

# Pathways to water sovereignty

## The National Cultural Flows Research Project



**NATIONAL**  
**CULTURAL FLOWS**  
RESEARCH PROJECT

# What are cultural flows?

'water entitlements that are legally and beneficially owned by Indigenous Nations of a sufficient and adequate quantity and quality, to improve the spiritual, cultural, environmental, social and economic conditions of those Indigenous Nations'. *This is our inherent right.*

-Echuca Declaration, 2007



# Echuca Declaration 2007

- Four key components:
  - Asserting First Nations' Sovereignty, water rights, values and responsibilities
  - Contesting ownership and management
  - Defining Cultural Flows
  - Detailing Outcomes and Mechanisms



# Echuca Declaration

A 'contribution' and a challenge to conventional water management

Has contributed to...

- Growing advocacy
- Policy and legislation
- Research and implementation



## Basin Plan

*Towards a healthy, working River Murray*



Basin Plan  
implementation  
on track



Environmental  
water provided  
to priority sites



Investment in  
water efficient  
infrastructure

Over 70% of  
water recovery  
target met



Healthier  
vegetation, fish,  
waterbirds,  
and frogs

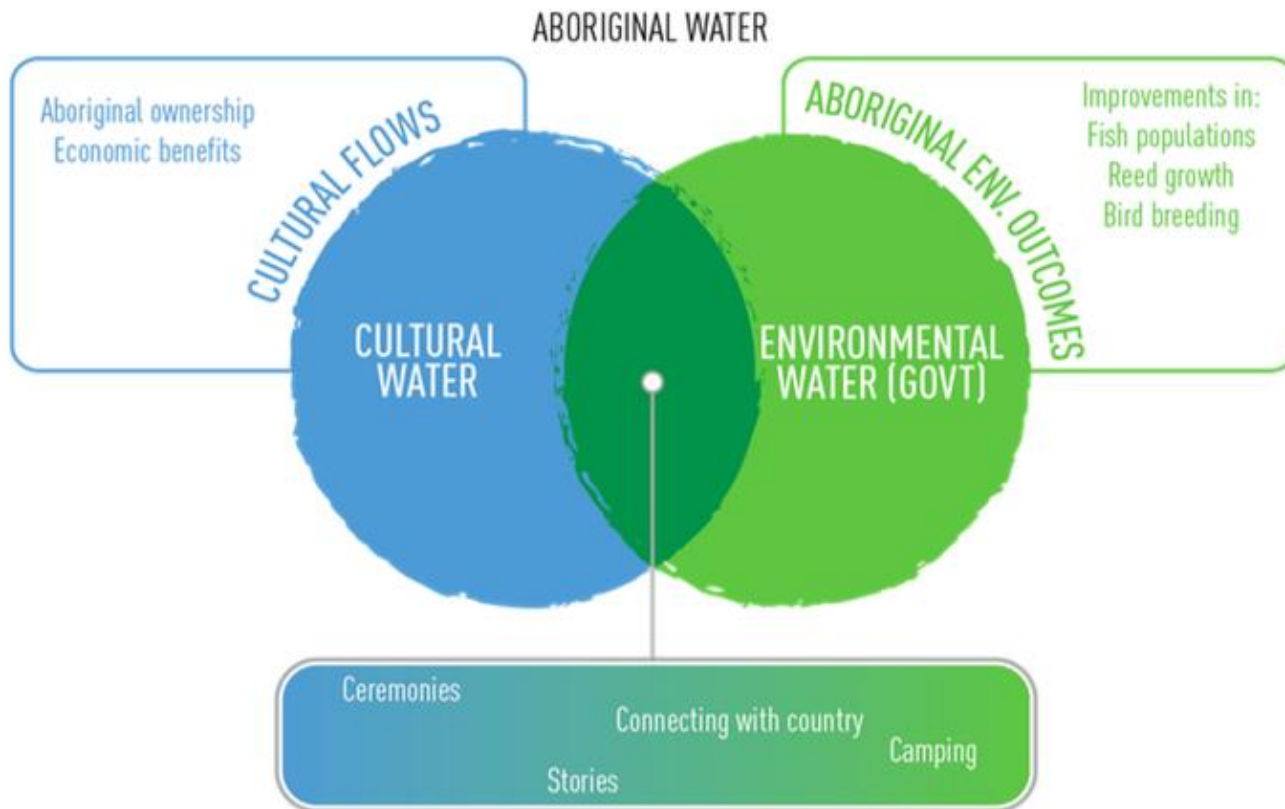


Salinity  
goals  
achieved



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RESEARCH PROJECT

# Aboriginal Environmental Outcomes



# The context

- NWI mandates First Nations' access to water
- As of 2012, First Nations people held just 0.01 per cent of Australia's water diversions
- National Water Commission and Productivity Commission assessments show no meaningful increase in access to water
- Basin Plan mandates consideration of First Nations objectives and outcomes and cultural flows



# The big questions

- How to identify and articulate water-related cultural objectives?
- How to determine flow requirements to support objectives?
- How to acquire water?
- How to establish governance arrangements to hold and use water?



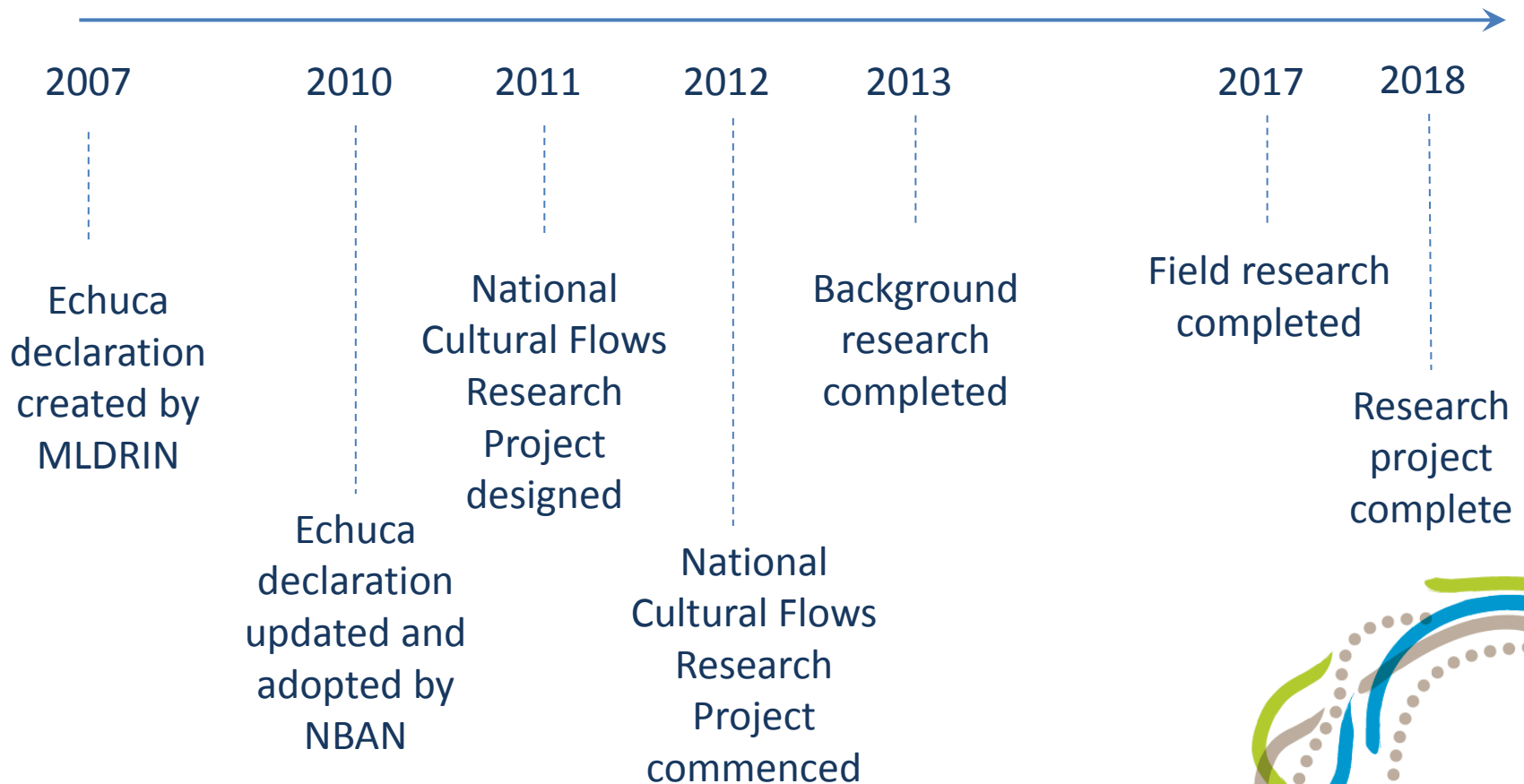
# National Cultural Flows Research Project

*Seeking “a future where Aboriginal water allocations are embedded within Australia’s water planning and management framework, delivering cultural, social, spiritual, environmental and economic benefit to communities across Australia”*





# Where we've come from...



# Research components...

1

Literature review

2

Values and aspirations

3

Modelling and watering trials

4

Analyse impacts

5

Investigate policy, legal and institutional reforms

6

Capacity building

7

Communications

8

Project management

# Aboriginal ownership and decision-making...

Murray Lower Darling Basin  
Indigenous Nations



**Grant Rigney**

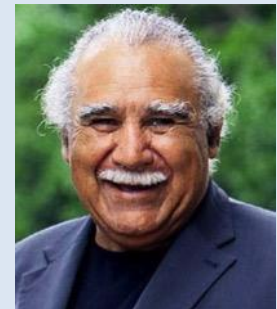


**Rene Woods**

Northern Basin Aboriginal Nations



**Maureen  
McKellar**



**Michael  
Anderson**



**Paul Lane**

North Australian  
Indigenous Land and Sea  
Management Alliance  
(NAILSMA)



**Damein Bell**

Independent chair

Planning and Research Committee

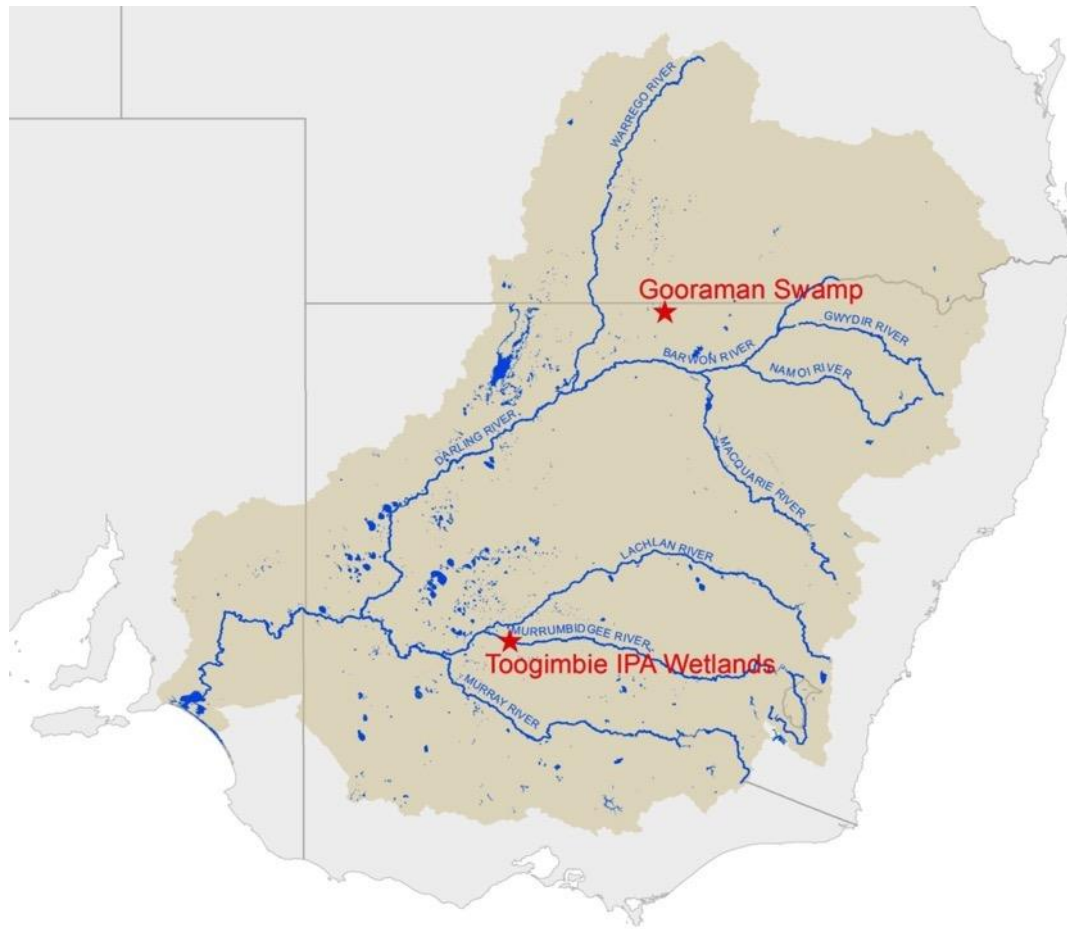
# Investigating different landscapes...

## Toogimbie Wetlands

Riparian floodplain wetland adjacent to the Murrumbidgee River

In a heavily regulated catchment

In an Indigenous Protected Area owned and managed by the Nari Nari Tribal Council



## Gooraman Swamp

Water-dependent swamp off the Culgoa River

In a largely unregulated catchment

Within an Indigenous Protected area that is largely unfunded

# Component 1 - background

Literature review undertaken by Australian Cultural Heritage Management. Completed in 2012.

Includes review of:

- known Aboriginal uses and values of water in Australia and internationally
- projects and methodologies that have described cultural values of water
- research and knowledge gaps
- key terms and definitions



# Component 2 – case study sites

Background research and preparation at the two case study sites undertaken by Rural Solutions South Australia. Completed in 2017.

Reports to be published online

- Indicator framework and methodologies for case study sites
- Aboriginal water interests – preliminary findings
- Ecological characterisation

Reports to be held by MLDRIN, NBAN and NAILSMA

- Nari Nari and Murrawarri engagement plans
- Field trip reports



# Component 3 – calculating cultural flows

Cultural flows planning (and intended trial at Toogimbie), undertaken by Rural Solutions South Australia. Completed in 2017.

Reports to be published online

- Hydrological and hydraulic modelling report
- Field work results and findings report

Reports to be held by MLDRIN, NBAN and NAILSMA

- Toogimbie trial flow delivery plan
- Field trip reports



# Component 4 – field research findings

Analysis of results from the two case study sites undertaken by Rural Solutions South Australia.  
Completed in 2017.

Reports to be published online

- Cultural flows guide for community and water managers
- Final field studies report





# Component 4

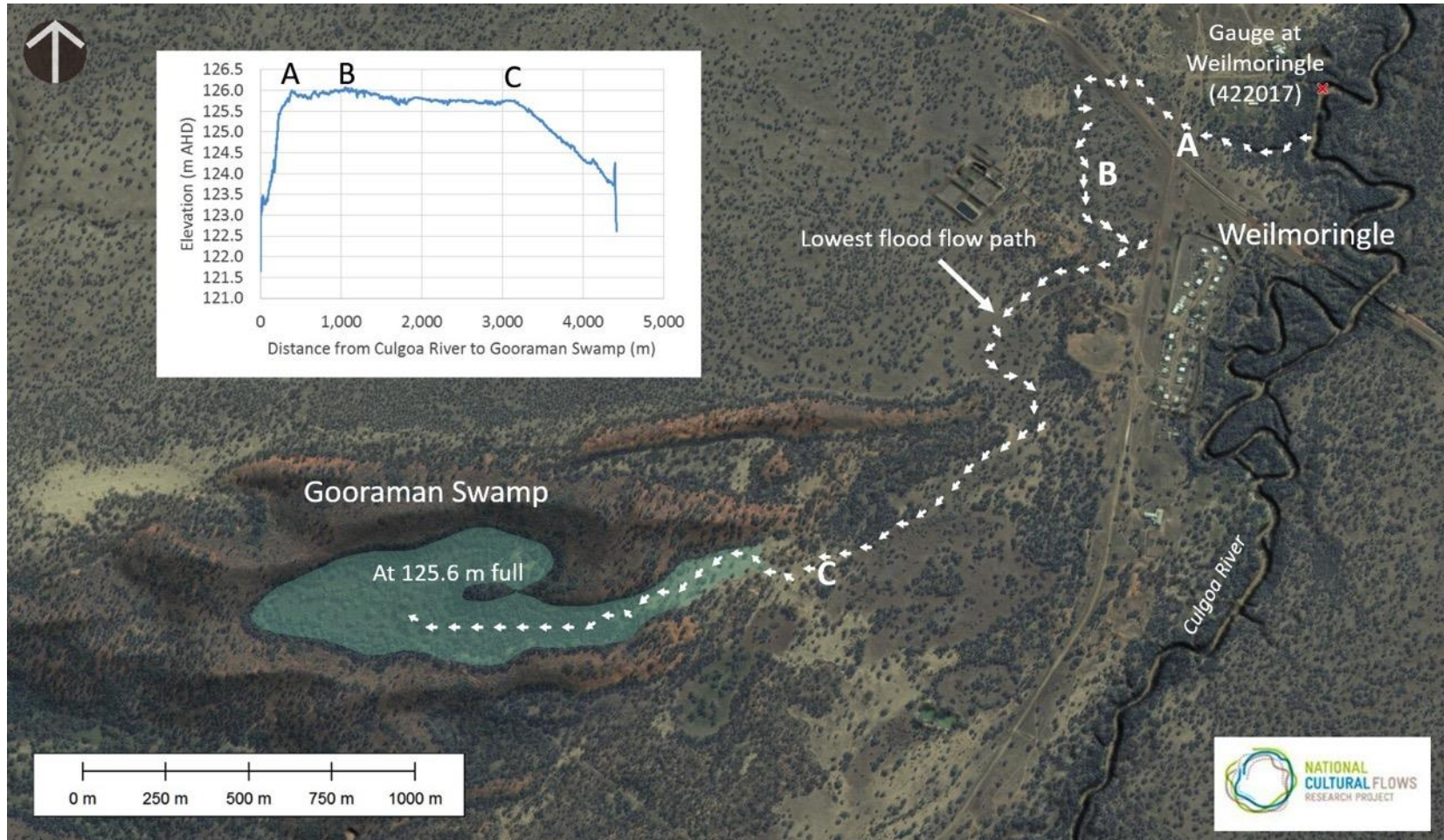
## Key findings from the field studies:

- Appropriate methodology has been developed to quantify water needs for cultural flows
- The process of planning for cultural flows helps others to recognise legitimacy of Aboriginal values for water
- Many of the important benefits of cultural flows come from Aboriginal *control* over the water
- More effort is needed to research Traditional Aboriginal Knowledge
- Proper resourcing is required for Aboriginal nations to undertake cultural flow planning



# Gooraman Swamp

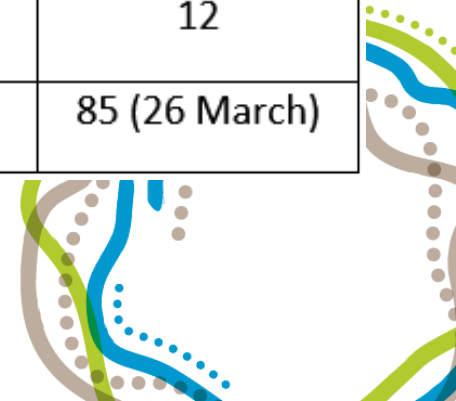
## Unmanaged hydrology



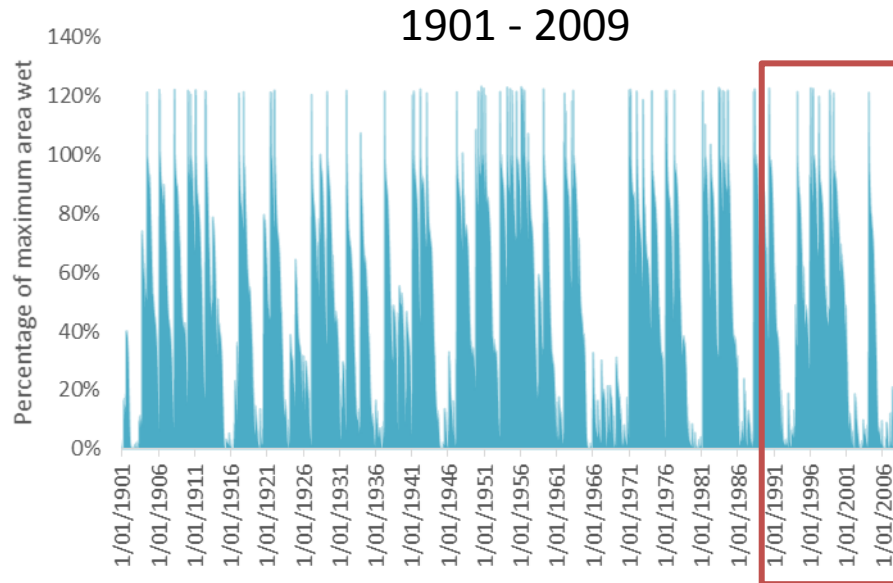
# Inundation Frequency

**Table 6. Summary of statistics of spells for 7,000 ML/d threshold, the commence-to-flow of Gooraman Swamp.**

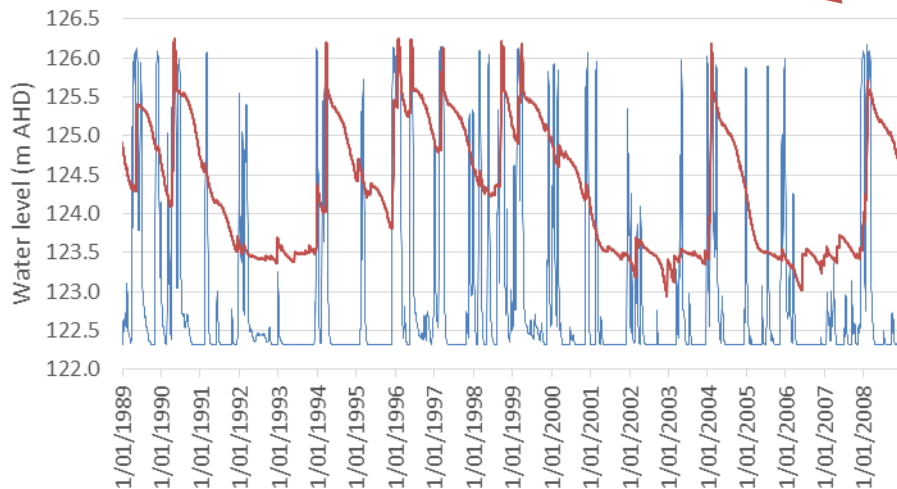
Spell statistic	Pre-Development	Current	Basin Plan 2800
Mean frequency (events/100 yrs)	86	29	48
Prevalence of event (percent of years with event)	70%	22%	41%
Median interval between events (days)	288	476	473
Median event duration (days)	15	12	12
Median start date of event (day of year)	91 (1 April)	110 (20 April)	85 (26 March)



# No development

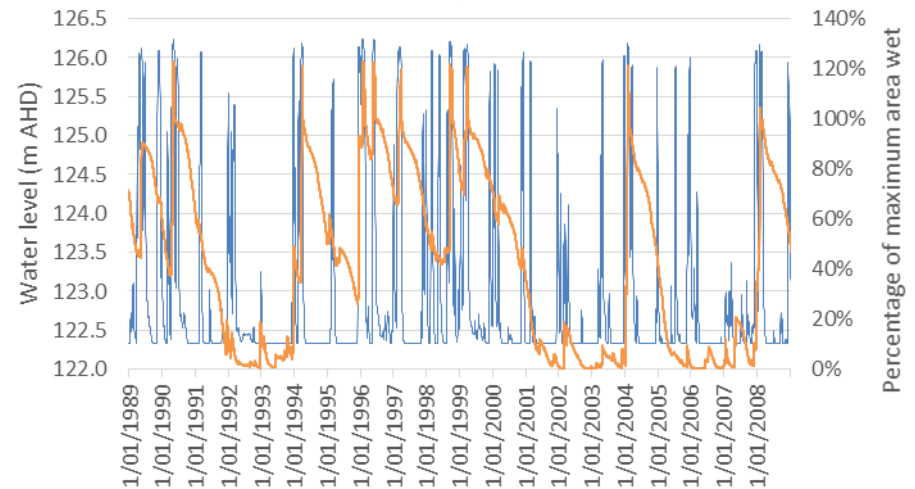


— River level — Wetland level

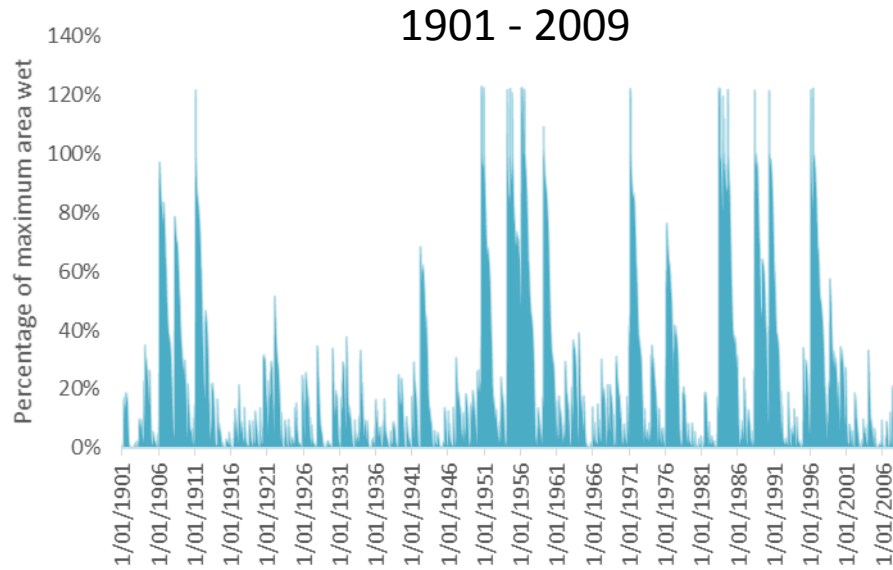


1989 - 2009

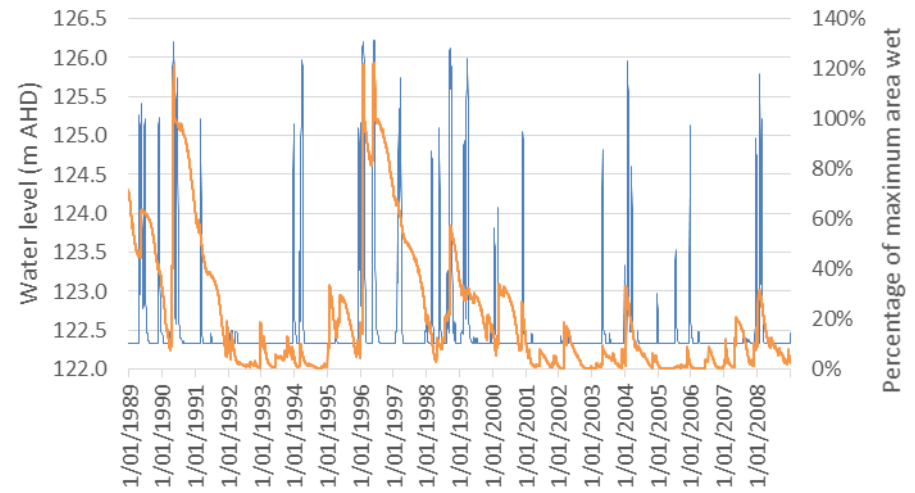
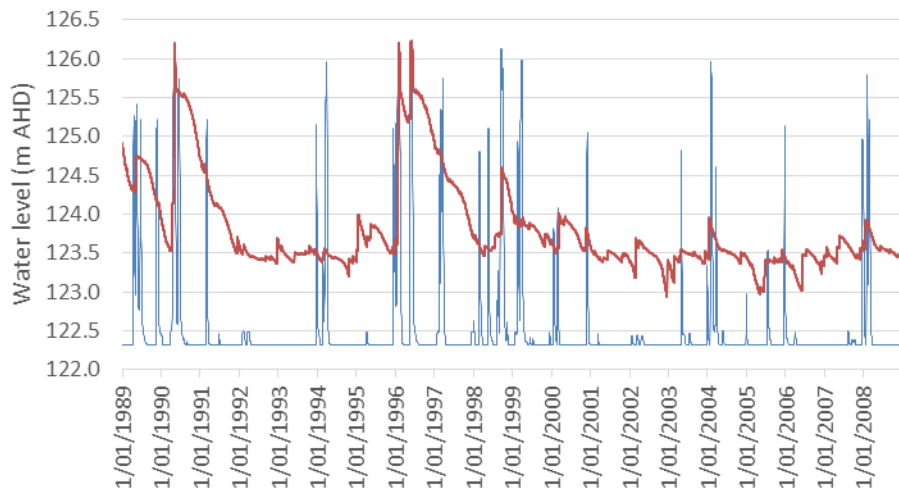
— River level — Proportion of wetland area wet



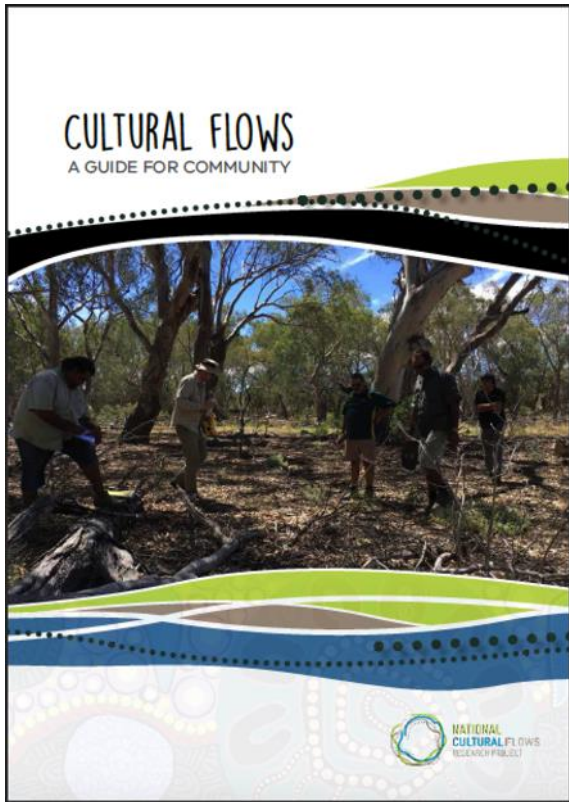
# Current



— River level — Wetland level — River level — Proportion of wetland area wet



# Component 4 – report for discussion...



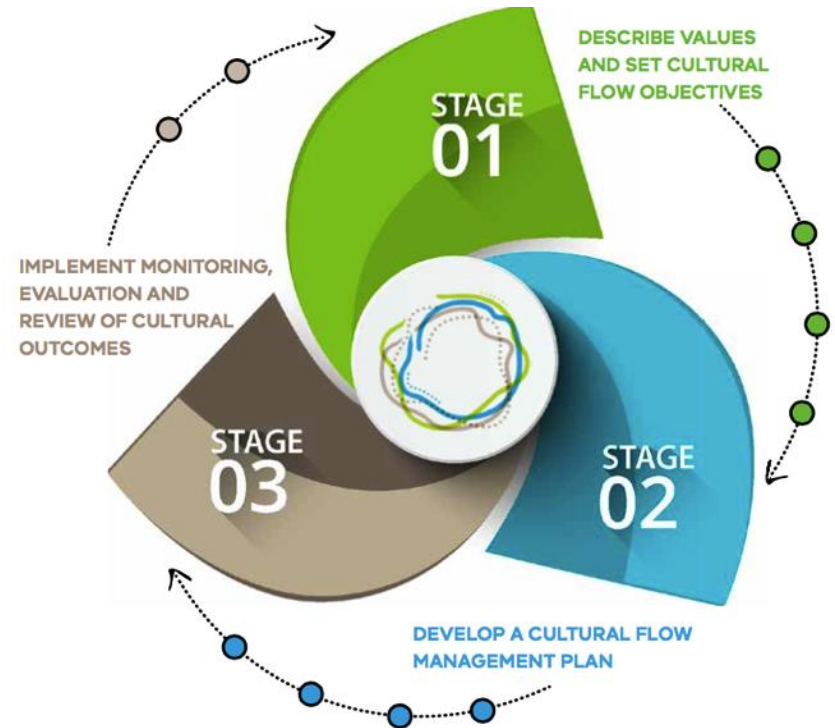
The Cultural Flows Guide provides a 10-step methodology for nations to use to calculate their cultural flow requirements.

It complements the Aboriginal Waterways Assessment Tool.

Two versions are available – a summary manual and a more detailed, technical one.

# The assessment tool

- A step by step guide to be used by Nations
- 10 steps across 3 stages
- Cultural Flows Management Plans
- Partnerships



# Component 5 – law and policy



Policy and legal analysis of opportunities available to nations to secure cultural flows, undertaken by Melbourne University. Completed in 2018.

Reports to be published online/in hard copy

- Law and policy options – summary
- Final law and policy report

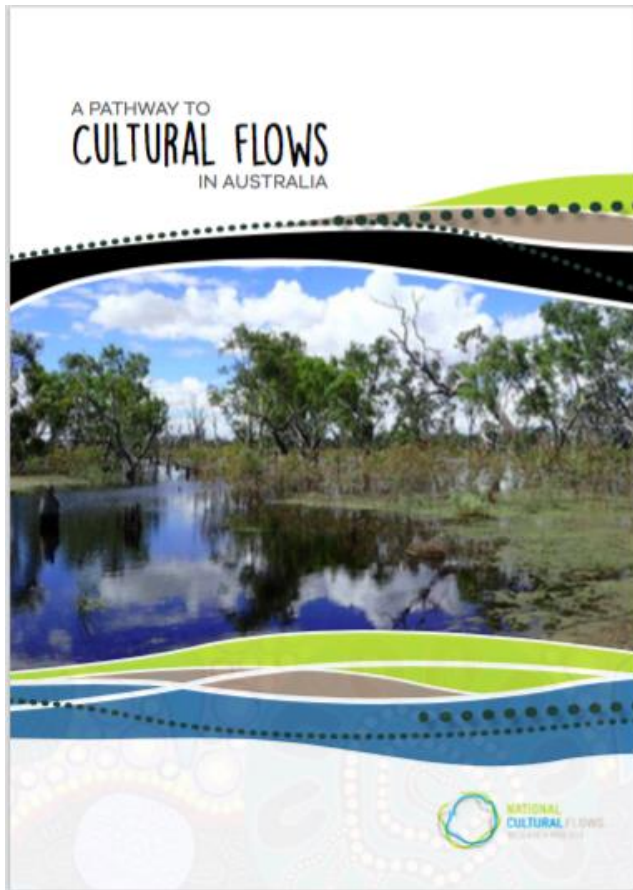
Reports to be held by MLDRIN, NBAN and NAILSMA

- Working paper 1 – survey of law and policy options
- Working paper 2 – proposed models





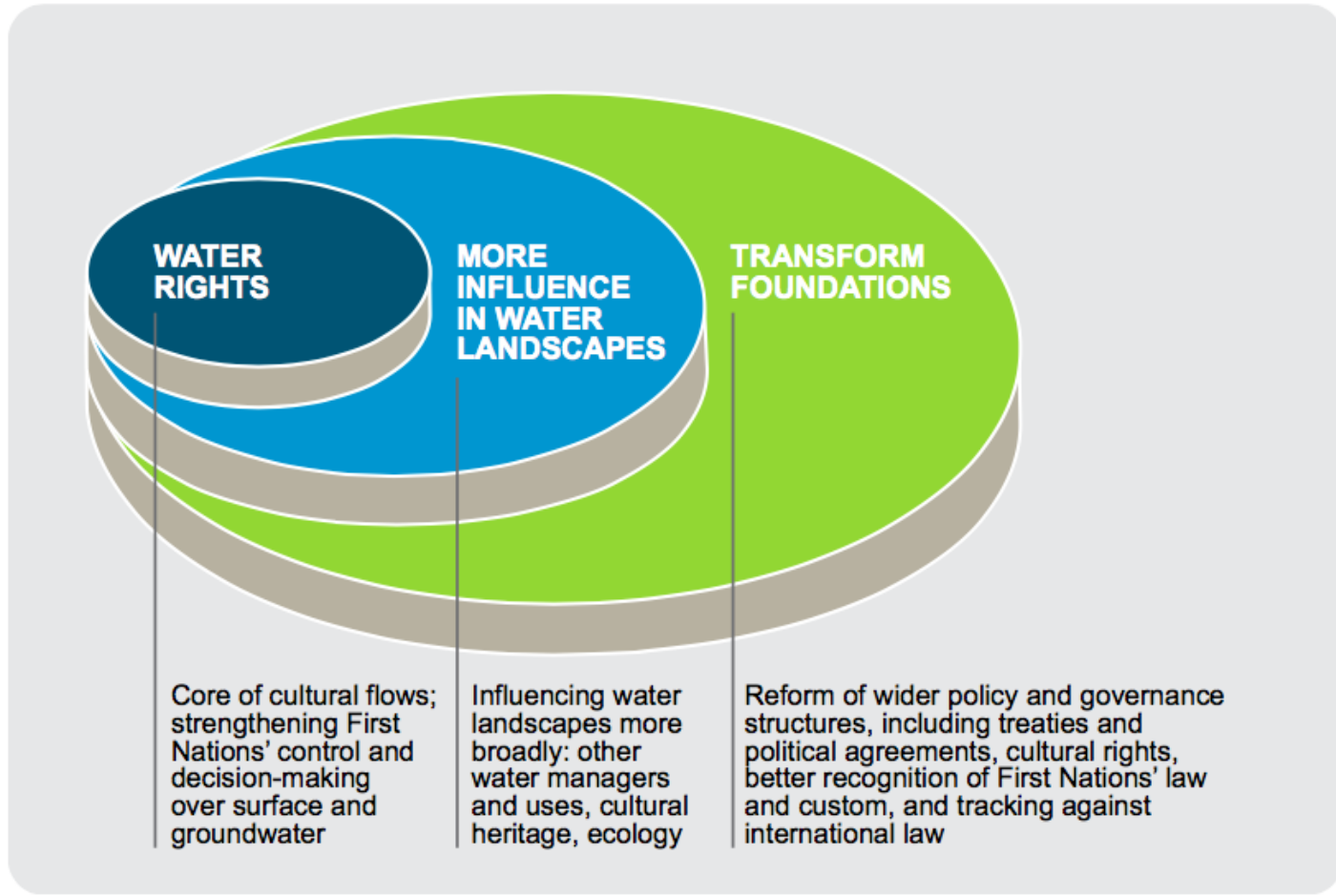
# Component 5 – report for discussion...



The law and policy options summary describes the three areas available to nations to pursue cultural flow outcomes.

A more detailed report has also been produced that describes the options in more detail.

# Policy and Legal Options



# Component 6 – capacity building

Funding has been provided to MLDRIN and NBAN to support the use of the research outcomes. Activities will be completed throughout 2018.

## MLDRIN

- Support Echuca Declaration anniversary event (2017)
- Workshops with nations to explore opportunities to use the research outcomes

## NBAN

- Youth participation in NBAN governance
- Nation-based workshops on research findings



# Component 7 - communications

In addition to communications activities to ensure MLDRIN and NBAN members were kept informed throughout the project and increase broader awareness of cultural flows, a number of reports were produced:

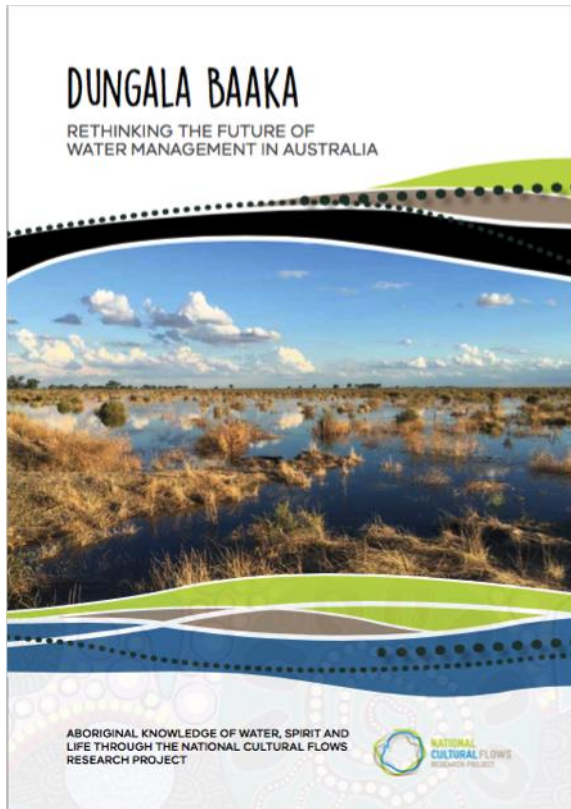
- Overall project narrative – Dungala Baaka
- Case study about Ngarrindjeri governance model

Other tools available to NBAN and MLDRIN

- Template presentations
- Cultural flows website
- Certain documents designed and published



# Component 7 – report for discussion...



The cultural flows narrative report (Dungala Baaka) aims to describe the project and the importance of cultural flows in the words of the Research Committee. It provides a different perspective to the technical research reports.

It is available to MLDRIN and NBAN to use as a resource.

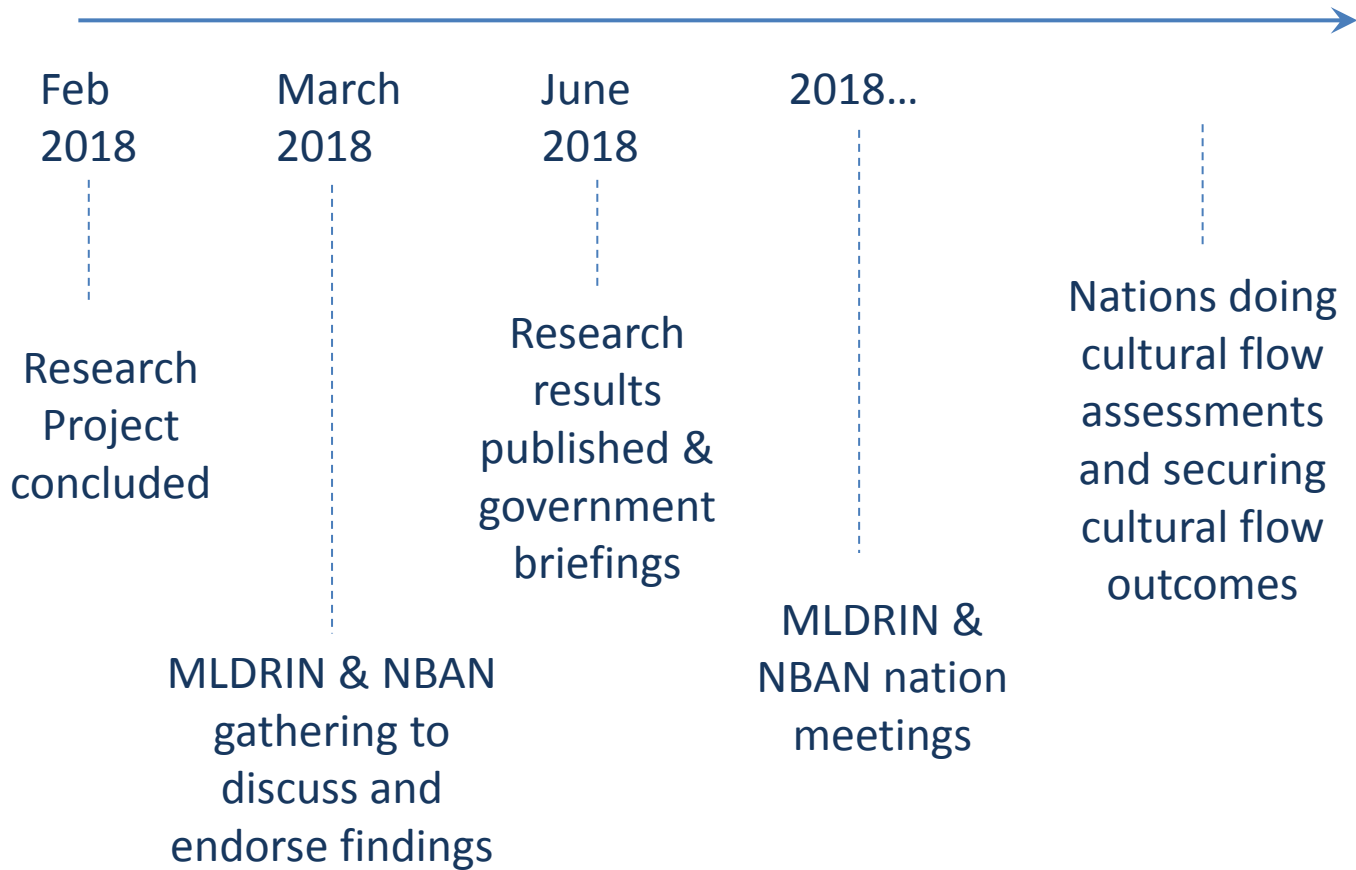
# Component 8

The final research component was the coordination of the project activities.

- The project was delivered within the available budget
- Project reports provided to funding bodies (MDBA, CEWO, FaHCSIA) and contracts acquitted
- Legal agreements with consultants and between project owners (MLDRIN, NBAN, NAILSMA) completed so they protect Nations' interests, including intellectual property.
- Consultants supported to ensure delivery of appropriate products, in agreed timeframes
- Research Committee supported to provide strong governance and guidance of the project.



# What comes next...



## Next steps

- MLDRIN & NBAN take on 'ownership' of the project (February 2018)
- Launch of findings, Public release of reports and material (June 2018)
- Direct engagement with Nations, pursue opportunities to apply the framework (March 2018 onwards)
- Direct engagement with decision-makers, pursue opportunities for legislative and policy reform (March 2018 onwards)





# Thank you!



More info: [www.culturalflows.com.au](http://www.culturalflows.com.au), [www.mldrin.org.au](http://www.mldrin.org.au) & [www.nban.org.au](http://www.nban.org.au)