planning Renewal – re-writing policies and management plans to reflect the commitments made in the KNYA 2009 and an integrated approach based on Ngarrindjeri Ruwe/Ruwar;
- Ngarrindjeri Character Descriptions: development of Ngarrindjeri character descriptions that serve as a benchmark for incorporating Ngarrindjeri values and interests and working towards co-management;
- Indigenous research – Ngarrindjeri to develop and conduct research and to be partners in research related to Ngarrindjeri Ruwe/Ruwe;
- Native title claim development and negotiation – this process is moving into a consent determination/negotiation phase;

Setting this platform in place is seen by the NRA as crucial in developing an engagement strategy that enables Indigenous people to begin the process of bringing their knowledge and expertise into the water planning context. This engagement framework requires a foundational agreement such as the KNYAs used by the Ngarrindjeri. Policies, plans and practices need to link back to the original agreement which should provide Indigenous and non-Indigenous certainty. ILUAs have the potential to provide a similar foundation but in the SAM-DB region the use of ILUAs has so far produced limited opportunity for Indigenous capacity building and minimal changes in government engagement strategies, policies and practices (see Hemming & Rigney 2008; Howitt *et al.* 2013).

5 Research Gaps and Directions

At a national level the National Water Commission (NWC) and the M-DBA are continuing to sponsor Indigenous water research that covers the M-DB region (see Toussaint, Sullivan & Yu 2005; Toussaint 2009; Jackson *et al.* 2010; Jackson 2012; FPWEC 2012, NWC 2014). The National Cultural Flows project has recently started as a major initiative led by the NWC, the M-DBA and peak Indigenous bodies such as Murray Lower Darling Indigenous Nations (MILDRIN), Northern Basin Aboriginal Nations (NBAN) and Northern Aboriginal Land and Sea Alliance (NAILSMA). NAILSMA is also actively pursuing a program of research, policy development and negotiation in relation to water across Australia’s northern states (see Jackson 2007; Jackson & Morrison 2007; Morrison 2007; NAILSMA 2007; O’Donnell 2011). Indigenous water research has also been conducted in SAM-DB region by the Ngarrindjeri nation in partnership with Flinders and Charles Sturt Universities as part of a Water-For-A-Healthy-Country Flagship project (see Hemming & Rigney 2008; Birckhead *et al.* 2011). Water

research, policy development and planning are also an important objective of the KNYA Taskforce and the NPP and Murrundi Recovery Projects. More recently the NRA's approach to water-related policy research has led to a collaboration between DEWNR, the South Australian Murray-Darling Basin Natural Resource Management Board (SAM-DBNRM) and other governments agencies to develop an agreement to frame water allocation planning in the SAM-B (see Hemming & Rigney 2011; Jackson *et al.* 2012; KNYA 2009; KNYA Taskforce 2012; DEWNR & NRA 2014). This approach relies on the KNYA strategy and in many ways represents a form of co-management in water resource planning.

This report builds on research carried out through a previous Goyder Research Institute project focussing on the relationship between the 'cultural water, 'Indigenous water' and environmental flows (see Kirby *et al.* 2013). Indigenous engagement with water issues is an ongoing research priority for the NRA and research innovations are continually incorporated into NRA projects such as NPP and Murrundi Recovery Projects. The NRA continues to collaborate with Flinders University through its NRA Research, Policy and Planning Unit and is currently a partner organisation on two Australian Research Council (ARC) Linkage projects that have relevance to the developing NRA approach to caring for Yarlular-Ruwe.⁹ The NRA, Flinders University and DEWNR are also developing an ARC Linkage proposal to research innovations in Indigenous engagements in Ramsar ecological character description. The development of this ARC proposal is supported by the NPP and workshops bringing Ngarrindjeri, scientists and planners together to discuss knowledges, values and potentially shared understandings are planned for later in 2014. The NRA is focusing research on Indigenous 'character' descriptions and 'cultural health' assessments for areas such as the Lower Lakes, Coorong and Murray Mouth and wetlands along the River Murray south of Morgan. This work has parallels in Aotearoa (New Zealand) where the *Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010* (NZ) incorporates indigenous values and interests and a 'cultural health index' into a co-management regime (see Aho 2010).

SAM-DB regional Indigenous research strategies and directions relating to water planning continue to take a holistic approach linking all living things through a Ngarrindjeri Ruwe/Ruwar philosophy. This has been applied at the local level through wetland management planning and is connecting with Ngarrindjeri cultural knowledge programs and the development of Ngarrindjeri cultural and seasonal calendars (see Birckhead *et al.* 2011; Liedloff *et al.* 2013). Importantly, this regional Indigenous engagement and research strategy is producing important innovations in water planning such as: the developing SA-M-DB water planning agreement; Indigenous inputs into annual water planning; wetland planning (through The Living Murray program and the Riverine Recovery Project); Federal environmental water plans; and water quality planning (see KNYA Taskforce 2012; Collings 2012; DEWNR 2013; M-DBA 2014).

State government environmental water planning uses a series of decision-making 'tools' that are only beginning to connect with the existing KNYA engagement strategy. It is important that Indigenous interests, knowledges and perspectives are recognised in these decision-supporting 'tools' and are brought into the context at an early stage. This early engagement is being practiced in the KNYA Taskforce but is not reflected in the existing science-based regional models that support government water management. Using the KNYA strategy it is now possible to support Ngarrindjeri engagements with scientific research projects that continue the process of increasing non-

Indigenous recognition of the value of Ngarrindjeri knowledge. It is also important for the State Government to support Ngarrindjeri-led 'environmental' research that brings scientific research together with Ngarrindjeri research. This is starting to happen in recent projects such as the NPP and the Riverine Recovery project. An environmental scientist was, for example, recently seconded to work with the NRA to support the NRA's Murrundi Recovery project.

The Ngarrindjeri philosophy (Ruwe/Ruwar) rests on an understanding that 'all things are connected and that the lands and waters are a living body'. The connectivity principle is something that environmental scientists see as a priority for further research in the SAM-DB region. Ngarrindjeri share research interests that focus on the identification of key species that both act as environmental health markers and rely on the connectivity of the River Murray, Lakes and Coorong (see Birckhead *et al.* 2011; Hemming and Rigney 2012). Ngarrindjeri hold deep cultural knowledge about these features of Ngarrindjeri Ruwe/Ruwar passed on through Ngarrindjeri creation stories such as Ngurunderi, Thukeri and Thukabi (see Ngarrindjeri Nation 2006: 9; Hemming, Trevorrow and Rigney 2002). Over the last few years, for example, Ngarrindjeri have worked with DEWNR and research scientists on a project designed to translocate cultural significant *Ruppia* in the Coorong. The SOC incorporates a cultural knowledge protection clause enabling Ngarrindjeri to safely share knowledge to inform the project. The input of Ngarrindjeri in this project is framed by a formal SOC and has supported DEWNR's annual water planning processes (see DEWNR 2013).

6 Conclusion

In 1999 the Ngarrindjeri Ramsar Working Group produced a community-endorsed position paper that lamented the degradation of waters in the region.

Too much water has been diverted from the river system and not enough water now reaches the Lakes and Coorong. The quality of the water has also fallen. The water is cloudy, polluted and not fit for drinking. The Murray, the Lakes and the Coorong are no longer environmentally healthy and this is partly why the Ngarrindjeri people are not healthy. The Ngarrindjeri know that the Coorong, Lakes and River are dying.

(NRWG 1999, p. 5)

This position guided the Ngarrindjeri leadership's contribution to the Department of Water, Land and Biodiversity 2002 report *The Murray Mouth: Exploring the implications of closure or restricted flow* (see Hemming, Trevorrow and Rigney 2002). Both these Ngarrindjeri reports provided a clear account of the Ngarrindjeri position on water quality, environmental water management and the need for Ngarrindjeri capacity to engage with what was understood as a growing government sector – integrated natural resource management. The 2002 Ngarrindjeri report recommends the development of formal agreements between the Ngarrindjeri and the government to frame Ngarrindjeri engagements in NRM, CHM and water planning. In 2009 the NRA were recognised at the peak Ngarrindjeri organisation in a whole-of-government KNYA that has provided the

engagement mechanism required for a shift to more effective relationship between the State of South Australia and the Ngarrindjeri Nation in relation to NRM.

In the SAM-DB environmental water research, policy development and planning has been transformed through the Indigenous engagement strategy developed using the 2009 KNYA as a foundational agreement. A River Murray ILUA has also been negotiated to 'settle' one of the region's native title claims and it covers the Upper Murray region in SA. The KNYA process has led, however, to a unique working relationship in NRM between an Indigenous nation and non-Indigenous interests represented by the government at all levels, universities and other groups (see Hemming, Rigney and Berg 2011). The success of this model has inspired a new policy direction in Indigenous affairs in South Australia – Aboriginal Regional Authorities. The importance of the complex Indigenous relationship with 'Country' stands at the centre of the NRA's vision for a healthy Indigenous nation and engaging with this vision through the Ngarrindjeri Yarluwar-Ruwe Program is a proven pathway for non-Indigenous projects and programs such as environmental water planning and related research.

Indigenous and non-Indigenous researchers have recognised that Indigenous capacity is crucial to Indigenous engagement in NRM and water management (see for example: Hemming, Trevorrow and Rigney 2002, Birkhead *et al.* 2011; Jackson 2012; Howitt 2013; Barber *et al.* 2014). Ngarrindjeri have also recognised the significant changes required in government policies and processes to support the increased capacity of Indigenous nations. Ngarrindjeri have started conceptualising this cultural change in government as a project aimed at abolishing 'whiteness' in the bureau-political system that governs NRM in the SAM-DB (Hemming 2007; Hemming, Rigney and Berg 2011). It is important to point out that there is to some extent a gap in the environmental planning literature in the recognition of the innovations being developed in the SAM-DB region (see Mooney and Tan 2010; Jackson 2012; Jackson *et al.* 2012; Tan and Jackson 2013). This has an impact on local resourcing and the capacity of NRA, for example, to sustain the Yarluwar-Ruwe Program and for federally funded programs such as the Murray Futures Project to leave a regional legacy. These are gaps that can impede effective, long-term Indigenous engagement in water research, policy development, planning and management. Recent federal recognition of the significant innovations in Indigenous engagement in environmental water planning in the SAM-DB will help address this gap (see M-DBA 2014).

¹ It is important to note that the authors of this chapter are directly involved on a day-to-day basis in the development of engagement and negotiation strategies relating to Ngarrindjeri interests in water planning, management and research. The Ngarrindjeri Regional Authority (NRA) has established a Research, Policy and Planning Unit (RPPU) to lead a strategic research program and the authors of this chapter are Co-Directors of this Unit. The engaged and collaborative research methodology adopted by the researchers in the conduct of this research project has been developed through the work of the RPPU. Professor Rigney is a citizen of the Ngarrindjeri nation, a Ngarrindjeri leader and a member of the NRA.

² In South Australia the First Peoples of the River Murray and Mallee (FPRMM) have a consent determination and Indigenous Land Use Agreement (ILUA) applying to lands and waters of the Upper Murray in South Australia. The Ngarrindjeri & Others Native Title Management Committee (NNTMC) is responsible for a native title claim that includes the River Murray to just north of Murray Bridge. The NRA is the peak regional

Indigenous body that includes the NNTMC and also covers the River Murray to Morgan through another member organisation – the Mannum Aboriginal Community Association Inc. (MACAI). It is useful to note that the FPRMM native title claim was first submitted as a Ngarrindjeri claim. It was later re-named during the late 1990s native title re-registration phase. Many members of the Ngarrindjeri Regional Authority are FPRMM native title holders.

³ The research team's engagement with RMMAC was limited to informal discussions, presentations and publically available information. RMMAC did not formally engage in this research project and therefore, State-led developments in Indigenous engagement processes being developed from the River Murray ILUA are not addressed in this report.

³ The research team has conducted a preliminary survey of recent Australian literature dealing with Indigenous peoples and NRM and water management issues. Innovations in Indigenous engagement processes with NRM and water management in the SAM-DB are poorly represented in this literature.

³ The research team contributed to the development of the workshop and the resulting workshop report.

³ Discussions with RMMAC representatives have not been used to 'collect' or develop information relating to Indigenous engagement strategies for this project. They have been opportunities for the researchers to share information with RMMAC representatives and to participate in collaborative exercises such as the KNYA Water Workshop.

³ Similar programs and strategies are developing across Indigenous nations in Australia (see for example: Dhimurru 2006; Morrison 2007; NAILSMA 2007; Hunt *et al.* 2008).

³ The South Australian Murray Darling Basin Natural Resource Management Board (SAMDBNRMB) is encompassed by the whole-of-government KNY agreement (2009). It funded a project aimed at developing the research capacity of the NRA — Developing Ngarrindjeri Research Capacity: Ngarrindjeri Yarluwar-Ruwe Institute for Research, Education and Training (2009–10). This project was jointly conducted by Flinders University, the SAMDBNRMB and the NRA. Steve Hemming and Daryle Rigney carried out the research as part of the NRA's Research, Policy and Planning Unit.

³ (LP13010013) ARC Linkage Project: Return, reconcile, renew: understanding the history, effects and opportunities of repatriation and building an evidence base for the future, lead university is the Australian National University. (LP1301000791) ARC Linkage Project: Indigenous nationhood in the absence of recognition: Self-governance strategies and insights from three Aboriginal communities, lead university is the University of Technology Sydney.

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⁹ (LP13010013) ARC Linkage Project: Return, reconcile, renew: understanding the history, effects and opportunities of repatriation and building an evidence base for the future, lead university is the Australian National University. (LP1301000791) ARC Linkage Project: Indigenous nationhood in the absence of recognition: Self-governance strategies and insights from three Aboriginal communities, lead university is the University of Technology Sydney.

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Appendix A

KNYA Taskforce Strategic Implementation Plan

Objective 1: Building upon and promoting the significance of the KNYA Taskforce

Objective 2: Supporting Ngarrindjeri education, training and capacity building

Objective 3: Supporting Ngarrindjeri and the South Australian Government to Care for Country (not the Australian Government program)

Objective 4: Supporting Ngarrindjeri economic development opportunities

Objective 5: Support coordinated and appropriate engagement with Ngarrindjeri on water related planning and management issues that affect the Ngarrindjeri Nation

Objective 6: Encourage respectful and best practice research engagement with Ngarrindjeri

Objective 1: Building upon and promoting the significance of the KNYA Taskforce

Description: The KNYA Taskforce is an innovation of the NRA and South Australian Government to coordinate Ngarrindjeri engagement in Natural and Cultural Resource Management (NCRM). The Agreement and the Taskforce governance arrangements establish a successful and effective framework for engagement and consultation that the Taskforce will seek to continually review, improve and promote.

Rationale: Monitoring, evaluation and improvement are foundational activities for any governance arrangement. The Taskforce will undertake these activities to ensure the effectiveness and efficiency of the framework continue to support progression of key matters under the KNYA. The Agreement and Taskforce model are innovations that the South Australian Government and the NRA need to continue to promote and could inform Aboriginal engagement at a State, National and International level.

Outcome: KNYA successfully implemented in the Ngarrindjeri region.

Strategy	Actions	Personnel	Status
1.1 Monitor and Evaluate Taskforce Operations	Set one KNYA Taskforce meeting per year to review and evaluate the Taskforce operations and Strategic Implementation Plan.		
	Utilise outcomes of review workshop to prepare the KNYA Taskforce Annual Report.		
	Utilise outcomes to inform improvements in KNYA Taskforce Terms of Reference and program.		
1.2 Promote the KNYA Taskforce operations	Develop an Annual Report based on a review of progress against the KNYA and Strategic Implementation Plan.		Completed for 2010 and 2011

	Prepare joint media articles as relevant.		
	Nominated Taskforce representatives to disseminate relevant outcomes within their agencies and networks.		
1.3 Promote the KNYA innovation	Support research activities related to analysing the KNYA.		
	Support members to present about the KNYA at conferences and relevant committees.		
1.4 Promote the use of the KNYA Taskforce engagement mechanism	Nominated Taskforce representatives to promote the process within their agencies and networks as relevant.		
	Identify relevant State and Basin level committees where projects relevant to the KNYA originate.		
	Provide briefings and or presentations to relevant State committees regarding the Taskforce.		
	Develop awareness raising materials and disseminate to State and Basin level committees.		

Objective 2: Supporting Ngarrindjeri education, training and capacity building

Description: The KNYA Taskforce provides a forum in which to identify and facilitate opportunities for Ngarrindjeri engagement and involvement in natural and Cultural resource matters. These opportunities seek to build the core capacity of Ngarrindjeri and the NRA and create linkages between training, education, employment and economic development.

Rationale: Monitoring, evaluation and improvement are foundational activities for any governance arrangement. The Taskforce will undertake these activities to ensure the effectiveness and efficiency of the framework continue to support progression of key matters under the KNYA. The Agreement and Taskforce model are innovations that the South Australian Government and the NRA need to continue to promote and could inform Aboriginal engagement at a State, National and International level.

Outcomes: The NRA has the organisational capacity to fully engage with Caring for Country programs in the region

Strategy	Actions	Personnel	Status
2.1 Support and promote NRA education, training and employment priorities	Ngarrindjeri identify education, training and employment priorities		
	KNYA Taskforce and nominated representatives support dissemination of Ngarrindjeri priorities to relevant Government parties, and where appropriate, invited guests.		
	Nominated representatives identify available resources, including departmental officers, to support specific Ngarrindjeri educational and training opportunities.		
	Facilitate establishment of working groups or links with existing		

	committees to support NRA educational, training and employment opportunities, as relevant.		
2.2 Facilitate Ngarrindjeri engagement in educational, training and employment opportunities	Nominated representatives seek to identify in-house departmental educational, training and work experience opportunities and disseminate to the NRA.		
	Develop and maintain register of departmental scholarship, traineeship and work experience opportunities and provide to the NRA.		Completed in late 2011.
	Taskforce to invite relevant training authorities to attend meetings to support Ngarrindjeri training / traineeship priorities, as appropriate.		
	Promote the use of the KNYA Taskforce to relevant training authorities (DEEWR, DFEEST) for the coordination of training support to the NRA and Ngarrindjeri nation.		
2.3 Support departmental capacity development in Aboriginal engagement and consultation	Nominated representatives review their Department's Aboriginal engagement training activities and identify training gaps / needs in terms of Aboriginal engagement.		
	Disseminate relevant departmental training needs at Taskforce meetings and discuss opportunities for NRA support / involvement, as appropriate (link to Objective 4).		
	Nominated representatives encourage other agency staff to attend KNYA Taskforce meetings as part of building departmental cultural awareness and skills in Aboriginal engagement.		

Objective 3: Supporting Ngarrindjeri and the South Australian Government to Care for Country (not the Australian Government program)

Description: The KNYA Taskforce provides a forum in which a greater understanding of Ngarrindjeri perspectives of Caring for Country can be shared and used to inform NCRM. The Taskforce provides a forum to further develop the links between NRM and Cultural heritage management and enable Ngarrindjeri to fulfil their Cultural obligations and responsibilities to Care for Country.

Rationale: Western systems are based on a process of separation of issues into units, where Aboriginal heritage or culture is seen as separate issue to NRM and is based on the premise that humans are separate from nature. Ngarrindjeri perspectives are based on connectedness, that all things are connected to something else. Caring for Country is an Aboriginal English term used to describe this connectivity and includes a wide variety of components including amongst others politics, heritage, culture, NRM, wellbeing and traditional practices such as harvesting bush foods, fishing and hunting which connect people to Country. The recent drought situation brought home to many the connectivity between people and the environment. This objective aims to incorporate these perspectives of connectivity into regional NCRM.

Outcome: Ngarrindjeri interests, values and cultural obligations are central to Caring for Country activities in the Ngarrindjeri region

Strategy	Actions	Personnel	Status
Sir Richard Peninsula management			
3.1 Facilitate advancement of discussions regarding the future management of Sir Richard Peninsula	Taskforce endorse the formation of a working group to develop a position paper on concerns, interests and opportunities regarding the management of Sir Richard Peninsula.		
	Taskforce to advise relevant stakeholders of the formation of the working group (including Alexandrina Council, SA Water, and MDBA) and invite participation, where appropriate.		
	Taskforce to identify a senior State Government officer to support the the working group and future progression of position paper.		
	Once developed, working group representatives to table position paper at Leader to Leader meeting and gain support to progress issues with the Murray-Darling Basin Authority.		

Marine Parks			
3.2 Support Ngarrindjeri participation in Marine Parks planning	Invite relevant DEWNR representative to upcoming Taskforce meeting to table marine park zoning / drafting.		
Climate Change			
3.3 Support information sharing regarding future risks such as climate change, population, food security.	KNYA Executive Officers support presentations to the Taskforce on climate change policy and planning.		
	Promote and support Ngarrindjeri participation in State forums and projects regarding adaptation strategies regarding the CLLMM region.		
NRM Planning			
3.4 Facilitate greater understanding of NRM related legislative and policy arrangements	DEWNR, including relevant NRM Boards develop a schedule of Regional NRM planning and policy review / development phases, including dates and provide to NRA.		
	Support the participation of Ngarrindjeri in, and or the establishment of working groups to enable appropriate Ngarrindjeri participation in Regional NRM related planning and policy development.		

	Nominated representatives liaise within their Departments to ensure that relevant NRM related planning and policy consultation is directed through the KNYA Taskforce in the early stages of development.		
3.5 Support a greater understanding of Ngarrindjeri perspectives and interests regarding caring for country	Promote planning processes that support the appropriate integration of Ngarrindjeri perspectives, cultural values, knowledge and interests.		
3.6 Facilitate coordinated engagement with Ngarrindjeri across the SA MDB, SE and AMLR NRM Regions, and where relevant KI	Form a joint NRA (regional DEWNR representative) working group with the role of coordinated Ngarrindjeri engagement across the three DEWNR / NRM regions.		
	Identify appropriate endorsement process for working group from relevant regions and NRA and consider linkages with region specific arrangements.		
	Working Group develop terms of reference and seek endorsement from relevant authorities.		
Re-burials			
3.7 Secure funding to support Ngarrindjeri re-burials	Follow up Ngarrindjeri reburials Cabinet Submission and support future funding proposals.		
	Form a reburials working group between NRA and AARD-DPC to discuss how to progress discussions regarding funding.		
	Ngarrindjeri identify reburial sites on Crown Lands and communicate		

	as appropriate to DEWNR to support reburial process.		
Sunnyside			
3.8 Support the development of a management plan for Sunnyside burial area	AARD to support NRA to develop Sunnyside Management Plan.		
Ngarrindjeri Regional Development			
3.9 Promote the need for State Government programs to resource Ngarrindjeri participation in project development	Relevant nominated government representatives to make enquiries regarding the process of establishing 'development fund' allocations to commercial arms of government and how this model could be used to support / resource Aboriginal input to project development phases and report back to the Taskforce.		
	DEWNR and NRA representatives review the lessons learnt during the Murray Futures program development and implementation and communicate to the KNYA Taskforce.		
3.10 Promote and support NRA interest in developing long-term regional agreements (multi-sector / cross-jurisdiction) to fund Ngarrindjeri community-based programs	NRA to raise issue and proposal at Leader to Leader meetings and report back to the KNYA Taskforce as relevant.		
	Establish a working group to review the outcomes of the Ngarrindjeri Regional Partnership Agreement (NRPA) and consider opportunities for future long-term regional agreements.		

Objective 4: Supporting Ngarrindjeri economic development opportunities

Description: The KNYA Taskforce provides a forum in which a greater understanding of Ngarrindjeri perspectives of Caring for Country and associated economic development interests can be shared and used to inform NCRM. The Taskforce provides a forum to support linkages between regional economic development opportunities and Ngarrindjeri interests.

Rationale: The Ngarrindjeri have aspirations to become more self sustaining and to reinvigorate their economic status. The Taskforce forum provides an opportunity for Ngarrindjeri, through their community businesses such as Ngarrindjeri Enterprises Pty Ltd (NEPL) and Ngarrindjeri Ruwe Contracting Pty Ltd (NRC), to build relationships with identified industries and sectors that are prevalent within the region, and explore partnerships and joint management proposals.

Outcome: Ngarrindjeri economic development interests are integrated, diverse and sustainable across different industry sectors in the Ngarrindjeri region.

Strategy	Actions	Personnel	Status
4.1 Support and promote Ngarrindjeri economic development interests	Ngarrindjeri identify economic development interests and disseminate to KNYA Taskforce.		
	KNYA Taskforce support dissemination of Ngarrindjeri development interests to relevant Government parties and industry, and where appropriate, invited guests.		
4.2 Facilitate economic development partnerships between Ngarrindjeri and others	Identify and meet with potential development partners.		
	Identify development grant opportunities.		

	Identify support for development proposals, as appropriate.		
	Consider secondment opportunities to NRA to support development opportunities, as appropriate.		
	Invite DMITRE participation on Taskforce.		
4.3 Support and promote Ngarrindjeri capabilities	Ngarrindjeri develop capabilities statement.		
	KNYA Taskforce support dissemination of capabilities statement to Government parties and industry, and where appropriate, invited guests.		
	Support to Ngarrindjeri by providing advice on development proposals / applications, where appropriate.		

Objective 5: Support coordinated and appropriate engagement with Ngarrindjeri on water related planning and management issues that affect the Ngarrindjeri Nation

Description: The Ngarrindjeri are inextricably connected to the fresh and saltwater of the Lower Murray, Lakes and Coorong. Water resource planning for this region and within the broader Murray-Darling Basin affect water quality and quantity flowing into Ngarrindjeri country. The KNYA Taskforce can help coordinate engagement with Ngarrindjeri across these different water resource planning arenas and support the appropriate integration of Ngarrindjeri interests.

Rationale: The Ngarrindjeri are recognised as important partners in water resource management in the CLLMM region and have strong representation at the Murray-Darling Basin level through their representation on the Murray, Lower Darling Indigenous Nations (MLDRIN) group. The Murray-Darling Basin Authority are progressively recognising the importance of acknowledging and considering Indigenous interests in water resource planning, particularly in regards to Cultural flows/water. The KNYA Taskforce can provide support to Commonwealth and State Government water resource planners in engaging Ngarrindjeri.

Outcome: Ngarrindjeri interests, values and cultural obligations are central to water management and planning in the Ngarrindjeri region.

Strategy	Actions	Personnel	Status
5.1 Facilitate greater understanding of water related legislative and policy arrangements	Set a Taskforce meeting to discuss water related legislation and policy arrangements for the Murray-Darling Basin and South Australia, and where relevant other International and National initiatives (e.g. Ramsar).		
	Invite relevant water policy and planning officers / authorities to meetings to disseminate information to the NRA.		
	DEWNR, including relevant NRM Boards develop a schedule of water planning and policy review / development phases, including dates and		

	provide to NRA.		
	Support the participation of Ngarrindjeri in, and or the establishment of working groups to enable appropriate Ngarrindjeri participation in water related planning and policy development.		
	Promote the use of the KNYA Taskforce within relevant Departments to seek advice on how to meet the requirements of Chapter 9, Part 14 of the proposed Basin Plan (link to Objective 1).		
	Nominated representatives liaise within their Departments to ensure that relevant water related planning and policy consultation is directed through the KNYA Taskforce in the early stages of development.		
5.2 Facilitate a greater understanding of appropriate Ngarrindjeri engagement in water related planning and policy development	NRA to advise KNYA Taskforce, and invited guests, of appropriate engagement approaches with Ngarrindjeri, where appropriate.		
	Promote the use of the Taskforce to relevant Murray-Darling Basin and State level authorities responsible for water planning, research and policy development (link to Objective 1 and 6)		
5.3 Influence State Government water policy regarding Ngarrindjeri engagement and participation in water related planning.	Taskforce develop a position paper providing recommendations on appropriate mechanisms to enable Ngarrindjeri input into environmental water bidding processes (i.e. TLM and CEWH related).		
	Taskforce develop a position paper providing recommendations on implementing Chapter 9, Part 14 of the Proposed Basin Plan (revised		

	draft).		
	Promote and support Ngarrindjeri research proposals and processes projects that seek to inform appropriate Ngarrindjeri input to Ramsar Ecological Character Description (ECD) processes.		
5.4 Support a greater understanding of Ngarrindjeri perspectives and interests regarding water	Set a Taskforce meeting for the NRA to disseminate Ngarrindjeri perspectives related to water and connectivity to water policy, research and planning officers		
	Promote planning processes that support the appropriate integration of Ngarrindjeri perspectives, cultural values, knowledge and interests		
	Promote the recognition of the registered 'Meeting of the Waters' site in water planning and policy development		

Objective 6: Encourage respectful and best practice research engagement with Ngarrindjeri

Description: The Ngarrindjeri have long recognised the link between research and policy development but have been largely excluded from the research arena. Nationally and Internationally, NCRM research organisations are embracing more inclusive and culturally appropriate methodologies to develop and conduct their research in partnership with Indigenous people.

Rationale: Ngarrindjeri wish to start a new relationship with research organisations and their partners that respects Ngarrindjeri interests, priorities and Cultural perspectives and support greater and culturally appropriate involvement in research.

Outcome: Research undertaken in the Ngarrindjeri region supports and enhances Ngarrindjeri interests, priorities and cultural obligations.

Strategy	Actions	Personnel	Status
6.1 Support and promote NRA Research priorities	Ngarrindjeri develop research program plan.		
	KNYA Taskforce support dissemination of Ngarrindjeri research interests / priorities to relevant Government parties, and where appropriate, invited guests.		
	Support and endorse appropriate research proposals aligned with NRA research priorities.		
	Identify and support collaborative research opportunities between Ngarrindjeri and the SA Government.		
6.2 Facilitate Ngarrindjeri	Promote the use of the KNYA Taskforce to support Ngarrindjeri engagement		

engagement in regional research and monitoring proposals	in research proposals.		
	Ngarrindjeri develop guideline to promote appropriate engagement and research development processes.		
	KNYA Taskforce and nominated representatives support dissemination of Ngarrindjeri research guideline to their agencies and research networks.		
6.3 Facilitate research partnerships between Ngarrindjeri and Others	Promote the use of the Taskforce as a forum for initiating research partnerships with Ngarrindjeri.		
6.4 Promote the importance of human ethics and Cultural Knowledge protection and management issues	Taskforce to promote considerations of human ethics as part of research proposals, where relevant.		
	Where relevant, promote the importance of Cultural Knowledge management and protection for collaborative research projects with Ngarrindjeri.		



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