

Kungun Ngarrindjeri Yunnan Agreement (KNYA) Listening to Ngarrindjeri People talking

Report 2014 and 2015



Acknowledgements

The Ngarrindjeri people are the descendants of the original indigenous inhabitants of the lands and waters of the Murray River, Lower Lakes and Coorong and adjacent areas. Ngarrindjeri have occupied, enjoyed, utilised and managed these traditional homelands since time immemorial.

Click here to view [We are Ngarrindjeri](#).

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.

Caution when reading this report

The Department of Environment, Water and Natural Resources (DEWNR) will always make every effort to respect Ngarrindjeri cultural sensitivities when featuring images or names of people who have recently died.

However please be advised that this document may contain images of persons who have died after this report was finalised in June 2016 and we offer our apologies for any distress caused if this occurs.

© Jointly owned by Department of Environment, Water and Natural Resources and the Ngarrindjeri Regional Authority.

All Rights Reserved. All works and information are subject to Copyright. For the reproduction or publication beyond that permitted by the *Copyright Act 1968* (Cwlth) written permission must be sought from the Parties.

Although every effort has been made to ensure the accuracy of the information, the Parties, their agents, officers and employees make no representations, either express or implied, that the information is accurate or fit for any purpose and expressly disclaims all liability for loss or damage arising from reliance upon the information displayed.



Contents

Opportunities and challenges for 2016 and beyond.....	2
Sustainability of the Ngarrindjeri Yarluwar-Ruwe Program	2
Ngarrindjeri Yannarumi Assessment – Speaking as Country	2
Strengthening Local and State Government engagement with Ngarrindjeri	2
Strategic Overview	3
The KNYA Taskforce Report	
2014 and 2015	3
Messages from the	
Co-chairpersons of the Taskforce	3
Background to the KNYA.....	5
KNYA – A Ngarrindjeri Perspective	5
The Ngarrindjeri Regional Authority	6
KNYA Taskforce.....	7
Purpose	7
Who is involved	8
Our Performance for 2014-15	9
Table 1: Summary of performance in delivering against the KNYA commitments.	9
KNYA contribution to the South Australian Strategic Plan	13
Our Engagement in 2014-15.....	16
Leader to Leader Meetings	16
Taskforce Meetings	16
Table 2: Summary of South Australian	
Government engagement in KNYA Taskforce	16
Our Highlights of 2014 and 2015	17
Australian Riverprize	18
Major Agreements	18
State Government funding secured during 2014 and 2015	18
Full-time Employment secured	18
Ngarrindjeri training outcomes	18
Research	18
KNYA Case Studies.....	20
Case Study Project – Towards joint management of Murrundi	20
Case Study Project –	
Nation to Nation	20
Case Study Project – Indigenous-led management of Sugar Shack	21
Case Study Project – Ngarrindjeri engagement in the review of the Coorong and lakes Alexandrina and	
Albert Ramsar wetland Ecological Character Description	22
Acronyms / Abbreviations / Terms	23



Opportunities and challenges for 2016 and beyond

Sustainability of the Ngarrindjeri Yarlular-Ruwe Program

The NRA's, Ngarrindjeri Yarlular-Ruwe Program (NYR) provides a culturally appropriate mechanism for Ngarrindjeri to engage in cultural heritage and natural resources management. The capacity of the NYR program has been significantly resourced by the South Australian Government's Murray Futures program and in 2015 as demonstration of the success of the program, it was awarded the prestigious Australian Riverprize.

The NRA has been utilising the KNYA mechanism in 2015 to discuss partnerships and future funding opportunities with Natural Resources Management Boards and the Minister for Sustainability, Environment and Conservation. Brokering new partnerships and funding sources will be critical for the NYR program to continue to develop and implement Ngarrindjeri engagement in their region, post Murray Futures program. It will also be critical to supporting NRA participation in Taskforce beyond June 2016.

The sustainability of Indigenous Caring for Country programs like the NYR depends upon developing a true partnership model that supports Traditional Owners to take the leading role in Indigenous engagement and Caring for Country. There is opportunity for reform that places Aboriginal representative organisations in the lead partner role of determining Aboriginal specific Caring for Country targets and priority projects; takes a Country-based approach to planning and funding; and, that builds Aboriginal engagement capacity in Aboriginal organisations.

Ngarrindjeri Yannarumi Assessment – Speaking as Country

The NRA has recently made significant progress in developing the Ngarrindjeri Yannarumi Assessment. Yannarumi – meaning speaking as country – is a Ngarrindjeri process of decision making and assessment. This process has been adapted to enable the NRA to assess the lawfulness and life giving elements of contemporary issues, including the health of Country according to Ngarrindjeri principles.

This unique community—based innovation has been utilised most recently by the NRA in consultation with Ngarrindjeri Elders has applied Yannarumi to its engagement in the management of the Coorong and Lakes Alexandrina and Albert Ramsar site, as well as an assessment of the cultural health of this site.

The Yannarumi Assessment will continue to be refined so as to provide the NRA with a culturally appropriate framework to develop and engage in programs, including Murray-Darling Basin Plan implementation and Ramsar Management Plan development.

Strengthening Local and State Government engagement with Ngarrindjeri

The NRA has brokered KNY Agreements with both State and Local Governments. Although the specific focus of the agreements varies, they each seek to establish a coordinated approach to Ngarrindjeri engagement. In 2012, Alexandrina Council became members of the KNYA Taskforce, improving relationships and providing for stronger partnerships at a local level.

In 2016, Taskforce will seek to raise awareness of the forum to local government and the benefit of a coordinated approach to Ngarrindjeri engagement. This work will compliment an NRA Indigenous Advancement Strategy program funded project working to consolidate local government KNY Agreements.

Strategic Overview

The KNYA Taskforce Report 2014 and 2015

The KNYA Taskforce sought to improve its communication about achievements against the Agreement in 2010 by the development of the KNYA Taskforce Report. This report seeks to continue reporting the valuable outcomes emerging from this Agreement and the priorities for future years. The KNYA Taskforce Reports for 2010-11 and 2012-13 can be viewed at

www.environment.sa.gov.au/Conservation/Rivers_wetlands/Coorong_Lower_Lakes_Murray_Mouth/Ngarrindjeri_engagement/Working_with_the_Ngarrindjeri_people

Messages from the Co-chairpersons of the Taskforce

NRA Report

We often hear that Aboriginal culture is the world's oldest living culture.

One of the reasons Ngarrindjeri have endured for so long is our ability to adapt and change over time and remain relevant. Relevancy has always been a necessary pre-requisite to survival and our survival has always required us to develop mature and respectful relationships with others.

This report exists due to the efforts of Ngarrindjeri leaders that came before me and the strategies which were implemented to produce the first KNYA in 2002 with the Alexandrina Council.

The KNYA Taskforce provides a platform of engagement that assist us to address some fundamental questions.

- How do we make sure the guardianship of our Ruwe, our lands and waters becomes everybody's business, not just Ngarrindjeri business?
- How do we support a cultural shift that leads to real behavioural change within the colonial institutions that govern us?; and
- How can governments ultimately benefit by incorporating Ngarrindjeri cultural values and experiences in their decision making processes?

Looking back at the past few years the Taskforce has been a platform that has propelled some key Ngarrindjeri initiatives including;

- The Australian River prize where Ngarrindjeri demonstrated an award winning collaborative, innovative and integrated approach to river basin management,

- The NRA and Commonwealth Environmental Water Holder (CEWH) Water Delivery Agreement which provides Ngarrindjeri the opportunity to engage with environmental water planning to provide water to benefit Ngarrindjeri culture,
- Ngarrindjeri Yannarumi (speaking as country) Assessment – a culturally appropriate framework developed and used by NRA to engage in programs and projects across their Yarlular –Ruwe.
- The Ngarrindjeri Speaking as Country Deed which promotes a better understanding of Ngarrindjeri values, knowledges and laws with the state and wider non-Indigenous community in relation to an open Murray Mouth
- The Water Resource Planning SOC which provides a framework to support the state in integrating Indigenous values and uses in the development of Water Resource Planning in SA as per Chapter 10 Part 14 of the Basin Plan.

Participants at Taskforce should take pleasure in the fact that their efforts have contributed to a nation leading model that we hope will set an example for other likeminded bodies across all levels of Government and the private sector.

On the latter, it is worth noting that we have recently entered into a partnership with Jawun to assist us in increasing our capacity. Through Jawun, we are able to make use of both corporate and government's most valuable resource – their people. These secondees use their skills and expertise to support our organisations in achieving our aims and we have already seen numerous and substantial benefits arising from the relationship.

Thanks again to our leadership, we are in the privileged position of being able to lead by example for our community.

Thanks also to Taskforce participants who have demonstrated their willingness to act within their sphere of influence to further the spirit of reconciliation and recognition. We congratulate all on the achievements of the last few years and look forward to continuing that work.

Yarlular-Ruwe Coordinator – Rick Hartman
Heritage Manager – Luke Trevorrow



DEWNR Program Leader, Major Projects Branch Report

The KNYA Taskforce has now been in operation since late 2009 and has been a critical component to South Australia's engagement with the Ngarrindjeri Nation during and post the Millennium Drought. Throughout 2014 and most of 2015, I had the great pleasure to co-chair the forum and be part of its continued evolution.

A highlight of the benefit and importance of the KNYA was the signing of the Water Resources Planning Statement of Commitment between NRA, DEWNR, South East Natural Resources Management (NRM) Board and SAMDB NRM Board in 2015 and associated Cultural Knowledge Agreement. This commitment brings key parties together to coordinate Ngarrindjeri engagement in the implementation of the Murray-Darling Basin Plan.

I also wanted to acknowledge the space the KNYA has created for Ngarrindjeri partnerships in the implementation of the Coorong, Lower Lakes and Murray Mouth (CLLMM) Recovery Project. In 2014 and 2015, this has enabled significant NRA and Flinders University contribution to the update of the Coorong, Lakes Alexandrina and Albert Ramsar Ecological Character Description (ECD). Partnership in developing the update has been a valuable cultural learning experience for DEWNR's staff, has contributed to an ECD that better recognises Ngarrindjeri worldview at the same time as raising awareness of the limitations of ECD to recognise these views and to frame the Ramsar concept of wise use.

This work made a significant contribution to the NRA, in partnership with DEWNR, winning the Australian Riverprize

in 2015, in recognition of the innovative Ngarrindjeri engagement approaches to river management we have developed under the KNYA. In 2016, the NRA are finalists in the International Riverprize and I wish them the best of luck.

The Taskforce has been essential in supporting the implementation of the KNYA with the South Australian Government. As of the end of 2015, the majority of specific commitments under the Agreement had been met. What remains though is an ongoing commitment to consult with the NRA regarding Ngarrindjeri interests in water, land and protected areas management, as well to negotiate co-management for parks and reserves in the context of resolving the Ngarrindjeri and Others Native Title claim.

In 2016 Taskforce will further investigate the benefit of coordinating both State and Local Government KNY Agreements through the forum. There has been great benefit in Alexandrina Council membership in Taskforce, providing a strong local influence to discussions and strengthening joint initiatives and engagement with the NRA and broader Ngarrindjeri Nation.

My involvement in Taskforce has been extremely valuable to me and I know it continues to be a valuable experience for public sector representatives. Having moved to a different role in DEWNR, I wish its members all the best in the continued development of this important forum.

Janice Goodwins
Former Program Leader, Strategy and Business
Department of Environment, Water and Natural Resources



Background to the KNYA

Kungun Ngarrindjeri Yunnan Agreement (KNYA) translates to mean Listening to Ngarrindjeri people talking agreement. The KNYA is a consultation and negotiation agreement between the South Australian Government and the Ngarrindjeri Regional Authority (NRA). The full agreement can be viewed at:

www.environment.sa.gov.au/about-us/aboriginal-partnerships

The Agreement seeks to enable Ngarrindjeri cultural values to become integral to all planning and future management arrangements for the land and water – assuring active Ngarrindjeri participation in caring for the region. It also seeks to support Ngarrindjeri gaining economic benefit and employment from the management of parks and reserves in their region. The agreement was signed in 2009 on behalf of the South Australian Government by the:

Hon. Jay Weatherill

Minister for Environment and Conservation
Minister for Aboriginal Affairs and Reconciliation

Hon. Karlene Maywald

Minister for the River Murray

Hon. Paul Caica

Minister for Agriculture, Food and Fisheries

and on behalf of the Ngarrindjeri people and representing the NRA by:

Mr George Trevorrow

Chair, Ngarrindjeri Tendi Inc.
(deceased)

Mr Tom Trevorrow

Chair, Ngarrindjeri Heritage Committee Inc.
(deceased)

Mr Matt Rigney

Chair, Ngarrindjeri Native Title Management Committee
(deceased)

KNYA – A Ngarrindjeri Perspective

The KNYA is an Ngarrindjeri Elders and Leaders initiative that came after the events of the *Kumarangk* (Hindmarsh Island) Royal Commission. Ngarrindjeri wanted to build a new relationship with government based on respect and recognition of Ngarrindjeri as the Traditional Owners of their country.

Today, NRA has KNYA's with the South Australian Government, Alexandrina Council, Coorong District Council, and Rural City of Murray Bridge. The NRA is also progressing agreements with other local Council in the Ngarrindjeri Nation as well as with parts of the Australian Government.

The KNYA was also a key initiative to further progress the aspirations of the Ngarrindjeri as documented in the *Ngarrindjeri Yarluwar-Ruwe Plan*. It also builds upon the objectives and intent of the *Ngarrindjeri Regional Partnership Agreement, 2008*, between the NRA, South Australian and Australian Governments.

Mr Tom Trevorrow spoke about how the KNYA creates a corporate memory in government about their commitments and a stepping stone for future working relationships with Ngarrindjeri. Mr Trevorrow said:

Government people come and go but we are Ngarrindjeri and we will always be here because this is where we live, this KNYA is written in black and white on paper so it will outlast changes in government.

Ngarrindjeri see the KNYA as pivotal to securing support for their community after the loss of the Aboriginal and Torres Strait Islander Commission and then the Community Development Employment Project. The Natural Resource Management (NRM) Industry objectives are similar to Ngarrindjeri aspirations to care for country and the investment in NRM in the Ngarrindjeri region is seen as an opportunity for community development.

Ngarrindjeri see the KNYA Taskforce as the forum to imbed Ngarrindjeri values, interests and long-term objectives into government policy and planning relating to the Ngarrindjeri homelands. Mr Matt Rigney said:

it also allows for one government (Ngarrindjeri Elders) to consult and negotiate with another government (Ministers).

The South Australian Government confirms that the taskforce provides an interface between Ngarrindjeri and the government to discuss policy and planning matters relevant to the KNYA.

The Ngarrindjeri Regional Authority

The Ngarrindjeri Regional Authority (NRA) represents the communities and organisations that currently make up the Ngarrindjeri nation and the current individual Native Title claimants of the Ngarrindjeri and Others Native Title Claim. The NRA was established in 2007 and the structure is based on the traditional governance of the Ngarrindjeri Tendi.

The NRA's charter is to achieve better economic outcomes and development for the communities and individuals it represents by developing initiatives to achieve these results.

Today the NRA has identified key goals that respect cultural responsibility and have as their purpose ensuring healthy people, lands and waters and all living things. These principles prioritise the interconnectivity between people and Country. The purpose and goals of the NRA are as follows:

Ngarrindjeri Regional Authority:

Building our Nation

Securing our future

Caring for our people, lands, waters and all living things

Goals:

Strong Culture; Sovereign First Nation; Secure Future; Healthy Country; Confident People; Creative Economy; Respected History; Regional Leader

Message:

Working together for a strong, healthy and sovereign Ngarrindjeri nation

This is being done whilst still maintaining the unique Ngarrindjeri culture, cultural knowledge and materials. The NRA represents the Ngarrindjeri people in implementing the KNYA. The NRA website can be viewed at

www.ngarrindjeri.org.au

Where the KNYA operates

The KNYA applies over all land and water in the Ngarrindjeri and Others Native Title Claim Area (6027/98). The native title claim was lodged in 1998 and covers an area of 10,353 square kilometres in the Lower Murray, Lakes, Coorong, eastern Fleurieu Peninsula and Encounter Bay region. The claim area extends up to 2.7 kilometres out to sea.





KNYA Taskforce

KNYA Taskforce is an Aboriginal roundtable forum that supports whole-of-government engagement between the Ngarrindjeri Nation and the South Australian Government.

Purpose

KNYA Taskforce was established to provide a forum for consultation regarding matters under the KNYA, as a point for initiation of matters for negotiation and the provision of strategic advice and direction regarding natural resources and cultural heritage management issues. The KNYA Taskforce creates a space between the Ngarrindjeri Nation and the State for the following:

- Regular and clear information exchange between Ngarrindjeri and the State
- Proper consideration being given to Ngarrindjeri heritage matters
- Coordinating meaningful Ngarrindjeri contribution to planning and implementation
- Integrating of Ngarrindjeri participation within and across Government programs
- Sharing understanding and awareness of perspectives, interests and aspirations.



Who is involved

Taskforce comprises representatives from the NRA, nominated State Government officers under the Portfolio's of the signatory Ministers, and local Government representatives. Taskforce meets monthly and is guided by a Terms of Reference and Strategic Implementation Plan. The following State and Local Government departments and instrumentalities are represented:

- Department of Environment, Water and Natural Resources (DEWNR), including:
 - Natural Resources Adelaide Mount Lofty Ranges (NR AMLR)
 - Natural Resources South Australia Murray-Darling Basin (NR SAMDB)
 - Natural Resources South East (NR SE)
- Department of State Development – Aboriginal Affairs and Reconciliation
- Environment Protection Authority (EPA)
- Primary Industries and Regions SA (PIRSA)
- SA Water
- Alexandrina Council.

A number of other parties have also participated in the Taskforce forum in *ex officio* capacity including the Australian Government's Department of Prime Minister and Cabinet (formerly Families, Housing, Communities and Indigenous Affairs (FaHCSIA)). The Attorney General's Department, Crown Solicitor's Office also supports the State Government representatives with legal advice. The NRA is also supported by legal advisor at Taskforce meetings from time to time.

In addition to routine consultation, Taskforce is also guided by a Strategic Implementation Plan. The Plan has six high level objectives that cover the breadth of issues identified by the Taskforce and align with the intent of the KNYA:

1. Building upon and promoting the significance of the KNYA Taskforce;
2. Supporting Ngarrindjeri education, training and capacity building;
3. Supporting Ngarrindjeri and the South Australian Government to Care for Country;
4. Supporting Ngarrindjeri economic development opportunities;
5. Support coordinated and appropriate engagement with Ngarrindjeri on water related planning and management issues that affect the Ngarrindjeri Nation; and,
6. Encourage respectful and best practice research engagement with Ngarrindjeri.

High level outcomes have been identified for each objective as well as a range of strategies and associated actions.

Our Performance for 2014-15

The KNYA commits the South Australian Government to a range of one off commitments as well as numerous ongoing matters for good faith consultation and negotiation. The commitments outlined in the KNYA are presented in Table 1, with summaries of their progress and an indication of performance.

 **Achieved Commitment met**
 **On track Progress ahead of what was expected**
 **Ahead Progress as expected**
 **Limited progress Some progress but commitment not likely to be met with current trend**




Table 1: Summary of performance in delivering against the KNYA commitments.

General KNYA Commitments			
Clause	Commitment	Progress Summary	Performance Score
3.1.1	An amount of no less than \$2.5M of Ngarrindjeri involvement in Lower Lakes Bioremediation and Revegetation Project	Funding agreement signed in August 2010. Project now completed.	
3.2.1	Consultation regarding cultural water requirements and flows	This commitment was related to the allocation of 50 gegalitres of water to Lake Alexandrina between 2009 and 2010. This consultation did not occur within this time period. However the NRA recently entered into a water delivery agreement with the Commonwealth Environmental Water Holder (CEWH) that seeks to progress the intent of this commitment, but directly with the Commonwealth Authority. This will be complemented by the good working relationship between NRA and DEWNR.	
3.2.2	Public acknowledgement of Federal Court Decision on Hindmarsh Island	Hon. Paul Caica MP made the acknowledgement at NAIDOC Week event in July 2010.	
4.3	Commit \$600K over three years to support NRA development and participation	The 3rd and final instalment of funds was delivered in June 2011.	





KNYA Matters for Consultation

Clause	Commitment	Progress Summary	Performance Score
5.1.1	Gaining economic benefit from management of parks and reserves	<ul style="list-style-type: none"> As of end 2015, 3 Ngarrindjeri Rangers were being recruited through NRA's member organisation, the Ngarrindjeri Lands and Progress Association to work with DEWNR on Coorong NP and a further DEWNR Ngarrindjeri Cultural Ranger Natural Resources SAMDB and NRA continue to partner in environmental works in a number of Conservation Parks as part of the Murray Bridge Aboriginal Learning on Country (ALoC) project employing 4 people DEWNR and PIRSA commenced discussions with NRA in late 2015 about developing a pilot Sea Country Rangers program with links to Fisheries and Marine Parks. 	
5.1.2	Management planning for protected areas, water resources and water	<p>The Taskforce enabled consultation regarding the following initiatives during 2014-15:</p> <ul style="list-style-type: none"> KNYA Water workshop held in February 2014 to recognise Ngarrindjeri interests in water planning and policy The NRA input to the SA Long-Term Environmental Watering Plan Consultation under the Murray-Darling Basin Plan, SA Murray Region Water Resources Plan Consultation under the Murray-Darling Basin Plan, SA Murray Region Water Resources Plan Partnership in developing the Coorong, Lakes Alexandrina and Albert Ramsar Ecological Character Description Finalisation of the Ngarrindjeri-led Sugar Shack Wetland Complex Management Plan AMLR, SE and SAMDB NRM Board's Regional NRM Plan and Business Plan reviews Water Resources Planning Statement of Commitment and associated Cultural Knowledge Agreement signed between NRA, DEWNR, SE and SAMDB NRM Boards. 	

KNYA Matters for Consultation (Continued)

Clause	Commitment	Progress Summary	Performance Score
5.1.3	Ngarrindjeri interests built into Murray Futures program	<ul style="list-style-type: none"> • CLLMM Ngarrindjeri Partnerships Project funding and service agreement signed between the NRA and Minister for Sustainability, Environment and Conservation in 2012 • DEWNR continued to grant funding to NRA's contracting organisation to undertake on ground delivery of CLLMM management actions during 2014-15 • Ngarrindjeri consultation components built into CLLMM emerging project proposals submitted to the Australian Government in 2015 • Riverine Recovery Project (RRP) Ngarrindjeri Partnerships Project funding and service agreement signed between NRA and Minister for Water and the River Murray in 2013 • Ngarrindjeri engagement incorporated into RRP Phase 2 Business Case submitted to the Australian Government in 2015. 	
5.2	Quarterly Leader (NRA Leadership) to Leader (Ministers) Meetings	<p>Seven meetings occurred in 2014 and 2015. Key issues included:</p> <ul style="list-style-type: none"> • South East Flows Restoration Project (SEFRP), Riverine Recovery Project (RRP) Phase 2, Aboriginal Regional Authority (ARA) policy, Ngarrindjeri Yarluwar-Ruwe (NYR) Program funding, Long-nosed Fur Seal (LNFS), NRA / Commonwealth Environmental Water Holder (CEWH) Agreement, State Priority Projects, Native Title resolution, Murray Mouth dredging, The Living Murray (TLM) program. • NRA also met with the Minister for Sustainability, Environment and Conservation and Presiding Members of the SE, SAMDB, AMLR NRM Boards on 28 September 2015 to discuss future support for the NYR program. 	
5.3	Leader to Leader Meeting Reports	Group Executive Directors and agency advisors attending meetings in 2014-15 to support reporting to agencies.	

KNYA Matters for Negotiation

Clause	Commitment	Progress Summary	Performance Score
6.1.1	Hand-back and co-management of national parks and conservation parks in the context of native title claim resolution	<ul style="list-style-type: none"> Co-management negotiations regarding Coorong National Park continued during 2014-15 Native Title claim resolution tenure search discussions with SA Government. 	
6.1.3	Agreement regarding Ngarrindjeri ownership and management of cultural knowledge	<ul style="list-style-type: none"> Cultural Knowledge and Intellectual Property clause included in CLLMM and RRP Long-term Ngarrindjeri Partnerships Project funding agreements Clause also included in the joint Living Murray / NRA Indigenous Partnerships Project (IPP) funding agreement Cultural Knowledge Agreement signed to accompany the Water Resource Planning Statement of Commitment. 	
6.1.4	Good faith negotiations regarding other matters relating to the KNYA	<p>Key Matters for 2014 and 2015:</p> <p>SA Ngarrindjeri Speaking as Country Deed and associated Grant Agreements for the Murray Mouth sand pumping program</p> <p>CLLMM South East Flows Restoration Project grant agreements with the NRA</p>	
6.2	Negotiation process	Taskforce continues to follow the principles of negotiation set out in Schedule 1 of the KNYA.	

KNYA contribution to the South Australian Strategic Plan

The KNYA and the whole-of-government roundtable forum created by the KNYA Taskforce meetings support important contributions to the South Australian Strategic Plan's Aboriginal related targets. Given the scope of the KNYA, summaries of the contribution being made are only presented for selected targets.



Target	Target Description	Contribution
5	Unemployment rate	<p>The KNYA contributed to the reduction in unemployment rates of Ngarrindjeri in 2014 and 2015:</p> <ul style="list-style-type: none"> • 9 Ngarrindjeri FTE under CLLMM, RRP and TLM funding and service agreement. • 10 FTE Ngarrindjeri employed through Ngarrindjeri Ruwe Contracting servicing predominantly State Government contracts and grants (including a pool of 15 casual workers utilised for seasonal planting work during 2014 and 2015). • 1 FTE Ngarrindjeri employed by DEWNR in SE region • 3 FTE through Australian Government Working on Country program contract to work in Coorong National Park. • NLPA continued to employ 9 FTE under Working on Country contract with the Australian Government, with support from the NRA.
6	Labour force participation rate	<p>The KNYA continued to facilitate local and State Government contracts and grants that supported Ngarrindjeri Ruwe Contracting (NRC) increasing Ngarrindjeri labour force participation rates</p>
9	Vocational education and training attainment (load pass rate)	<p>NRA supported 20 Ngarrindjeri through accredited vocational training units during 2014 and 2015 as part of Certificate IV in Conservation and Land Management.</p> <p>Five Ngarrindjeri enrolled in the Graduate Diploma in Conservation and Land Management in late 2015.</p>
17	Number of Aboriginal people on government boards and committees	<p>A number of key NRA Board members and Elders on government boards and committees:</p> <ul style="list-style-type: none"> • Clyde Rigney Jnr member on the South Australian Aboriginal Advisory Council and the Aboriginal Lands Trust Board. • Grant Rigney member of the Murray-Darling Basin Community Committee. • Eunice Aston member on the Premier's Council for Women.
18	Number of Aboriginal people undertaking Aboriginal heritage site recording training (per annum)	<p>The NRA has facilitated the delivery of a tailored heritage training program to in excess of 20 Ngarrindjeri over 2014 and 2015, with an emphasis on the involvement of Elders and cultural knowledge transmission.</p> <p>This training also included week long intensive training related to repatriation, developed and delivered in partnership with the Australian National University (ANU) and Flinders University.</p>



Target	Target Description	Contribution
20	Proportion of schools with Aboriginal cultural studies in curriculum	NRA is working towards building upon the language and cultural studies curriculum at Murray Bridge North, and Murray Bridge South Primary Schools, Victor Harbour High School, Raukkan Primary School, and Unity College.
21	Native title claims resolved	The NRA is in negotiation with the SA Government regarding resourcing tenure history searches as part of the resolution of the Ngarrindjeri and Others Native Title claim in 2015.
28	Aboriginal leadership: Increase the number of Aboriginal South Australians participating in community leadership and in community leadership development programs	Note progress against Target 17. In addition, NRA supported five Ngarrindjeri employees to complete Certificate IV in Conservation and Land Management.
51	Aboriginal unemployment: Halve the gap between Aboriginal and non-Aboriginal unemployment rates by 2018.	On Ngarrindjeri country, the further rationalisation of Australian Government Indigenous programs into the Indigenous Advancement Strategy program has resulted in the withdrawal of funding from the region and significantly impacted on this employment gap during 2014/15.



Our Engagement in 2014-15

The KNYA commits the South Australian Government to consult and negotiate with the Ngarrindjeri over a number of matters. The engagement process occurs at three levels:

- Leader to Leader
- KNYA Taskforce
- KNYA Taskforce Working Group

Leader to Leader Meetings

Ngarrindjeri Elders and Ministers met on five occasions in 2014 and 2015.

Taskforce Meetings

The KNYA Taskforce has met on 18 occasions during 2014 and 2015, including the KNYA Water Workshop held on 24 February 2014. A total of 313 attendees (165 SA Government, 134 NRA, 14 Alexandrina Council) participated in over 939 meeting hours during this period.

DEWNR has estimated the cost of South Australian Government attendance at each KNYA Taskforce meeting at \$3,200, with a total of approximately \$35,000 per annum (based on 11 meetings). DEWNR also funds the Government's Executive Officer to Taskforce at approximately 0.2FTE.

South Australian Government Department engagement in the KNYA Taskforce has been variable and is presented in Table 2.

Table 2: Summary of South Australian Government engagement in KNYA Taskforce

Year	DEWNR	PIRSA	DSD-AAR	SA Water	EPA	NR AMLR	NR SE	NR SAMDB
2014-15	F	P	F	F	F	F	F	F

Participation levels

F = Full time; P = Part time; N = Nil

Representatives from the Australian Government's Department for Prime Minister and Cabinet, Commonwealth Environmental Water Office, Uniting Communities, Murrundi Aboriginal Controlled Health Service, Darpinkun Aboriginal Land Council, and Flinders University also participated at KNYA Taskforce meetings during 2014 and 2015.

Our Highlights of 2014 and 2015

The Agreement and the KNYA Taskforce established to coordinate its implementation have been highly successful in building a new relationship between Ngarrindjeri and the South Australian Government, and delivering on ground benefits to the Ngarrindjeri community.



Australian Riverprize

In 2015 the NRA in partnership with DEWNR were awarded the prestigious Australian Riverprize.

The Riverprize is Australia's top award for effective and sustainable river basin management. It was awarded to the Murray River's Ngarrindjeri Yarluwar-Ruwe (Caring as Country) Program for its long-term commitment to integrated river basin management, including Aboriginal involvement, equitable government relationships and international partnerships. The NRA are now finalists for the 2016 International Riverprize.

The NRA also recognised partnerships with Flinders University, Goyder Institute for Water Research, the Commonwealth Department of the Environment and the Australian Research Council as critical to its achievements in integrated river management.

Major Agreements

The KNYA has underpinned the development of a number of agreements between NRA and government in 2014 and 2015 including:

- Ngarrindjeri Speaking as Country Deed – Murray Mouth Sand Pumping, 2014
- Water Delivery Agreement between NRA and Commonwealth Environmental Water Holder, 2015
- Water Resources Planning Statement of Commitment, 2015

State Government funding secured during 2014 and 2015

A total of approximately \$5.2 million in funding from the State Government has been secured by the NRA through the KNYA (includes NRA member organisations and advisors). Delivery of the funding has been achieved through a combination of funding and service agreements and commercial contracts:

\$5,189,709

DEWNR funding to NRA, NRA member organisations and NRC

\$36,160

SA Water contracts with NRA / NRC

TOTAL \$5,225,869

Full-time Employment secured

The KNYA has facilitated the full-time employment of Ngarrindjeri through the NRA and this has in turn supported these Ngarrindjeri securing full-time employment outside of the organisation. One former NRA employee has secured full-time employment outside of the organisation in 2015 (employed through the Eastern Hills). NRC secured a partnership with Fulton Hogan contractors resulting in three Ngarrindjeri obtaining employment during this period.

Ngarrindjeri training outcomes

The NRA supported twenty Ngarrindjeri trainees during the period in completing units as part of Certificate 3 in Conservation and Land Management and supported five Ngarrindjeri to complete Certificate IV.

Research

The NRA continued to be engaged in a number of research partnerships to analyse and publicise the effectiveness of the KNYA, or matters subject to the Agreement in 2014-15. The NRA's Research, Policy and Planning Unit based in Flinders University, continues to provide advice and expert input to the NRA.

Research Projects – Successful

ARC Linkage Project title: 'Return, Reconcile, Renew Project: Understanding the history effects and opportunities of repatriation and building an evidence base for the future'. Research organisations: Australian National University, Flinders University, University of Queensland, University of Melbourne, University of Otago. Partner organisations Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS), Australian Government Office for the Arts, Kimberley Aboriginal Law and Culture Centre, NRA, National Museum of Australia, Association of American Indian Affairs, Museum of New Zealand Te Papa Tongarewa, Gur A Baradharaw Kod Torres Strait Sea and Land Council.

Research Cluster Grant title: 'Indigenous Nation Building: An International Research Collaboration'. Research organisations: University of Melbourne School of Government, Charles Sturt University, Native Nations Institute, Flinders University, Royal Melbourne Institute of Technology, University of Arizona, University of Technology Sydney.

Goyder Institute Research Project title 'River Murray Catchment Program'. NRA Research, Policy and Planning Unit in Flinders University partners in considering the Indigenous engagement in water. Goyder is a partnership between SARDI, University of South Australia, Flinders University, CSIRO.

Conference Presentations

2015 Hemming, S., and Rigney D., Rigney, G., Trevorrow, L., Hartman, T., Rigney, C., and Sutherland, L., Sustaining and protecting Indigenous Ecological Knowledge, Ecological Society of Australia, Annual Conference, Adelaide, 29 - 3rd December.

2015 Hemming, S. and Rigney, D. 18th International River *Symposium*, Healthy Rivers – Health Economies, Keynote address: Murray River (Murrundi): Ngarrindjeri Nation, Healthy Flows, Healthy Future, 21-23 September, Brisbane.

2015 Ngarrindjeri Regional Authority, Ngarrindjeri Yarluwar-Ruwe Protocols Workshop: Ngarrindjeri engagement in Ramsar Ecological Character Description, Nunkuwarrin Yunti, Adelaide, 29th July.



2015 Hemming, S., and Rigney, D., Camp Coorong ARC Workshop, presentations re: Ngarrindjeri repatriation, nation building and the complexities of community issues, 6-10th July, Camp Coorong, Meningie.

2015 Rigney, D., Hemming, S., and Hartman, T. Ngarrindjeri Yannarumi: Caring as Country and Nation building, Indigenous Nation Building Project, ARC Linkage and MSoG Cluster Combined Meeting, Melbourne University Law School, 27 April.

2015 Cosens, B., Hemming, S., and Rigney, D. Indigenous Water Governance and Capacity Building: Reflections from the Western United States and South Australia, Joint Public Seminar, Office of Indigenous Strategy and Engagement, Yunggoorendi First nations Centre & Goyder Institute for Water Research, Flinders University, Victoria Square Campus, Adelaide 14 April.

2015 Hemming, S. and Rigney D. Indigenous engagement in environmental water planning, research and management: Innovations in South Australia's Murray-Darling Basin Region Goyder Institute for Water Research, Annual Conference, Water Research Showcase, Adelaide University, 17-18 February.

2014 Rigney (Jnr) C., Trevorrow, L., Sumner, D., Hemming, S., Rigney, D. Ngarrindjeri Regional Authority's Yarluwar-Ruwe (Sea Country) Program: Working together for a strong, healthy and sovereign Ngarrindjeri Nation', Emerging Issues in Land and Sea Management - National Native Title Conference, Coffs harbor, NSW, June 2-4 2014.

2014 Campbell, I., Hartman, R., Hemming, S. and Taylor, B. Murrundi Recovery Project, Innovations in Indigenous wetland planning: the Sugar Shack Complex as a case study, SA NRM Science Conference, Adelaide, 14-15 April.

2014 Rigney (Jnr), C., Hemming, S. and Sutherland, L. Ngarrindjeri Partnerships and describing the character of Yarluwar-Ruwe, SA NRM Science Conference, Adelaide, 14-15 April.

Publications completed or in preparation

Hemming, S., Rigney, D., Berg, S. & Lockwood, C. (in preparation) 'Ngarrindjeri Ruwe/Ruwar: a history of the Lower/Mid Murray, Lakes and Coorong, 1836-1980s' in Brock, P. & Gara, T. (Eds.) Colonialism and its Aftermath: Aboriginal History in South Australia 1836-1880s, Wakefield Press, Adelaide.

Hemming, S. & Rigney, D. (in preparation) 'Ngarrindjeri Yarluwar-Ruwe: a Ngarrindjeri Perspective of the Kurangk (Coorong), Lower Lakes and Murray Mouth' in Natural History of the Coorong, Lower Lakes and Murray Mouth(CLLMM), Natural History Series, Royal Society of SA.

Hemming, S. & Rigney, D. (in press) 'Ngarrindjeri nation-building: Securing a Future as Ngarrindjeri Ruwe/Ruwar (lands, waters and all living things)', in Indigenous Self Governance: An International Perspective (eds.) Nikolakis, W., Nelson, H.W. & Cornell, S. University of British Columbia Press.

Rigney, S. & Hemming, S. (in press) "'Survival in our own land": Unsettling, re/inhabiting and Ngarrindjeri Futures', *Educational Philosophy and Theory*, Special Issue.

2015 Rigney, D., Bignall, S. and Hemming, S. Negotiating Indigenous Modernity: Kungun Ngarrindjeri Yunnan - Listen to Ngarrindjeri Speak. *AlterNative: An International Journal of Indigenous Peoples*, 11(4) pp. 334-349.

2014 Hemming, S. and Rigney, D. Indigenous engagement in environmental water planning, research and management: Innovations in South Australia's Murray-Darling Basin Region. Adelaide, South Australia: Goyder Institute for Water Research.

2014 Rigney, D. and Hemming, S. Is 'Closing the Gap Enough'? Ngarrindjeri ontologies, reconciliation and caring for country. *Educational Philosophy and Theory*, 46(5) pp. 536-545.

KNYA Case Studies

Case Study Project – Towards joint management of Murrundi

The KNYA has provided the basis for a number of new arrangements between Ngarrindjeri and State and National water management authorities. NRA considers these new arrangements as important steps towards 'joint management' of Murrundi.

Over 2014 and 2015 three new agreements have been brokered that establish new frameworks for Ngarrindjeri engagement in key Murrundi management issues: Water Resources Planning Statement of Commitment (SOC); NRA and Commonwealth Environmental Water Holder (CEWH) Water Delivery Agreement; and, Ngarrindjeri Speaking as Country Deed – Meeting of the Waters site.

The *Water Resources Planning SOC* establishes a new relationship between the NRA, DEWNR and the SE and SAMDB NRM Board in the implementation of the Murray-Darling Basin Plan. The SOC includes an associated Cultural Knowledge clause that will provide Ngarrindjeri with assurances that any knowledge shared during Basin planning, will be appropriately managed.

The SOC establishes a working group arrangement between the parties to coordinate Ngarrindjeri engagement in Basin Plan implementation. The SOC also recognises the critical need for Indigenous organisations like the NRA to engage in water management, build its internal capacity, and provide economic and employment opportunities for the Ngarrindjeri Nation into the future.

A copy of the SOC can be viewed here:

www.environment.sa.gov.au/about-us/aboriginal-partnerships

The new agreement will see the NRA developing and submitted watering proposals, enabling the integration of Ngarrindjeri Cultural Knowledge in the delivery of environmental water in South Australia.

In late 2014, DEWNR made a decision with the support of other Basin States to re-commence dredging of the Murray Mouth. An open mouth is critical to maintaining connectivity between the Coorong and the sea, including salt export out of the Basin. Previous Ngarrindjeri engagement in the dredging operations focussed on cultural heritage monitoring.

In late 2014, DEWNR took a decision with the support of other Basin States to re-commence dredging of the Murray Mouth. An open mouth is critical to maintaining connectivity between the Coorong and the sea, including salt export out of the Basin. Previous Ngarrindjeri engagement in the dredging operations focussed on cultural heritage monitoring.

In recognition of a more holistic view of cultural heritage and Caring for Country, DEWNR and NRA negotiated the *Ngarrindjeri Speaking as Country Deed – Meeting of the Waters*. The deed commits the parties to work together to implement strategies and programs to enhance and foster the cultural and environmental well-being of the area encompassing the 'Meeting of the Waters' Aboriginal Site, including the Murray Mouth. This includes investigations and advice on archaeological heritage matters, as well as restoration and awareness raising activities that seek to maintain the character and health of the Meeting of the Waters site.

The deed will form the basis for future Ngarrindjeri engagement in Murray Mouth sand pumping, as well as water resources planning to maintain an open mouth.

Case Study Project – Nation to Nation

The KNYA and the NRA governance structure has been borrowed from heavily in the co-design of the South Australian Government's first Aboriginal Regional Authority (ARA) Policy. Innovative components of the KNYA have been incorporated into the draft policy, including a Leader to Leader relationship, recognition of an ARA's cultural authority and committing agencies to consult, negotiate and engage an ARA on policy and program development and implementation.

From 2013-2016 the South Australian Government undertook an extensive consultation process across South Australia to co-design the policy. In 2014 the NRA took part in an intensive workshop program and were one of four Aboriginal Regional Authority trial groups selected from across South Australia through an Expression of Interest process.

The workshop program was independently facilitated by PricewaterhouseCoopers Indigenous Consulting and gave the trial groups the opportunity to draw on their experiences as Aboriginal governance groups to co-design elements of the Policy. In addition, the NRA RPPU based at Flinders University was also engaged to deliver Nation Building workshops with State Government leaders and the Public sector regarding the KNYA engagement strategy.

Through this process, the State Government funded the NRA Media Team in conjunction with Change Media to produce a documentary about the Policy's development aimed at capturing the views and experiences of the four trial groups. The ARA documentary can be found at:

www.statedevelopment.sa.gov.au/aboriginal-affairs/aboriginal-affairs-and-reconciliation/current-initiatives/aboriginal-regional-authority-policy



Case Study Project – Indigenous-led management of Sugar Shack

Sugar Shack Wetland Complex is in the traditional lands and waters of the Ngarrindjeri, Ngawang and Nanguraku peoples. Through the support of the NRA and DEWNR, the Mannum Aboriginal Community Association Incorporated (MACAI) has developed the first Indigenous-led wetland management plan for the region.

Between late 2013 and through 2014 DEWNR seconded a wetland ecologist to the NRA to support the development of the plan in consultation with MACAI. The nine month secondment supported significant consultation with MACAI and NRA to develop the plan, but also workshops on wetland ecology and field-based surveys that exchanged skills and knowledge.

The resulting wetland management plan incorporates MACAI's overarching management vision that conditions should, as closely as possible, resemble those experienced by their ancestors.

The MACAI vision has been coupled with the use of a novel approach to estimating the watering regime for the wetlands. Instead of utilising key species habitat requirements, the Robinson hydrographic model that hindcasts daily river stage for the period 1895 to 2009 under unregulated conditions was used to set target hydrographs for wetlands in the complex.

This work has been funded by the South Australian Government and Australian Government's Riverine Recovery Project as well as through contributions from NRA and the NRA RPPU based at Flinders University.



Case Study Project – Ngarrindjeri engagement in the review of the Coorong and lakes Alexandrina and Albert Ramsar wetland Ecological Character Description

The Coorong and Lower Lakes in South Australia are listed as a wetland of international importance under the Ramsar Convention. The KNYA process has supported Ngarrindjeri contribution to the review of the Ramsar wetlands Ecological Character Description (ECD).

In 2014, Ngarrindjeri and DEWNR entered into a Statement of Commitment (SOC) which established a more equitable and culturally appropriate framework for Ngarrindjeri to provide input into the development of the ECD, including mechanisms to negotiate the use of cultural knowledge.

The process has provided an opportunity for Ngarrindjeri to speak as country (Yannarumi) which is crucial for healthy Ruwe/Ruwar within the Ramsar wetland site.

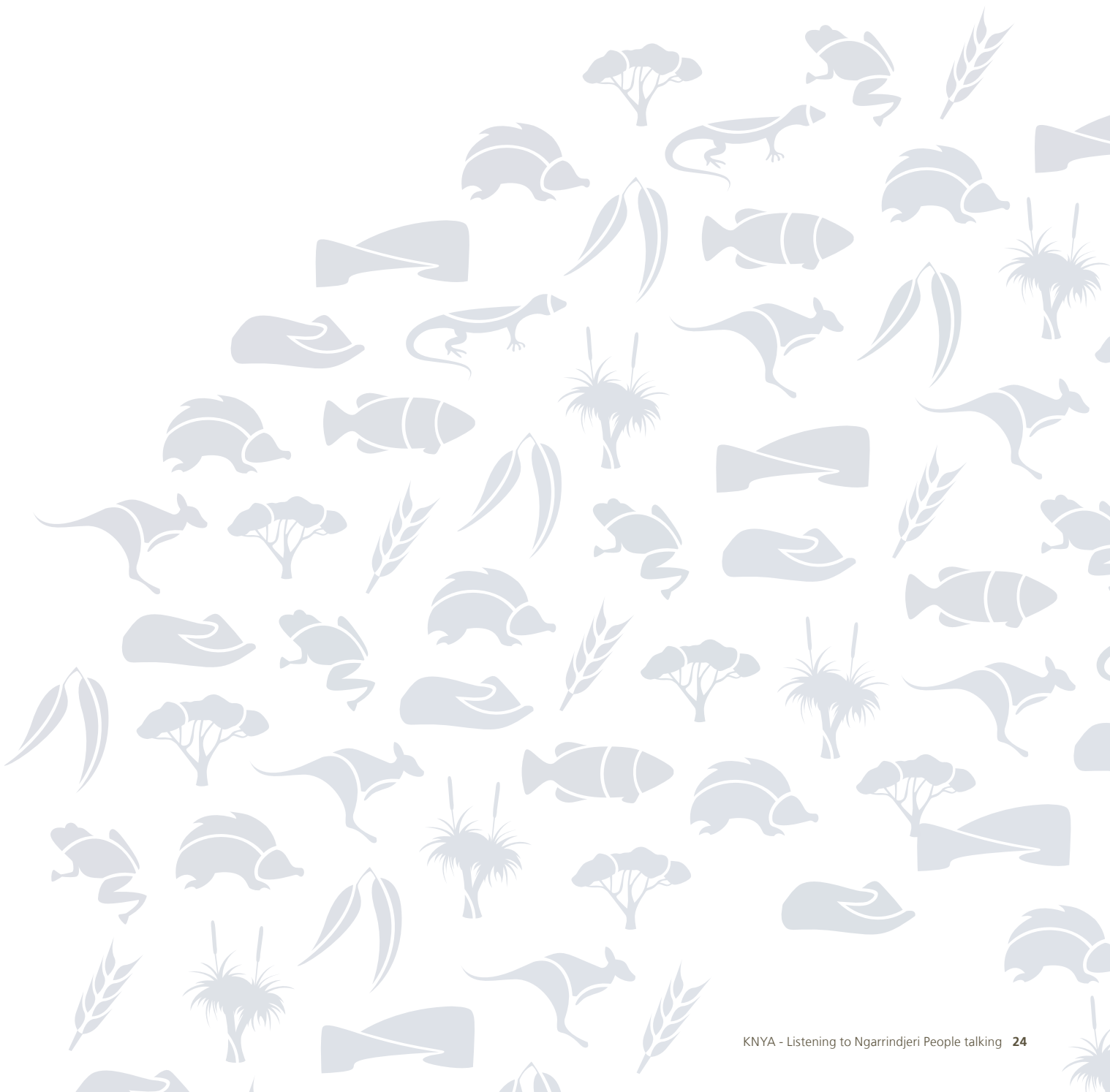
Ngarrindjeri review and input to the ECD report has incorporated Ngarrindjeri philosophies of Ruwe/Ruwar – the interconnectivity of lands, waters, spirit and all living things as well as insights into how to better recognise Indigenous worldviews in the process of describing ecological character.

Ngarrindjeri as part of their input into the ECD are also conducting a Ngarrindjeri Yannarumi assessment of the Coorong and Lakes Ramsar site to determine the health of Ngarrindjeri Yarluwar-Ruwe. The Ngarrindjeri Yannarumi assessment provides ‘time-slice’ assessments of health from the Kaldowinyeri (Creation) through to Ramsar listing and recent agreements.

It is anticipated that Ngarrindjeri insights developed during their engagement in the ECD will contribute to a discussion paper on the *National framework and guidance for describing the ecological character of Australian Ramsar Wetlands 2008* and how it can better take into account cultural values of wetlands and the concept of ‘wise use’.

Acronyms / Abbreviations / Terms

AGD	Attorney General's Department (SA)
AMLR NRM Board	Adelaide Mount Lofty Ranges NRM Board (SA)
ARC	Australian Research Council
Caring for Country	Aboriginal English term regarding Aboriginal peoples relationships to, and their rights and responsibilities to look after, their country
CLLMM	Coorong, Lower Lakes and Murray Mouth
CoAG	Council of Australian Governments
Closing the Gap	Closing the Gap on Indigenous Disadvantage Statement, CoAG, 2008
CSO	Crown Solicitor's Office of AGD (SA)
DEWNR	Department of Environment, Water and Natural Resources (SA)
DPC	Department of Premier and Cabinet (SA)
DPMC	Department of Prime Minister and Cabinet (Aus)
DotE	Department of the Environment (Aus)
DSD-AAR	Department for State Development – Aboriginal Affairs and Reconciliation
IAS	Indigenous Advancement Strategy Program (Aus)
IHP	Australian Government's Indigenous Heritage Program
IPA	Australian Government's Indigenous Protected Areas Program
KNYA	Kungun Ngarrindjeri Yunnan Agreement (listening to Ngarrindjeri people speaking)
MDB	Murray Darling Basin
MDBA	Murray Darling Basin Authority (Aus)
NP	National Park
NRA	Ngarrindjeri Regional Authority
NRM	Natural Resource Management
PIRSA	Department of Primary Industries and Resources (SA)
RSSA	Rural Solutions South Australia of PIRSA (SA)
Rupelle	Elected head of the Ngarrindjeri Tendi
Ruwe	Ngarrindjeri word for country
SAMDB NRM Board	South Australian Murray Darling Basin NRM Board (SA)
SARDI	South Australian Research and Development Institute
SA Water	South Australian Water Corporation
SE NRM Board	South East NRM Board (SA)
Tendi	Ngarrindjeri traditional governing council
TLM	The Living Murray
Uni SA	University of South Australia
WoC	Australian Government's Working on Country Program
Yarluwar Ruwe	Ngarrindjeri term meaning Sea Country





More information

If you would like to know more about the Report of the KNYA please contact:

Lachlan Sutherland,
Regional Programs, DEWNR
Phone: 8204 9363
Email: Lachlan.sutherland@sa.gov.au

If you would like to know more about the Ngarrindjeri Regional Authority please contact:

Rick Hartman
Yarluwar-Ruwe Program Coordinator,
Phone: (08) 8532 9000
Email: rick.hartman@ngarrindjeri.org.au

Disclaimer

While reasonable efforts have been made to ensure the contents of this publication are factually correct, the Department of Environment, Water and Natural Resources makes no representations and accepts no responsibility for the accuracy, completeness or fitness for any particular purpose of the contents, and shall not be liable for any loss or damage that may be occasioned directly or indirectly through the use of or reliance on the contents of this publication.

Reference to any company, product or service in this publication should not be taken as a Departmental endorsement of the company, product or service.