



Murray Lower Darling Rivers
Indigenous Nations
(MLDRIN)

Annual Report
2015-16

Murray Lower Darling Rivers Indigenous Nations
PO Box 5005
Brunswick North VIC 3056
ACN 118 364 079
ABN: 45118 364 079
www.mldrin.org.au
info@mldrin.org.au
Ph. 0404 163 7000

CONTENTS:

About MLDRIN

Message from the Chair

2015/16 achievements at a glance

Activities Reports:

- 1) Basin Plan Implementation
 - 1.1) Monitoring, evaluation and reporting
 - 1.2) Incorporating cultural perspectives in Basin environmental watering and planning
 - 1.3) Best practice Aboriginal engagement and outcomes in water resource planning
- 2) Cultural Flows Research
- 3) Indigenous Engagement, Communications and Education Advice
- 4) Meetings and Gatherings
- 5) Communications

Progress on Objectives

About MLDRIN:

Our Vision: ‘The land, water, air and people recognised as one holistic landscape, protected and sustained by our sovereign people’.

MLDRIN is an independent, representative confederation of Sovereign First Nations from the Southern Murray Darling Basin. 24 Aboriginal Nations make up our organisation, with two representatives from each Nation. Our Board of Directors administers the Not-for-Profit Company. MLDRIN was established in 1998 and has grown to take on a range of work evolving from our Member Nations’ commitment to care for their traditional lands and waters.

Our core work includes:

- Advising the Murray Darling Basin Authority (MDBA) on all matters relevant to Traditional Owners and Aboriginal people in the Southern Murray Darling Basin, in particular, the implementation of the Basin Plan
- Having an active role in natural resource management, waterway assessment and water planning
- Providing a forum for our member Nations to keep informed, deliberate on issues and provide feedback and advice to decision makers across all levels of Government
- Advocating for our member Nations’ rights and interests in land and water, specifically to progress the recognition of Aboriginal water rights and Cultural Flows
- Providing leadership, training and capacity building for our member Nations

MLDRIN’s Member Nations:

Maraura ,Taungurung , Wadi Wadi , Ngarrindjeri , Waywurru, Barkindji, Wegi Wegi, Nyeri Nyeri, Ngintait ,Tatti Tatti ,Wamba Wamba, Yita Yita, Mutthi Mutthi, Latji Latji, Yaitmathang, Barapa Barapa, Nari Nari, Yorta Yorta, Dja Dja Wurrung, Wergaia, Wotjabaluk, Wiradjuri, Dhudoroa, Wolgalu

Message from the Chair

2015-16 will be seen as pivotal year in the evolution of MLDRIN.

This year we have commenced delivery of our first on-ground waterway assessment project, with Traditional Owners and a Catchment Management Authority on the Glenelg River in Western Victoria.

We have secured an important funding agreement from the Victorian Government to fund six further Aboriginal Waterway Assessment projects in the Victorian Murray Darling Basin. This agreement has been supported by additional funding from the MDBA.

We have started work assessing the first Water Resource Plan to be completed in the Southern Basin. This is a crucial and demanding area of work that will continue through to 2019.

We have conducted training with our Delegates, produced high quality submissions to a range of legislative and policy processes and released detailed reports that will help to guide positive engagement with Traditional Owners across the Basin.

Alongside these positive development, risk has been a key theme throughout the year. We have seen our greatest river, the Murray, at risk from a major outbreak of toxic blue-green algae. We have seen the Darling run dry, placing environmental values and our member's cultural identity at risk. We have also seen powerful, political interests attack the Basin Plan and the process of water recovery that underpins a collective effort to restore these rivers to health.

All these risks have further highlighted the need for a coordinated, strategic plan to ensure our rights to water - cultural flows - are recognised. To that end, in May, we undertook a Strategic Planning exercise to map out the critical pathways to achieving meaningful participation in water markets and building the capacity of our member nations in the process.

In the year ahead, MLDRIN will spotlight the serious risks facing our waterways and cultural values, while pursuing opportunities to embed Aboriginal rights into Australia's waterway management framework.

Darren Perry, Chair.

2015-16 achievements at a glance

- Secured funding agreements with the Victorian Government and MDBA to run six Aboriginal Waterways Assessment projects in the Victorian Murray Darling Basin
- Commenced work on our first service delivery contract, with Barengi Gadjin Land Council, Gunditjmara and Glenelg Hopkins CMA, as part of the Glenelg River *Towards Cultural Flows* project
- Piloted an approach to incorporating Traditional Owners' values in the Basin Annual Environmental Priorities report
- Provided strategic advice on the development of a new Water Plan for Victoria, which will strengthen the recognition of Aboriginal rights to water
- Met and exceeded all targets set in our communications strategy, including regular coverage of Aboriginal water issues in mainstream media
- Finalised a use agreement and completed training in the use of the Aboriginal Submissions Database
- Undertook a strategic planning exercise for MLDRIN
- Produced quality reports and submissions, including a detailed discussion paper on ensuring equity in the development of Water Resource Plans.
- Provided training for Delegates in GIS mapping software, facilitation skills and strategy planning
- Commenced work on assessment of the first Water Resource Plan to be completed in the Southern Basin.



MLDRIN Board, from left: Grant Rigney (Ngarrindjeri), Neville Whyman (Barapa Barapa), Darren Perry (Ngintait), Bella Kennedy (Front- Wamba Wamba), Coral Peckham (Wiradjuri), Stephen Atkinson (Wadi Wadi), Rene Woods (Nari Nari)

Progress on Activities

The following sections detail MLDRIN's work in relation to key activities included in our Funding Agreement with the Murray Darling Basin Authority.

1) Basin Plan Implementation

1.1) Monitoring, evaluation and reporting

Implementation of water management systems that support Aboriginal rights and interests is constrained by the lack of reliable base-line data about the significance of waterways to Traditional Owners. Documenting this information and identifying impacts arising from changed management is vital to ensure good outcomes.

MLDRIN has proactively engaged with researchers and presented information to government, highlighting the impact of the Basin Plan on Aboriginal people.

In partnership with the MDBA we have progressed use of the Aboriginal Waterways Assessment (AWA) and Aboriginal Submissions Database (ASD). These tools support Traditional Owners to identify and monitor cultural values and impacts over time. In 2016, MLDRIN has coordinated its first, independent AWA project and finalized a use agreement and training for the ASD. Wider application of the AWA will help to inform the development of water resource plans (WRP) and support monitoring and evaluation of Basin Plan impacts.

MLDRIN has also collaborated with researchers and academics studying the impact of water management on Aboriginal values, livelihoods and wellbeing. Activities include:

- In September 2015, MLDRIN Chair Darren Perry presented at the 'Basin by Numbers' symposium at the Australian National University, alongside leading experts on the science of the Basin Plan and the socio-economics, and community impact of water recovery.
- In February 2016 MLDRIN provided contact details for Victorian Traditional Owners and participated in interviews for the *Social sustainability in dairying communities impacted by the Murray-Darling Basin Plan* research project being undertaken by the Gender, Leadership and Social Sustainability Research Unit, Monash University and the Geoffrey Gardiner Foundation.
- Throughout 2016 MLDRIN has provided support for research into Aboriginal Participation in Water Markets in NSW, being undertaken by a PhD candidate at the Australian Rivers Institute, Griffith University. The researcher is working closely with MLDRIN to identify barriers and factors in successful participation in the water market.

- In January 2016 a research paper, ('Indigenous communities and climate change: a Recognition, Empowerment and Devolution (RED) framework in the Murray-Darling Basin, Australia,') was published in the *Journal of Water and Climate Change*. The paper focuses on identifying possible pathways to support climate adaptation by rural Indigenous people, drawing on interviews with MLDRIN delegates conducted in 2010

MLDRIN continues to engage with MDBA staff and Commonwealth agencies regarding opportunities for dedicated projects to monitor outcomes for Aboriginal people in the Southern Basin. Replication of the 'socio-cultural' survey project recently undertaken in the Northern Basin, in partnership with NBAN, would be a valuable opportunity. In 2016-17 we look forward to working with MDBA to conduct focused research on the links between water management and Aboriginal wellbeing.

In our submission to the Inquiry into the Water Amendment Bill 2015 (Feb. 25th 2016), MLDRIN argued that proposed changes to the *Water Act 2007* (Cth) to include mandatory 5 year reporting on the social and economic impacts of the Basin Plan should specifically include a requirement to report on socio-economic outcomes for Aboriginal people.

Throughout the period MLDRIN has also consistently highlighted the need for a more comprehensive assessment and monitoring of the impacts of the Sustainable Diversion Limit (SDL) adjustment mechanism on Aboriginal people. In December 2015, MLDRIN's Chair wrote to the Chairs of the MDBA, Basin Officials Committee (BOC) and Sustainable Diversion Limit Adjustment Assessment Committee (SDLAAC) regarding potential cultural impacts arising from environmental works and measures and adjustments to the SDL. MLDRIN would like to continue dialogue with MDBA and State governments on this issue to ensure that thorough evaluation of outcomes for Aboriginal people is undertaken.

1.2) Incorporating cultural perspectives in Basin environmental watering and planning

This year, MLDRIN has worked to develop and refine a mechanism for ensuring Aboriginal input into the annual Basin Environmental Watering Priorities. We have also provided advice to a range of agencies, and in a range of forums, regarding best practice approaches to incorporating Aboriginal values into environmental watering. New tools, such as the AWA, offer opportunities to improve the quantity and quality of information available to realize shared benefits from environmental watering.

In February and March 2016 MLDRIN developed a process and questionnaire to elicit input from MLDRIN Delegates and Traditional Owners to feed into the Basin Annual Environmental Watering Priorities. While some valuable responses were collected during the MLDRIN Full Delegation meeting in March 2016, discussions have lead to a revised process that will be trialled at subsequent meetings. MLDRIN and MDBA Environmental Water staff will work together throughout 2016-17 to further refine this process.

The input received from MLDRIN Delegates has been used to inform and enhance the Basin Annual Environmental Watering Priorities for 2016-17. For the first time, the annual Priorities document will identify key Aboriginal environmental outcomes. MLDRIN prepared text and feedback for the *Outlook* document released in April 2016, and the final *Priorities* document. In coming years, targeted engagement with Traditional Owners, and tools such as the AWA and Use and Occupancy Mapping, can help to ensure that the Annual Priorities encapsulate Aboriginal values and objectives.

Other key processes that MLDRIN has been contributing to throughout 2015-16 include:

Long Term Watering Plans (LTWPs)

MLDRIN members have provided information and advice on the development of LTWPs for water resource plan areas in Victoria, New South Wales and South Australia. LTWPs identify key ecological assets and functions within each WRP area. They must be prepared having regard to Aboriginal values and uses.

MLDRIN's advice and recommendations have ensured that plans in the Southern Basin states align with the Basin Plan principles for environmental watering and other State and Commonwealth obligations.

Input into the LTWPs has highlighted the importance of strong guidance at the Basin-wide level. Basin-wide planning strategies establish valuable guidance that flows down to the State, WRP area and local level. For example, in our submission on the Victorian Floodplain Management Strategy (August 2015), MLDRIN was able to stress that the strategy needed to align with Basin-level environmental watering plans, constraints management and water resource plan requirements.

Environmental Watering Advisory Groups (EWAGs)

MLDRIN reps have participated in meetings of the Murray Lower Darling and Murrumbidgee EWAG through 2015-16. EWAGs are an important interface between key water stakeholders, community and government in NSW. MLDRIN hopes to improve participation in EWAGs and provide support for Aboriginal EWAG participants to communicate with their community.

Forums and Workshops

MLDRIN delegates have been attending a range of forums and workshops to discuss approaches to incorporating cultural values in environmental watering. These include:

- Aboriginal Community Forum on environmental water management for the Millewa Icon Site (Moama, March 2016). MLDRIN staff attended, along with representatives from the Yorta Yorta Nations, Local Aboriginal Land Councils, NSW Government and MDBA, to discuss watering for this important cultural landscape.

- OEH Environmental Water Management workshop (Sydney, 11th May 2016). Three MLDRIN reps attended and contributed to high-level discussions about shared benefits from environmental watering across NSW.
- Victorian Environmental Water Forum (Melbourne, 17-18th November 2015). MLDRIN Chair Darren Perry presented alongside MDBA Staff on the use of the AWA as a tool to inform environmental watering. This was an important opportunity to build networks in the scientific community.
- VEWB Environmental Water Matters Forum (Melbourne 25th February 2016). MLDRIN reps attended and were able to feed into important discussions about decision making for environmental water delivery.
- Barapa Water for Country project meeting (Gunbower Forest, 10th March 2016). MLDRIN reps attended and contributed to discussions about use of environmental water at this culturally significant icon site.
- Mexican Ramsar Exchange. MLDRIN Director Grant Rigney participated in a tour of Mexican Ramsar sites (24 January to 4 February 2016) and a subsequent visit from Mexican delegates to sites within the Murray Darling Basin. The exchange focussed on opportunities to enhance management of Ramsar sites through Indigenous engagement in the delivery of environmental water and NRM activities. A full report on the Mexican trip was provided to MDBA staff.

MLDRIN representative have also engaged directly with Traditional Owner groups inside and outside the Basin to provide advice on achieving shared benefits. For example, MLDRIN reps have provided advice to Wurrundjeri Traditional Owners (25th May 2016, Melbourne), Barapa Barapa (Kerang, 17th December 2015) and Gunditjmarra/ Barengi Gadjin Land Council (Hamilton and Glenelg River May and June 2016).

MLDRIN Delegates and staff have maintained regular contact with the office of the Commonwealth Environmental Water Holder (CEWO) throughout 2015-16. Significantly, in 2016, the Ngarrindjeri Regional Authority and the CEWO signed a landmark agreement in relation to the delivery of environmental water to environmental assets in the lower River Murray region, South Australia. MLDRIN looks forward to supporting further collaboration between member nations and the CEWO to improve delivery of environmental water.

1.3) Best practice Aboriginal engagement and outcomes in water resource planning

Water Resource Plans (WRPs) are a key mechanism for inclusion of Aboriginal rights and interests in water planning. In 2015-16, Basin State Governments have begun to develop WRPs and MLDRIN has worked to provide guidance, facilitate input and support community engagement. In June 2016, we entered the initial stages of a review of the ACT Draft WRP, the first to be undertaken in the Southern Basin.

Reports

A key output in 2015-16 has been the publication of two reports on Aboriginal engagement in water resource planning.

In September 2015, MLDRIN, in collaboration with Environmental Justice Australia (EJA), produced and disseminated a report (*Legal dimensions of Water Resource Plan (WRP) requirements under the Basin Plan, 2015*). The report summarised outcomes of a workshop held with MLDRIN Delegates in Goolwa in June 2015 and highlighted legal requirements for recognition of Aboriginal rights and interests.

In April 2016, MLDRIN circulated a discussion paper, *Ensuring equity in the development and assessment of water resource plans*, which highlights preferred approaches to WRP requirements and identifies the responsibilities of different jurisdictions. The Report was prepared to fulfill a commitment made at the inaugural Joint WRP Meeting (October 2015) and was presented at the second meeting in June 2016.

These reports provide clear guidance to Basin jurisdictions and Traditional Owners, regarding best practice approaches for Aboriginal engagement in the development of WRPs.

MDBA and Commonwealth

MLDRIN has engaged with MDBA staff and the Commonwealth Government on matters relevant to the development and accreditation of WRPs. MLDRIN Full Gatherings and Executive Meetings have provided a forum for MDBA staff to discuss WRP Position Statements and to develop protocols for MLDRIN's assessment of WRPs.

Joint WRP Meetings involving MLDRIN and NBAN delegates, Basin State reps and MDBA staff, held in October 2015 and June 2016, have proved valuable to compare approaches and discuss common challenges. MLDRIN has been an active participant in these meetings.

MLDRIN engaged with Staff from the Assistant Minister for Agriculture and Water Resources and the Department of Agriculture and Water Resources to advocate for changes to the Commonwealth *Water Act 2007* that consolidate requirements for Indigenous engagement in water resource planning. On December 3, the Commonwealth Government introduced the *Water Amendment (Review Implementation and Other Measures) Bill 2015*, which sees elements of Chapter 10 Part 14 of the Basin Plan included in the *Water Act 2007* immediately, rather than after 2019 as originally anticipated in the Independent Review of the Act.

Basin States

Throughout 2015/16 MLDRIN has built on collaborations with Basin State governments to advocate for best practice in water resource planning.

In June we commenced a review of the Draft WRP for the Australian Capital Territory (SW1). This marks the first step in a process of assessing all water resource plans in the Southern Basin before implementation by 2019. MLDRIN engaged with ACT water planner and Traditional Owners on the development and implementation of an AWA project with Ngunnawal people. It is hoped that the AWA project will be able to contribute to the final WRP. In 2016-17 MLDRIN will work more closely with ACT Staff and Traditional Owners to ensure that the ACT WRP meets the requirements set out in the Basin Plan.

MLDRIN recognizes the need for significantly improved mechanisms for communication and negotiation with Basin jurisdictions including the ACT. Investment in a strategic approach to work with Traditional Owners and Aboriginal organizations will be needed to meet Basin Plan requirements and realize the objectives articulated by Aboriginal people.

New South Wales

MLDRIN has engaged regularly with Aboriginal Water Initiative (AWI) and Department of Primary Industries (DPI) Water staff throughout the period. MLDRIN meetings provide an opportunity for dialogue and information exchange regarding the process of water resource planning in NSW.

MLDRIN has also worked to contribute to best practice engagement in NSW in the following ways:

- Provided a detailed submission to the review of four groundwater Water Sharing Plans (WSPs) in NSW (August 2015). The amended WSPs would become components of water resource plans under the Basin Plan. MLDRIN highlighted the importance of aligning consultation processes with the requirements of the Basin Plan. A collaboration with MDBA allowed us to draw on information from the Aboriginal Submissions Database to inform the review.
- MLDRIN Chair Darren Perry met with DPI Water Deputy Director General Gavin (23rd October) to discuss ongoing support for Indigenous engagement activities and water resource planning.
- Provided advice to NSW Aboriginal Water Initiative (AWI) staff regarding the collection and treatment of values and uses information from community members living off-country (February 2016).
- Drafted and refined a communication protocol between AWI and MLDRIN. This will formalise a process for sharing information about engagement activities, tools and contacts (ongoing)
- Promoted AWI engagement activities (workshops, meetings and ‘asset collection’) through MLDRIN’s membership and networks.
- MLDRIN reps attended AWI Community Workshops for the Macquarie WRP in April 2016
- Provided a letter of support for the AWI in its bid for funding post June 2016.

- Provided advice on Aboriginal engagement and development of Long Term Watering Plans for NSW WRPs, with Office of Environment and Heritage staff (May 2016).

While WRP engagement activities in NSW have been focused in the Northern catchments, MLDRIN will need to prepare to assess a number of ground and surface water WRPs within the next 3 years.

South Australia

Regular communication with SA Department of Environment, Water and Natural Resources (DEWNR) staff has helped to build a constructive working relationship on water resource planning.

MLDRIN looks forward to progressing this collaborative work, particularly in light of a proposed *River Country Plan*, to be developed in 2016-17. Other specific engagement activities throughout the period include:

- MLDRIN reps and Staff of SA DEWNR have held regular bi-monthly phone link ups to discuss engagement and WRP components including risk assessment and Long Term Watering Plans.
- MLDRIN reps and Staff of the SA DEWNR held face-to-face meetings in September 2015 and April 2016.
- MLDRIN Staff and Delegates attended, and provided advice and contacts for a SA Nations Meeting (held at Calperum Station 1,2,3rd April). This was an important gathering that allowed Traditional Owners from SA and adjacent Country to discuss priorities for water resources planning.
- DEWNR staff provided written updates on WRP development for MLDRIN Full Gathering 17-18th March 2016
- DEWNR staff attended the MLDRIN AGM in Berri, SA (November 2015). The AGM included a field trip to Chowilla Game Reserve to view environmental infrastructure and cultural values.
- MLDRIN staff attended field work and meetings for the AWA project run with the First People's of the River Murray and Mallee (April 2016)

Victoria:

MLDRIN has played an important role supporting major improvements in Victoria's capacity to engage with Aboriginal people in water resource planning. MLDRIN has advised Department of Environment, Land, Water and Planning (DELWP) Staff on a range of WRP components and engagement mechanisms. Key actions include:

- Providing advice and direction on the establishment of an Aboriginal Reference Group for Victorian WRP areas. The working group will be a key component of Victoria's WRP framework, linking Aboriginal Water Officers to community through a representative forum. The Reference Group will underpin a new Aboriginal Water Unit for Victoria.

- Providing advice and support for the newly appointed DELWP Aboriginal Water Policy Officer, Troy McDonald
- Providing feedback and comments on Victoria's Risk Assessment framework for Water Resource Plans. MLDRIN participated in the Victorian Risk Assessment Advisory Committee (February-April 2016).
- Providing input and advice on Long Term Watering Plans for Victorian WRPs (October 2015).
- MLDRIN Delegates and Staff have regularly attended the Stakeholder Reference Committee for the draft Victorian Water Plan, which will enable key aspects of water resource plan work, including the establishment of an Aboriginal Water Unit.
- MLDRIN secured a Funding Agreement from DELWP to coordinate six AWA projects, with Traditional Owners in the Victorian MD Basin

2) Cultural Flows Research

Following a review in 2014/15, the National Cultural Flows Research Project (NCFRP) is on track with an amended scope, improved engagement protocols and a clear project outline.

Planning and Research Committee

MLDRIN is a member of the Planning and Research Committee, alongside the Northern Basin Aboriginal Nations, Northern Australia Land and Sea Management Alliance (NAILSMA), Basin State agencies and the MDBA. MLDRIN Nari Nari Delegates are also the Traditional Owners of Toogimbie Wetlands, the Southern Case Study Site for the project.

There were five Planning and Research Committee Meetings during the period:

- Melbourne, August 2015
- Teleconference, September 2015
- Teleconference, October 2015
- Melbourne, November 2015
- Melbourne, April 2016

MLDRIN Delegates attended all meetings of the Committee and contributed to decisions and progress made in 2015/16.

Field work:

On-ground research at the Project Case Study sites commenced in March 2016.

The first Case Study Site meeting was held on the 23rd March, at Toogimbie wetlands, with contractors Rural Solutions, project staff and Nari Nari Traditional Owners. A second Case Study site visit took place on 2-3rd June 2016.

Nari Nari Traditional Owners also held a number of preparatory meetings, fortnightly teleconferences with Rural Solutions plus a field day workshop in May 2016, where Rural Solutions Staff and contractors were introduced to the Nari Nari community members taking part in the Case Study work.

Outcomes

There have been a number of important decisions and outcomes for the NCFRP this year, including:

- Confirming arrangements for intellectual property and heritage consents. MLDRIN, NBAN and NAILSMA will hold all intellectual property to project materials, and have agreed to provide a limited license to the Commonwealth Environmental Water Holder (CEWH) for internal use of information produced by the project. Traditional Owners will retain the rights to cultural knowledge they contribute to the project.
- Consolidated and enlarged the Committee with representation from all Basin State governments, the National Native Title Council, MDBA and the CEWH.
- Elected a new Independent Chair for the Project Research Committee, Gunditjmara man Damien Bell.
- Approved the Committee's Terms of Reference and signed and finalised funding contracts.
- Received drafts for component two of the Research (hydrological modelling report, ecological character report and monitoring and evaluation plan).

MLDRIN takes an active role participating, supporting and promoting the NCFRP. The Research Manager for the Project and MLDRIN Executive Officer regularly communicate and share information about matters of shared interest.

3) Indigenous Engagement, Communications and Education Advice

MLDRIN provides advice on best practice Indigenous engagement, culturally appropriate communications and education in two key ways. First, we work closely with the MDBA and other agencies, responding to requests for information and advice. Secondly, we provide our own strategic input through submissions, consultation and guidance.

Aboriginal Waterways Assessment

A key area of work throughout 2015-16 has been the implementation of the Aboriginal Waterways Assessment (AWA) tool. MLDRIN engaged with the MDBA to progress the application of the AWA as a culturally appropriate tool for Aboriginal engagement in water management. Crucially, we worked with the MDBA to consolidate the role of Traditional Owners and Aboriginal organisations as principle operators of the AWA tool. A meeting held in October 2015 and subsequent agreements allowed MLDRIN to leverage off the MDBA's funding commitments to achieve additional commitments from the Victorian Government. MLDRIN reps have also worked to promote and interpret the AWA tool in meetings and fieldwork with ACT Traditional Owners (November 2015), Barapa Barapa Culture Team and North Central CMA meeting (December 2015), First People of the River Murray and Mallee (April 2016) and Gunditjmara/Barengi Gadjin Land Council (May-June 2016).

MLDRIN recognises that the AWA has a valuable role to play in building capacity

and relationships, transferring knowledge and influencing water planning in the interests of Traditional Owners. We look forward to its further uptake and integration into waterway management.

The Aboriginal Submissions Database

The Aboriginal Submissions Database (ASD) is another tool that can support improved engagement and communication with Traditional Owners. Use of the ASD requires oversight and careful management. MLDRIN has worked with the MDBA in 2015-16 to ensure that the ASD is maintained and used in a culturally safe manner. A Shared Management Agreement was signed in March 2016, after feedback and input from MLDRIN. The MDBA has supported MLDRIN representatives to receive training to utilise the database. In 2016-17 we hope to use the database to advance Aboriginal peoples' rights and interests in the Basin.

MLDRIN has also contributed directly to other MDBA engagement, communications and educations activities. Actions include:

- Providing advice and participating in launch and promotion of MDBA's *Strengthening Connections* reconciliation action plan (July 2015)
- Providing contacts, advice and information regarding Indigenous engagement to MDBA staff involved in the Constraints Management Strategy, Hume to Yarrawonga reach. (August-Oct 2015)
- Participated in phone link ups on the Constraints Management Strategy, SDL Adjustment and other matters with MDBA staff (Brent Williams and Mike Makin, 26th November & 9th June 2016).
- Providing advice to assist in the planning for MDBA Chair Neil Andrew's visit to the Dubbo region in early October 2015.
- Provided advice and participated in interview panel for recruitment of MDBA Aboriginal Partnerships team staff
- Provided contact details for Traditional Owners to MDBA Community Engagement Staff, for Community Meetings planned in 2016 (May 2016)
- Attended an MDBA 'Future Scenarios' workshop, to inform the development of long term MDBA planning (May 2016)
- Provided detailed written feedback on the Basin Plan Annual Report (April 2016)
- Collaborated with MDBA staff, NBAN and independent researchers to attend and present at an Indigenous water rights symposium in Colorado, United States.
- Attended SDL Adjustment Stocktake report pre-release briefing Tuesday, 25 August 2015, and provided feedback and advice

MLDRIN has provided feedback for engagement and communications projects including: sourcing Aboriginal language information for MDBA publications, MDBA NAIDOC Week Indigenous Art Project and the Yarns Downstream booklet.

MLDRIN has also taken steps to ensure direct input from Traditional Owners on Aboriginal engagement approaches within the Basin. In August 2015, MLDRIN provided a submission and gave evidence to the Senate Environment and Communications Legislation Committee inquiring into the *Water Amendment Bill 2015*. MLDRIN also provided a submission to the Senate Select Committee

Inquiry into the Murray Darling Basin Plan as well as publicising the Committee's Terms of Reference and providing a pro-forma submission to assist other Aboriginal organisations to prepare submissions. Our submission and presentation (9th December) to the Senate Select Committee highlighted considerable benefits arising from water recovery and e-water delivery under the plan.

MLDRIN has also produced submissions throughout 2015-16, advocating for best-practice Indigenous engagement and alignment with Basin Plan requirements. Submissions included:

- Design of the Commonwealth On-Farm Further Irrigation Efficiency Program (December 2015)
- Reviews of NSW inland alluvial aquifer water sharing plans (August 2015)
- Aboriginal Participation Guidelines for Victorian Catchment Management Authorities (July 2016)
- Victorian Revised Draft Floodplain Management Strategy (August, 2015)
- Victorian Water Plan, *Water for Victoria* discussion paper (May 2016)

MLDRIN actively supported strengthening of the MDBA's statutory role to engage with Aboriginal people in the Basin, through amendments to the Commonwealth Water Act 2007. Changes proposed in the *Water Amendment (Review Implementation and Other Measures) Bill 2015* will consolidate positive approaches to engagement developed within the MDBA.

4) Meetings and Gatherings

MLDRIN Full Gatherings are the core work of the organization. They provide a forum for Traditional Owners to discuss the health of our connected river systems. They allow member Nations to engage directly with State and Federal Government representatives and speak as a united voice for Country.

In 2015-16 MLDRIN held two full gatherings:

- 4-5th November 2015: Maraura Country, Berri, South Australia
- 17-18th March 2016: Taungurung Country, Mansfield, Victoria

These meetings were attended by over 35 Delegates, representing 20 Sovereign First Nations. Full delegation meetings were also attended by representatives from the New South Wales, Victorian and South Australian Governments, Murray Darling Basin Authority, Catchment Management Authorities, Parks Victoria and independent researchers.

Some highlights of the Full Gatherings included: trialing a new questionnaire for input into the Basin Annual environmental watering priorities, a field trip to the Chowilla floodplain to view the operation of environmental infrastructure, dedicated sessions for men's and women's business, and whole group discussions leading to a media statement regarding the impact of blue-green algae.

In 2016-17 we look forward to having at least one additional Full Gathering. This is essential to maintain consistent engagement amongst the membership and allow Delegates to keep up to speed with rapid developments in water resource planning and other processes.

The 2015-16 MLDRIN Annual General Meeting was held in Berri in November 2015. Members endorsed the minutes of the 2014-15 AGM, reviewed and approved the financial reports for 2015 and heard reports from all Directors.

The day-to-day business of MLDRIN is managed by the Board of Directors. In 2015-16 there were six meetings of the MLDRIN Board

- 14-15 July 2015: Latji Latji Country, Mildura VIC
- 18-19 September 2015: Wurrundjeri Country, Melbourne VIC.
- 20-21st December 2015: Latji Latji Country, Mildura VIC
- 15-16th February: Wiradjuri Country, Albury NSW
- 16th March: Taungurung Country, Mansfield VIC (one day)
- 19-20th May, on Wamba Wamba Country, Deniliquin NSW

The current Directors of MLDRIN have donated considerable time and energy to ensure the good governance and growth of MLDRIN throughout 2015-16.

5) Communications:

In 2015-16 MLDRIN began to implement our Communications Strategy. We are happy to report that we have reached or exceeded targets set in the Strategy, across all areas (see table below).

Target	Outcome (at July 2016)
High levels of satisfaction of MLDRIN delegates and member nations with processes of internal communication and information sharing achieved by July 2016.	Newsletters well received, positive feedback, increased recognition of MLDRIN's role and activities. Evidenced by increased requests for access to membership.
All notifications, newsletters and correspondence transmitted to delegates and member nations in a timely manner and easily accessible format.	All meeting notices sent within required time frames (post and email), all newsletters produced and distributed on time to approx. 300 contacts.
Build a comprehensive database of internal and external contacts to simplify communication by July 2015.	Database of over 300 key contacts compiled and regularly updated. Contacts include member nations, Aboriginal and key government staff
Achieve 1000 Facebook 'likes' by July 2016.	Exceeded target: 1039 Facebook likes achieved by July 2016.
Maintain regular Facebook and	Reached Target: Regular updates of

Twitter posts (ideally 1/2 per day, minimum 2 per week). Ongoing.	Facebook and Twitter achieved. 159 tweets, 217 Followers by July 2016.
Increase Web traffic to the www.mldrin.org.au site by 50% by July 2016	Exceeded target. Average monthly views over 12 months to June 2016 = 1,588 compared to 983 in previous 12 months.
Achieve a minimum of five articles or other coverage on conventional media on an annual basis.	Exceeded target: MLDRIN initiated or featured in over 10 articles/coverage including on ABC radio and online, ABC Country Hour, The Guardian online, National Indigenous Radio Service, Koori Mail, SBS Radio News and others
Produce well researched and presented reports, submissions and briefing papers that can be provided to Key Decision Makers and uploaded on the MLDRIN website.	MLDRIN has produced two key reports in the period as well as a range of submissions. These are uploaded onto the 'publications' section of the www.mldrin.org.au website.

Reporting to our members

The key objectives of MLDRIN's Communications Strategy are:

- to enable and improve effective communication *within* MLDRIN, including the Board, Delegates and Member Nations
- to strengthen MLDRIN's status as an effective organisation within the broader Aboriginal community

In order to meet these objectives MLDRIN works to engage directly with our delegates and member Nations via a range of communications including:

- Maintenance of a secure online members section of the MLDRIN website where minutes and correspondence can be viewed
- Regular email updates to members on key developments and issues
- Quarterly newsletter mailed to all delegates and distributed by email to over 300 contacts, including Member nation governing bodies.
- Direct mail-out of reports and information, including MLDRIN's report on water resource planning and information on the Select Committee into the Murray Darling Basin Plan.
- Face to face meetings with Traditional Owner organisations (including Ngarrindjeri Regional Authority - September 2015, Barengi Gadjin Land Council and Gunditjmara - April 2016, Barapa Barapa Cultural team - December 2015).

A key emerging issue, as MLDRIN develops greater profile, is the need to support

our members to undertake the considerable work of outreach across their respective Nation groups. Large geographical areas and diverse community membership mean that reporting back to Nations can consume considerable time and resources. Face-to-face communication is needed. The Board would like to consider options for a coordinated outreach program to build greater community awareness of and investment in MLDRIN's work in 2016-17.

Communicating with other stakeholders

As well as utilizing social media, conventional media and our quarterly newsletter, MLDRIN representatives attend conferences and events to promote the aims of the organization and build our networks.

Key conferences and events include:

- International Rivers Symposium: Brisbane, September 2015. MLDRIN Chair and Board Members presented and attended the event. This was an excellent networking opportunity allowing MLDRIN to communicate and build alliances with key water management stakeholders and opinion leaders.
- *Ringbalin* Ceremony. Delegates attended the Mildura and Murray Bridge events and the Goolwa Closing Ceremony, September 2016.
- Environment Victoria's *Six Steps to Water Leadership* report launch, 24 November 2015. EO, Chair and Deputy Chair attended.
- Australian Society for Fish Biology (ASFB) conference and Murray Darling Basin Native fish symposium, October 2015. Wiradjuri Delegates Coral Peckham and Wayne Carr attended.
- Meeting with Australian Conservation Foundation and Deniliquin irrigator Karen McDonald, Deniliquin October 9th 2015. Executive Officer attended.
- Indigenous Peoples and Saltwater / Freshwater Governance for a Sustainable Future Symposium, University of Tasmania, February 2016. Chair and Executive Officer presented a paper on Aboriginal water rights in the Murray Darling Basin.
- National Native Title Conference Darwin, June 2016. Chair presented on Cultural Flows project.
- Indigenous Water Justice Symposium, Colorado – USA, June 2016. Deputy Chair attended and presented alongside NBAN Reps, MDBA staff and others.
- Lifeblood Alliance (eNGOs, scientists, Aboriginal organisations and community members). Ongoing, regular participation in phone link-ups and meetings including meeting with MDBA staff in Sydney – 17th September 2016.

Communicating with decision makers

In order to advance the interests of our member Nations and the implementation of Basin Plan requirements, MLDRIN representatives regularly engage with key decision makers at the Basin State and Commonwealth levels. Engagements in 2015-16 include:

- Face to face meetings with advisors to Federal Minister for Water Resources Barnaby Joyce (19th January 2016) and Federal Assistant Minister for Water Resources Anne Ruston (4th November 2016).
- Face to face meetings with Greens Water Spokesperson Senator Robert Simms (7th April 2016) and Greens NSW MP Jeremy Buckingham (10th May 2016)
- Face to face meetings with NSW DPI Water Director General (23rd October 2016) and Victorian Minister for Water Lisa Neville (as part of Victorian Water Plan Stakeholder group – 20th January 2016)

Progress on Objectives

MLDRIN's current Funding Agreement (MD2859) with the MDBA has been extended to cover the year up to 30 June 2017.

The funding provides mutual benefits to the two organisations; allowing MLDRIN to advance the rights and interests of Traditional Owners in water management in the Southern Basin, while ensuring the MDBA has access to a representative, consultative body that can assist in fulfilling its obligations to engage with Aboriginal people.

As is apparent from the work and activities outlined above, there has been marked progress on the Objectives of the funding agreement throughout 2015-16. However, in evaluating progress, it is important to recognize that *all* the activities are ongoing. As Basin Plan implementation proceeds, MLDRIN's role and work is now embedded within Basin jurisdictions' approach to Indigenous engagement. Ensuring MLDRIN ability to sustain this work into the future will contribute to material outcomes for Aboriginal people, as is evidenced by the significant progress made towards achieving Aboriginal water entitlements in Victoria in the last two years.

Ongoing challenges include:

- Ensuring financial sustainability of the organization to fulfill its role as a confederation and representative organization
- Engaging, empowering and communicating with Traditional Owners over a large geographical area
- Building understanding and getting the community engaged in the often complex and technocratic language of water management

Meeting the Objectives entails long-term commitments from MLDRIN's membership, and funding organisations, in order to capitalize on opportunities and meet challenges. MLDRIN is contributing actively to one of the most important and challenging areas of reform in Australian water policy.

Objective a) to provide for and to facilitate the participation, input and advice of MLDRIN and, through and with it, the Sovereign First Nations, in agreed MDBA projects, including those described in Attachment A of Schedule 2.

MLDRIN functions as an effective interface for governments to engage with Traditional Owners across the Southern Basin. The confederation has facilitated improved participation of our members and First Nations in Basin water management via our Full Gatherings and by direct participation in MDBA projects and programs including:

- Aboriginal Waterways Assessment tool
 - Reviewing reports and research on the tool
 - Attending AWA fieldwork and working with Traditional Owners
 - Promoting the use of the AWA as an assessment and engagement tool

- Aboriginal Submissions Database
 - Providing comment on the use agreement
 - Nominating delegates to be trained in use of the ASD
- Basin Annual Environmental watering priorities
 - Developing an approach to ensure that Member Nations can provide input to the priorities
 - Working with MDBA Staff to provide content for the priorities document and improve input
- Future scenarios mapping
 - Participating in workshop to help map future scenarios for the MDBA
- Sustainable Diversion Limit Adjustment Mechanism
 - Informing our member nations on the operation of the Mechanism
 - Attending peak bodies briefings and relaying perspective of our membership
- Constraints Management
 - Providing contact details for appropriate Traditional Owners
- Water Resource Planning
 - Providing advice, reports and information to member Nations

We have also communicated with and supported member nations to engage in opportunities for participation in Basin State projects and processes including:

- South Australian Nations Water Workshop
- Victorian Water Plan, Water for Victoria Discussion Paper
- NSW Aboriginal Water Initiative Water Resource Plan engagement workshops

Our Strategic Planning workshop held in May 2016 identified various layers of involvement in MLDRIN's activities, from the 'core' staff and delegates, through to partially engaged community members. A strategy to engage, empower and involve community members into MLDRIN's work was discussed. We hope this approach will build foundations for even more constructive input in the year to come.

Objective b) to encourage a coordinated and consultative approach between MLDRIN and, through and with it, the Sovereign First Nations, to assist the MDBA to achieve their obligations and policy and legal commitments with respect to the protection and management of water resources, natural resources and Sovereign First Nation's Intellectual and Cultural Property;

MLDRIN is a representative confederation comprised of Delegates from Sovereign First Nations in the Southern Basin. Our Delegates have a responsibility to report back to their respective Nations and to contribute relevant information to MLDRIN meetings and discussions. These consultative mechanisms underpin the advice, information and assistance we provide to the MDBA.

In 2015-16 we have worked to enhance communication and consultation

between the MLDRIN Board, Delegates and member Nations by providing regular communications and written reports, a quarterly newsletter and opportunities for direct engagement including face-to-face meetings. We also held a dedicated strategy discussion to identify pathways to enhance the involvement of a broader cohort of Traditional Owners and community members.

In addition to MDBA staff attendance at two Full Gatherings and 3 Director's Meetings in 2016-15, MLDRIN has provided advice and assistance to the MDBA to achieve their obligations and policy and legal commitments in the following ways.

MLDRIN has taken direct steps to ensure that MDBA activities align with cultural protocols and policy and legal requirements. For example in July 2015, we wrote to then MDBA CEO Rhonnda Dickson to outline our concerns about lack of engagement with MLDRIN and Traditional Owners in the development of the 2015-17 Basin Annual Environmental Watering priorities. That formal communication initiated an improved engagement approach and direct input from MLDRIN delegates in the 2016-17 Priorities. This input will, in future, further ensure that the Priorities are based on the best available local knowledge, including Indigenous Ecological Knowledge.

We have also highlighted the importance of ensuring free-prior and informed consent and promoting capacity building and self-determination in advice on a Use Agreement for the Aboriginal Submissions Database and the roll-out of the Aboriginal Waterways Assessment.

We have also provided direct advice on important requirements in the development and accreditation of WRPs through a discussion paper provided to MDBA and Basin State staff.

This Objective is progressing well but depends upon coordination with MDBA to support useful projects, respond to advice and ensure a consultative approach to planning.

Objective c) to provide a mechanism for the provision of coordinated and strategic advice from MLDRIN and, through and with it, the Sovereign First Nations, on and regarding matters of common concern to MLDRIN, the Sovereign First Nations and the MDBA; and

MLDRIN and the MDBA have worked productively throughout 2015-16 to pursue matters of common concern and advance the interests of Sovereign First Nations in water management. MLDRIN has also provided positive public support for the work of the MDBA in environmental water planning and Aboriginal engagement.

MLDRIN and MDBA staff shared information to contribute to submissions to the Senate Select Committee inquiring into the Murray Darling Basin Plan. MLDRIN's submission actively supported 'the ongoing work of the Murray Darling Basin Authority... in developing approaches to environmental water planning and

management.’ Positive public support has also been

In August 2015, MLDRIN and MDBA staff collaborated to draw information from the Aboriginal Submissions Database to inform MLDRIN’s submission for the review of four NSW Groundwater Water Sharing Plans. This work provided an opportunity to undertake collaborative research and include persuasive information about Aboriginal values in the submission.

MLDRIN and the MDBA have also collaborated to advance the objectives of both organizations through conferences, presentation and communications activities. In June 2016, MLDRIN, NBAN and MDBA staff attended the Indigenous Water Symposium in Colorado. MLDRIN and MDBA staff collaborated in planning and presentations for the symposium. In November 2015, MLDRIN and NBAN staff planned and delivered a presentation on the Aboriginal Waterways Assessment tool at a Victorian Environmental Water Holder forum in Melbourne. In July 2016, MLDRIN staff accepted an invitation to the launch of the MDBA’s Strengthening Connections reconciliation action plan. MLDRIN also promoted the launch of the strategy through our website and social media.

Throughout 2015-16 MLDRIN has delivered coordinated and strategic advice on behalf of our members on a range of matters related to the MDBA’s functions. One example is the provision of advice on potential impacts arising from the SDL Adjustment Mechanism. These concerns have been raised at various meetings with MDBA staff and in formal written communication. MLDRIN has sought to work with the MDBA to identify potential ways to ameliorate these concerns.

These activities demonstrate the strong collaborative relationship between MDBA and MLDRIN on matters of common concern, informed by strategic advice from our membership. This relationship is important for MLDRIN and we seek to engage directly with MDBA Staff and Authority members to consolidate it further.

Objective d) to facilitate the development and maintenance of strong, collaborative and co- operative relationships between MLDRIN and, through and with it, the Sovereign First Nations, and the MDBA, by capitalising on opportunities, making the most effective use of resources and maximising benefits to all of the parties in areas of common interest.

MLDRIN has implemented processes to streamline the operation of the organization and maximize benefits for all parties arising from activities supported by the funding agreement.

We have sought to minimize the costs associated with doing our business, while ensuring that our Member’s interests and entitlements are respected. Some approaches implemented in the period include:

- Utilizing cost effective accommodation and meeting options (eg caravan parks with conference facilities and shared accommodation).
- Coordinating travel to achieve multiple outcomes (eg. coordinating meetings with relevant local decision-makers when traveling for other

- engagements)
- Enforcing our Travel Policy to ensure that Delegates use safe and cost effective transport to attend meetings
 - Acquiring pro-bono support from Sydney law firm K&L Gates to assist in a review of our Constitution and application for Charitable and DGR Status
 - Securing a commitment to pro-bono advocacy advice from Environmental Justice Australia (EJA)
 - Reducing overheads by utilizing a home office and securing free, part-time office space at the National Native Title Council Office in Melbourne

It should not be forgotten that the work of the company is underpinned by a considerable outlay of uncompensated volunteer time by key Board members and Delegates. The provision of many hours of unpaid work by these Members contributes to a positive return on investment.

In 2015-16 we have pursued and capitalized on opportunities expand the scope of the organisations work and deliver benefits for all parties. For example, through engagement and information provided to the Victorian Department of Environment, Land, Water and Planning (DELWP) we were able to leverage off the MDBA's funding for Aboriginal Waterway Assessment projects to secure funding for six AWA projects in Victoria. Implementation of these projects will deliver benefits to local Traditional Owners, MLDRIN and the MDBA.