

Warrego, Paroo, Bulloo and Nebine water resource plan and resource operations plan

Aboriginal values and uses report

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Acknowledgement of Traditional Owners

The Department of Natural Resources and Mines (DNRM) acknowledges and pays respect to the Traditional Owners and their Nations in the Warrego, Paroo, Bulloo and Nebine catchments. The contributions of earlier generations, including the Elders, who passed on their knowledge of natural resource management, are also valued and respected.

DNRM also acknowledges that the Traditional Owners of these catchments have a deep cultural connection to their lands and waters. DNRM understands the need for recognition of Traditional Owner knowledge and cultural values in water planning.

Table of contents

Table of contents	2
1 Purpose of this report	4
2 About water resource planning	4
3 Aboriginal people in the Warrego, Paroo, Bulloo and Nebine plan area	4
4 Objectives and outcomes based on Aboriginal values and uses	5
4.1 Objectives of Aboriginal people	6
4.2 Outcomes for water management desired by Aboriginal people	7
4.3 Aboriginal values and uses of water	7
4.3.1 Groundwater and natural springs	7
4.3.2 Rivers and waterholes	8
4.3.3 Connectivity through the landscape	8
4.3.4 Wetlands	9
4.3.5 Fish traps	9
4.3.6 Earthen and stone arrangements	9
4.3.7 Scarred and carved trees	9
4.3.8 Middens	9
4.3.9 Hearths	9
4.3.10 Burial grounds and ceremonial grounds	10
4.3.11 Culturally significant plants and animals	10
4.3.12 Water quality	10
4.3.13 Riparian zone	10
4.3.14 Allan Tannock Weir, Cunnamulla	10
4.3.15 Risks to identified values and uses	11
5 Consultation with Aboriginal people in preparation of the water resource plan	12
5.1 How Aboriginal people were engaged	13
5.1.1 Pre-draft plan consultation phase	13
5.1.2 Formal consultation on the draft plans	13
5.1.3 Final consultation on the draft plans	13
5.1.4 Other measures to gather information	14
5.2 Ensuring effective consultation	14
5.3 Native Title claims and Indigenous land use agreements	15
6 Cultural flows	16
7 Protection of Aboriginal values and uses	17
7.1 Legislative rights to water for cultural purposes or traditional activities	17
7.2 Planning outcomes and rules	17
7.3 Unallocated water reserves	18
7.4 Other	18

Attachment 1: References..... 19
Attachment 2: Summary of identified Aboriginal values and uses in the WPBN plan area..... 21

Table of figures

Figure 1 – Aboriginal objectives, outcomes, values and uses of water 6

1 Purpose of this report

The purpose of this report is to summarise the water values and uses described by Aboriginal people in the Warrego, Paroo, Bulloo and Nebine catchments. These values and uses have been used to inform the objectives, outcomes and strategies in the Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2016 (Queensland WRP). The report has also been prepared to address requirements under the Murray-Darling Basin Plan (the Basin Plan), Chapter 10 Part 14 which relate to recognition of Aboriginal water values and uses when preparing a water resource plan for accreditation (Water Resource Plan) under section 63 of the *Water Act 2007* (Commonwealth).

The information in this report was gathered from consultation and engagement with the Northern Basin Aboriginal Nations (NBAN), which was set up through the Murray-Darling Basin Authority (MDBA) to facilitate engagement with Aboriginal groups and consideration of the values and uses of water in the plan area, as well as other Aboriginal groups and people in the Warrego, Paroo, Bulloo and Nebine plan area.

For the purposes of this report, the term “Aboriginal” has been used where appropriate instead of “Indigenous” to reflect the wishes of representatives of NBAN. “Traditional Owners” is also used throughout the report and is defined in the Queensland WRP for the Warrego, Paroo, Bulloo and Nebine as Aboriginal people who identify as descendants of the original inhabitants of the plan area. This recognises Traditional Owners as holding the authority and responsibility with respect to Aboriginal culture.

2 About water resource planning

In Queensland, water resource planning provides a way to sustainably manage water within a catchment into the future. Sustainable management of water in water planning seeks to achieve a balance between the needs of people and the environment. This also includes the recognition of Aboriginal and Torres Strait Islander interests and connection with water in the landscape in the water planning process.

The Queensland WRP forms part of the Water Resource Plan that is submitted to the MDBA for accreditation purposes under the Basin Plan. As part of the accreditation process, the MDBA will assess how Queensland has involved Aboriginal people and Traditional Owners in the development of the Water Resource Plan and in the identification of Aboriginal objectives and outcomes and associated values and uses.

3 Aboriginal people in the Warrego, Paroo, Bulloo and Nebine plan area

The plan area is home to a significant Aboriginal population with a strong history of cultural values and uses of water. The Aboriginal groups with an identified interest in water planning in the Warrego, Paroo, Bulloo and Nebine catchments area are:

- Bidjara
- Budjiti
- Gungari/Kungarri
- Kooma/Guwamu
- Kullilli

- Kunja
- Mandandanji¹
- Mardigan
- Murrawarri.

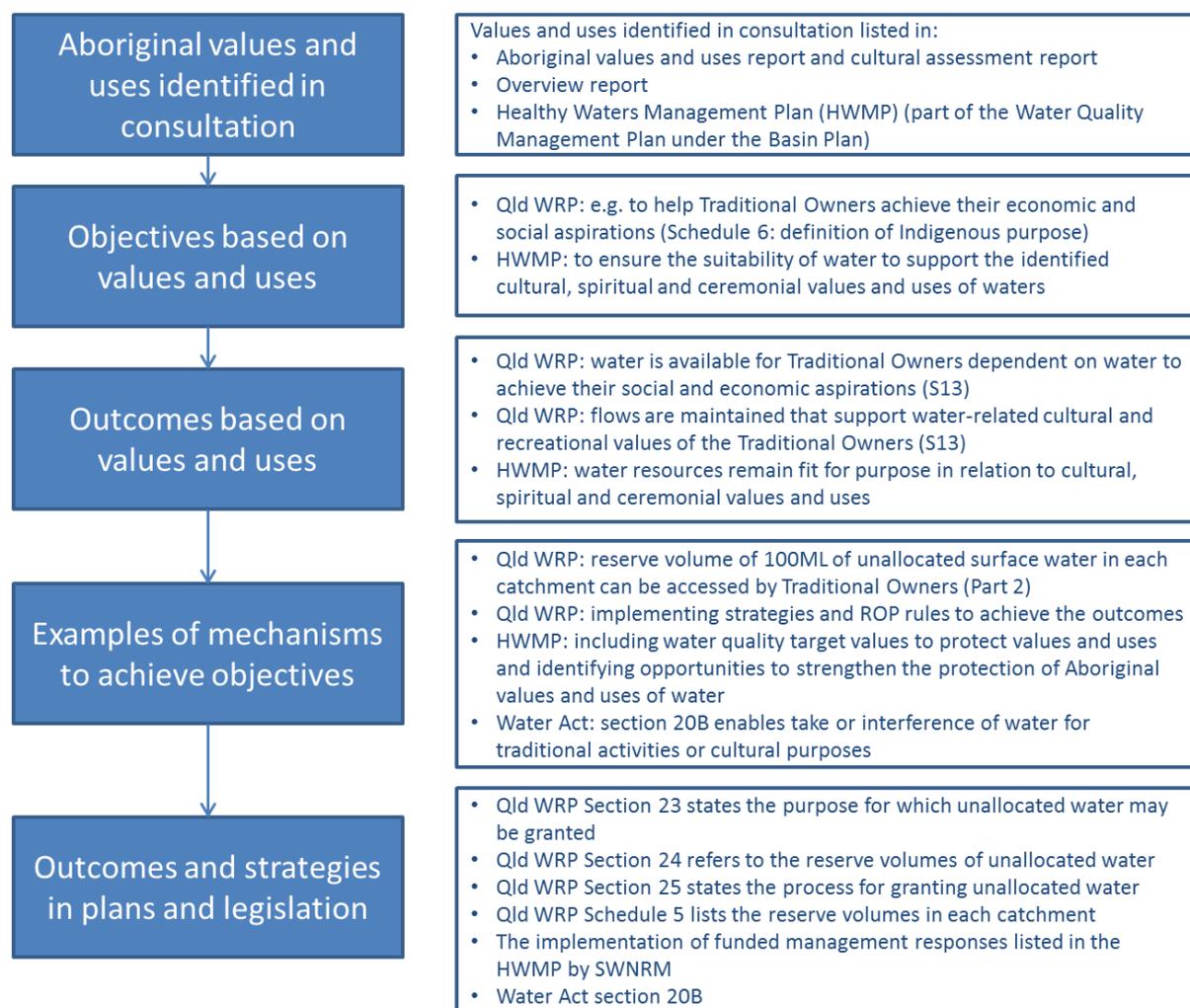
Aboriginal Nations in the Queensland Murray-Darling Basin catchments are, in part, represented by NBAN. Aboriginal people were also contacted through the South West Natural Resource Management (South West NRM) group and the Far South West Aboriginal Natural Resource Management Group (Aboriginal NRM Group).

4 Objectives and outcomes based on Aboriginal values and uses

Figure 1 summarises the objectives and outcomes that are based on the identified Aboriginal values and uses of water and how these are represented in the Queensland water planning process. The figure refers to different documents which are part of the Water Resource Plan that is submitted to the MDBA for accreditation purposes under the Basin Plan. This includes Queensland WRPs prepared under the *Water Act 2000* (Queensland) and Healthy Waters Management Plans prepared under the *Environmental Protection Act 1994* (Queensland).

¹ The Mandandanji Nation was identified in the Murray-Darling Basin Authority map endorsed by NBAN that shows the Aboriginal Nations for each water resource plan area; however in further consultation it was noted by Traditional Owners that Mandandanji's interest was in the Condamine-Balonne plan area and no comments were received from the Mandandanji Nation on the Warrego, Paroo, Bulloo and Nebine Water Resource Plan.

Figure 1 – Aboriginal objectives, outcomes, values and uses of water



4.1 Objectives of Aboriginal people

Addressing section 10.52(1)(a) of the Basin Plan

The objectives of Aboriginal people in relation to managing the water resources of the plan area have been captured from consultation with Aboriginal people and other sources. The objectives have been developed with regard to the identified Aboriginal values and uses. Objectives discussed in consultation include:

- to help Traditional Owners to achieve their economic and social aspirations, as referred to in the Queensland WRP
- to recognise cultural flows in water planning and management
- to protect the availability of water for cultural, ceremonial and spiritual uses
- to protect water quantity, quality and flow regimes of waterholes, wetlands, rivers and springs to preserve cultural value
- to protect sites, flora and fauna of cultural significance.

The Healthy Waters Management Plan, part of the Water Quality Management Plan under the Basin Plan, also includes the following objective, in relation to water quality:

- to ensure the suitability of water to support the identified cultural, spiritual and ceremonial values and uses of waters across the South West region.

4.2 Outcomes for water management desired by Aboriginal people

Addressing section 10.52(1)(b) of the Basin Plan

The Queensland WRP includes the following Aboriginal outcomes for water:

- availability of water for Traditional Owners who are dependent on water resources in the plan area to achieve their economic and social aspirations
- maintenance of flows of water that support water-related cultural and recreational values of the Traditional Owners.

The Healthy Waters Management Plan includes the following outcome:

- South West region water resources remain fit for purpose in relation to cultural, spiritual and ceremonial values and uses of water.

4.3 Aboriginal values and uses of water

Addressing section 10.52(2) of the Basin Plan

It is understood from the consultation with Aboriginal people that the value placed on water to Aboriginal people is not restricted to physical sites and items but is all encompassing of the health and function of the environment and broader landscapes.

It is recognised that there are values and protocols of men's and women's business that relate to water which are culturally sensitive and are not discussed openly. It is acknowledged that only the commonly known places and stories can be discussed openly. It is also understood that places and stories can hold different cultural values and significance between Aboriginal groups. Furthermore, Aboriginal groups can have the same cultural values associated with certain places and stories (Aboriginal NRM Group n.d.).

Aboriginal values and uses have been compiled from the consultation conducted by the Queensland Government in the plan area between 2013 and 2015, from consultation conducted on the Basin Plan by the MDBA and for the Healthy Waters Management Plan by the Queensland Department of Environment and Heritage. Attachment 1 provides a summary of each of the consultation documents used to help compile and identify the following values and uses of water.

Some of the values and uses identified by local Aboriginal people cannot be managed by a water resource plan, but have been included in order to understand the full range of water related values in the catchments.

4.3.1 Groundwater and natural springs

The availability of good quality Great Artesian Basin water and subartesian water, accessed by natural springs, was recognised as a value to the Aboriginal community through consultation on the

development of the Healthy Waters Management Plan. Springs are recognised as places of recreation and storytelling. As one submitter on the proposed Basin Plan said 'the old belief is that bore water is the blood of the rainbow serpent and we should not be digging down to it. Springs are where it comes up, and that is acceptable'.

Since some of the bores that access the Great Artesian Basin water have been capped, natural springs in Budjiti Country have regenerated. These springs are an important water source for local Aboriginal people to enable them to travel across Country. There are rock wells dug by ancestors that also enable travel across Country. Some of these wells are associated with either women's or men's business (Aboriginal NRM Group n.d.).

Mound springs were also identified in the Gundabooka submission on the draft Warrego, Paroo, Bulloo and Nebine Water Resource Plan in 2003 as significant cultural sites that need protection. Youlain Springs, west of Lake Wyara near the border of the Bulloo and Paroo catchments, was located on an archaeological investigation and is believed to be 13,000 years old and has evidence of cultural activity with animal bones, stone artefacts and hearths found on site (Robins 1998).

A number of springs were also identified as part of the aquatic ecosystem protection mapping under the Healthy Waters Management Plan, including the Eulo Springs Artesian Supergroup, and recharge and discharge springs connected to the Great Artesian Basin. This mapping was presented to the Aboriginal community through consultation to ensure important sites were included. The management intent for groundwater under the Healthy Waters Management Plan is to maintain the existing water quality distribution, which offers the highest level of protection.

4.3.2 Rivers and waterholes

Rivers and waterholes are understood to be intrinsically valued by local Aboriginal people in the Warrego, Paroo, Bulloo and Nebine catchments. Throughout the entire region, rivers and waterholes are valued as a place for recreation, storytelling and fishing. Locations along the Warrego River have been identified as places of storytelling, singing and birthing sites (Aboriginal NRM Group n.d.). The Nebine was considered the lifeline of the area with many burial grounds, fish traps and other culturally significant sites. Wallam Creek at Bollon was also identified as a key recreational site during consultation (Bollon meeting, October 2015). Angellala Creek near Charleville was raised as having significant spiritual value for local Aboriginal people. In addition, the Cuttaburra Creek overland flow path was also recognised in consultation as having high importance. Maintaining river flows was raised as vital to provide for fish and the environment which affects the cultural practices of Aboriginal people (Toowoomba meeting, October 2015).

Waterholes are places of family activities, fishing, recreation and ceremony (Aboriginal NRM Group 2008). There are many permanent waterholes in the plan area which have been mapped and recognised as High Ecological Value under the Healthy Waters Management Plan Initial Consultation Report. The Caiwarro Waterhole on the Paroo River has been identified as a resting place of an ancestral being as well as a place for fishing and ceremonies (Aboriginal NRM Group n.d.). Waterhole sites along the Warrego near Cunnamulla were highlighted as important recreational areas for Aboriginal people (Cunnamulla meeting, October 2015).

4.3.3 Connectivity through the landscape

The connectivity of water through the landscape was an important value raised at the NBAN Board Meeting in Toowoomba, May 2015. The importance of this value had also been documented in the Caring for Water on Country in South West Queensland report (South West NRM 2012), which states,

'The connectivity in the landscape is a key factor that cannot be ignored by Aboriginal people'. At community consultation meetings, Aboriginal people expressed their deep spiritual, physical and cultural connection to the land, water, plants and animals. Maintaining the connectivity of water throughout the landscape—from rainfall, to surface water, to groundwater—was a key message at Aboriginal community meetings. Participants emphasised the importance of recognising the interrelationships between environmental and cultural flows within the landscape.

4.3.4 Wetlands

The Currawinya Lakes in Currawinya National Park, which is in the Paroo catchment, is a nationally significant wetland system that holds cultural value to local Aboriginal people and is also a Ramsar-listed wetland (Aboriginal NRM Group 2008, South West NRM 2011).

4.3.5 Fish traps

There are fish traps within the Warrego, Paroo, Bulloo and Nebine region that hold cultural significance and need protection (Aboriginal NRM Group n.d., Aboriginal NRM Group 2008). The Piastre fish traps are located in Mardigan Country. These traps are relatively intact and have been used to catch fish in times of flood (Aboriginal NRM Group 2008).

4.3.6 Earthen and stone arrangements

There are numerous earthen and stone arrangements on floodplains identified as cultural heritage in the Warrego, Paroo, Bulloo and Nebine catchments. These arrangements and earthen circles would have been associated with initiations and religious ceremonies and generally consist of bare areas of ground surrounded by roughly circular, low mounds.

4.3.7 Scarred and carved trees

There are places recognised in the Warrego, Paroo, Bulloo and Nebine catchments which have scarred and carved trees (Aboriginal NRM Group 2008). South west of Cunnamulla there is a box gum with foot holes cut into the trunk. These were most likely used to enable Traditional Owners to catch possums. North east of Charleville on the Warrego River, there is a large canoe scar on a box gum. There is a scar tree located on Cubby Station that Traditional Owners have asked to be protected (Aboriginal NRM Group 2008). Scarred trees were also noted during visits to cultural sites along the Cuttaburra Creek and Warrego River and raised during consultation (Cunnamulla meeting, October 2015).

4.3.8 Middens

Shell middens range considerably in size and are found along inland floodplains and lakes in Queensland. There are middens recognised in the far south west of the Bulloo catchment containing predominantly mussel shells, stone artefacts, clay and stone hearths and European artefacts (Aboriginal NRM Group 2008). Middens were also raised as important cultural sites during consultation (Cunnamulla meeting, October 2015).

4.3.9 Hearths

Hearths are the ash and charcoal remains of ancient campfires and earth ovens. These are often found near fresh water on the plains of western Queensland (Robins 1998). In the far south of the Bulloo catchment there is a hearth made out of an ant mound rather than stone.

4.3.10 Burial grounds and ceremonial grounds

Burial grounds and ceremonial grounds were identified at many of the consultation meetings as being a high priority for protection and maintenance (Bollon, Cunnamulla, Charleville and Quilpie meetings, October 2015).

A submission made to the MDBA on the proposed Basin Plan stated that there are burial grounds along the rivers—the submitter did not specify which river or catchment but it highlights that value is placed on these sites.

4.3.11 Culturally significant plants and animals

From the consultation sessions, public submissions on the proposed Basin Plan, consultation throughout the development of the Healthy Waters Management Plan, the submission on the current plan by Gundabooka and other consultation documents, it is understood that the following plants and animals are among those important to local Aboriginal people:

- Murray river cod
- Catfish
- Yellowbelly
- Mussels
- Cray fish
- Yabbies
- Kangaroo
- Emu
- Berries
- Witchetty grubs
- Mulga
- River red gums
- Pelicans
- Black swans.

These species are important to local Aboriginal people for food, trade, storytelling and ceremonies.

4.3.12 Water quality

The Caring for Water on Country in South West Queensland report states 'Every water site located in the landscape was considered as being special to Aboriginal people, and it was not possible to prioritise or select some water sites as having a higher value than others' (South West NRM 2012). This concept was reflected in the Healthy Waters Management Plan, as the cultural, spiritual and ceremonial environmental value was applied to all surface water and groundwater management units across the Warrego, Paroo, Bulloo and Nebine basins. This signified that Aboriginal people require suitable water quality in order to achieve their cultural, spiritual and ceremonial practices. Through consultation, Aboriginal people stated that a key aim of the Healthy Waters Management Plan is to look after water quality to protect cultural, spiritual and ceremonial values.

4.3.13 Riparian zone

The riparian zone is the area of habitat along the edges of rivers, lakes or other water bodies. The riparian zone is valued by Aboriginal people as it supports the flora and fauna that are culturally significant. The riparian zone also plays an important role in the connectivity of the landscape. Significant cultural sites, such as burial grounds, were often identified at community consultation meetings as occurring in the riparian zone.

4.3.14 Allan Tannock Weir, Cunnamulla

The Cunnamulla meetings in October 2014 and October 2015 and a number of submissions to the MDBA from Aboriginal people, as well as feedback in the development of the Healthy Waters

Management Plan, raised issues about management arrangements at Allan Tannock Weir, Cunnamulla. The main issue for local Aboriginal people is understood to be that they cannot access water like they used to before the weir was built because it has interrupted the normal flow of water. It has also resulted in fish strandings as the fish cannot move safely up or down stream. Some submitters on the proposed Basin Plan mentioned that people have taken to trucking stranded fish up and down the river. Subsequently, there is strong community support for a fish ladder at the weir.

The community also raised the issue of siltation in the weir as another problem related to interruption of the natural flow of the river. There was strong interest in the removal of silt from the ponded area of the weir (Cunnamulla meeting, October 2015).

4.3.15 Risks to identified values and uses

Consultation with the Aboriginal people in the plan area raised many issues that were seen as risks to Aboriginal values and uses arising from the use and management of water resources as well as from land use and other non-water related activities. These risks include those identified as part of the consultation on the Healthy Water Management Plan by the Department of Environment and Heritage, and include:

- erosion of river banks and the impacts on ceremonial and burial grounds, requiring areas to be fenced off, revegetated and maintained (Bollon, Cunnamulla, Charleville meetings, Healthy Waters Management Plan (HWMP))
- siltation build-up behind weirs and general siltation and turbidity of the waterways (Bollon, Cunnamulla, Charleville, Toowoomba, HWMP)
- loss of river flows that support native fish and vegetation that are important for Aboriginal cultural practices (Cunnamulla, Toowoomba)
- effect of droughts and erosion on permanent waterholes and the subsequent impacts on cultural sites such as scarred trees, middens and burial grounds (Bollon, Cunnamulla, Charleville, HWMP)
- loss of knowledge on the cultural and spiritual values of the area and the need for more cultural mapping of usage and occupancy (Bollon, Cunnamulla, Charleville, HWMP)
- impacts of aquatic weeds, fish barriers such as Allan Tannock Weir, introduced European carp, cane toads, litter, blue green algae outbreaks and overfishing on the waterways (Cunnamulla, Charleville, Quilpie, Augathella, HWMP)
- loss of wildlife and native vegetation, including river red gums, birdlife, water rats, native fish and shellfish (Cunnamulla, Augathella)
- disturbance to fish traps (HWMP)
- inappropriate recreational activity at popular waterways/waterholes, particularly concerning disposal of human waste (HWMP)
- suspected illegal pumping and blocking of channels (Cunnamulla)
- lack of easily accessible information on water use in catchments (Cunnamulla)
- impact on rivers and waterholes from stock (Charleville)
- suspected impacts from mining, coal seam gas exploration and uncapped bores (Quilpie, HWMP)

- positive and negative impacts of bore drain capping (Cunnamulla)
- increase in chemical inputs to waterways via feral baiting programs, aerial spraying and herbicide runoff (HWMP).

The views of Aboriginal people on the risks to their values and uses of water were given regard to in the development of the Queensland WRP and the Healthy Waters Management Plan. Table 1 has been extracted from the table in the Healthy Waters Management Plan prepared by the Department of Environment and Heritage Protection and lists those risks that relate only to river flows and that can be dealt with by Queensland WRPs (EHP 2016). The table shows how the risks identified by Aboriginal people have been given regard to through the water planning process.

Table 1: Flow-related risks identified by Aboriginal people and opportunities to address them (modified from EHP 2016)

Risk to Aboriginal values and uses	Opportunities to strengthen the protection of Aboriginal values and uses
Loss of river flows that support native fish and vegetation that are important for Aboriginal cultural practices	As part of the water planning process, DNRM undertakes extensive environmental assessments that look at the flow-related risks to ecological assets, such as native fish and vegetation. The assessment determined that the risk to assets in this plan area was low.
Effect of droughts and erosion on permanent waterholes and the subsequent impacts on cultural sites such as scarred trees, middens and burial grounds	The effect of droughts on permanent waterholes is addressed by DNRM through the water planning process, and specifically through the use of environmental flow objectives (EFOs). The long-term watering plan for the Warrego, Paroo and Nebine catchment (Section 4) explains how the EFOs are applied to protect waterhole values (DNRM 2016a).
Loss of wildlife and native vegetation, including river red gums, birdlife, water rats, native fish and shellfish	Risks to aquatic ecosystems, including vegetation are assessed as part of DNRM's environmental assessments. The risk to these assets from the alteration of flows was assessed as low in this plan area.
Suspected illegal pumping and blocking of channels	Issues of non-compliance such as illegal take are referred to and handled by the local DNRM office. Illegal take of water is addressed in the <i>Water Act 2000</i> .

Other issues such as siltation behind the Allan Tannock Weir and lack of easily accessible information on water use have been addressed in the WPBN Water Resource Plan and Amended Resource Operations Plan Consultation Report (DNRM 2016b). All other risks identified are addressed in the Healthy Waters Management Plan (EHP 2016).

5 Consultation with Aboriginal people in preparation of the water resource plan

Addressing section 10.53 of the Basin Plan

Queensland recognises that consultation with Aboriginal people and the consideration of Aboriginal values and uses to be a fundamental part of the water planning process. This is in line with current

National Water Initiative principles, which identifies actions to provide for improved Aboriginal access to water resources through planning processes.

5.1 How Aboriginal people were engaged

Consultation with Aboriginal people and organisations that represent Aboriginal groups in the plan area occurred throughout all stages of the review of the Queensland WRP, as detailed below. In addition, the consultation and engagement chapter of the Healthy Waters Management Plan for the Warrego, Paroo, Bulloo and Nebine basins details the consultation that specifically addressed the planning and management of water quality. Where appropriate, DNRM and the Department of Environment and Heritage Protection conducted joint-consultation with the Aboriginal community to address both water use and water quality in a single forum.

5.1.1 Pre-draft plan consultation phase

The Queensland Government met with representatives from the Kooma, Bidjara, Kunja, Mardigan, Budjiti and Kullilli groups on May 24, 2013 in Charleville. The meeting provided the opportunity to hear what Aboriginal representatives wanted to see considered in the Queensland WRP and resource operations plan and for departmental officers to provide information on water management and the water planning process. This consultation was held in collaboration with Aboriginal NRM Group, NBAN and South West NRM.

Representatives of South West NRM were invited to provide input on all stages of the plan review process and representatives were present at the meetings, including a facilitator who was both a member of the South West NRM and NBAN at the time.

5.1.2 Formal consultation on the draft plans

Formal consultation upon the release of the draft plans was undertaken with Traditional Owners in an information session at Cunnamulla in October 2014. The session allowed discussion on the draft Queensland WRP and resource operations plan. The Cultural Assessment Report (DNRM 2014) was also discussed at this meeting to review the Aboriginal values and uses of water. Issues raised at this information session informed the development of the final plans.

DNRM has also consulted directly with NBAN about the draft Queensland WRP and sent NBAN a letter advising them of the public release of the draft plans and where they could access the documents, submission forms and public meetings. NBAN did not make a written submission as part of this process during the formal submission period. However, issues raised in a letter to DNRM by NBAN in relation to the consultation with Aboriginal people were incorporated into the submission process and addressed in the Consultation Report for the Warrego, Paroo, Bulloo and Nebine (WPBN) plan area (DNRM 2015).

5.1.3 Final consultation on the draft plans

DNRM and the Department of Environment and Heritage Protection held a series of meetings in October 2015 to inform Aboriginal attendees of the planning process and changes that had been made during the finalisation of the Queensland WRP and resource operations plan. Preparation for this round of consultation was done in close collaboration with NBAN. Meetings held in Bollon, Cunnamulla, Eulo, Charleville, Quilpie and Augathella were facilitated by NBAN representatives. Additional meetings held in Toowoomba and Roma allowed Traditional Owners residing in or near these towns to also participate. The focus on this round of consultation was to provide for more “on Country” opportunities to engage with Aboriginal people in the plan area.

This final consultation round on the review of the water resource plan was an opportunity for Aboriginal people to provide comments and suggestions for any final changes to the Queensland WRP and resource operations plan, to confirm the identified objectives, outcomes, values and uses identified through previous consultation and to discuss the future steps once the Queensland WRP was released.

5.1.4 Other measures to gather information

Information used to set the objectives and outcomes and identify the values and uses of water was also gathered from the Australian Government consultation in the catchments for the Basin Plan and the Queensland Government consultation with the South West NRM and Aboriginal NRM Group during the development of the Healthy Waters Management Plan.

5.2 Ensuring effective consultation

The Queensland Government focused on using NBAN as the key forum for engaging with Aboriginal people in the plan area. NBAN comprises Traditional Owner nominated representatives from 22 Aboriginal Nations in the northern Murray-Darling Basin, including all Nations in the Queensland part of the Basin.

The Government met with representatives of NBAN on a number of occasions to discuss the approach to consultation in the plan area, the identification of appropriate Traditional Owners, promotional options, practical measures to ensure effective consultation and the outcomes of meetings with Aboriginal people. The Government also gained insight from Queensland South Native Title Services and South West NRM on the appropriate people to engage and the methods and practices that would ensure effective consultation with Aboriginal people in the region. Aboriginal NRM Group representatives helped facilitate the sessions in May 2013 and the Government engaged representatives of NBAN as well as other Traditional Owners to facilitate the sessions held in October 2015.

The Queensland Government ensured that Aboriginal people were given sufficient notification of the opportunity to be involved in the water planning process through the following measures:

- flyers advertising the meetings were provided to NBAN, South West NRM and Queensland South Native Title Services for distribution and copies were placed in businesses in several towns prior to the meetings
- NBAN, South West NRM and Aboriginal NRM Group representatives assisted in the promotion of the meetings through their networks in the region
- flyers were sent with the help of Queensland South Native Title Services and using their mailing list to Native Title claimants and applicants across the region in the weeks preceding the meetings in October 2015
- notices were placed in local newspapers, including the Koori Mail, across the region in the weeks preceding the meetings
- radio announcements were made in the days leading up to the consultation in October 2015
- ministerial press releases were published prior to the meetings in October 2015.

Key issues and outcomes from the meetings were captured during the meetings and recorded in minutes. Issues were also noted during visits to cultural sites held in association with the formal meetings.

As an outcome to the initial consultation phases, the Queensland Government prepared a cultural assessment report (DNRM 2014) that fed into the review of the Queensland WRP and resource operations plan. The report summarised the issues raised by Aboriginal people, including information on the Aboriginal values and uses of water in the plan area as well as the key issues raised in relation to water planning and management. This report was published on DNRM's website under the WPBN catchment page.

Information at meetings was presented on posters which highlighted the key Aboriginal values and uses of water identified to date, in order to encourage participants to confirm or add to these during the course of the meetings. Other posters described key issues raised by Aboriginal people in the earlier rounds of consultation, a summary of the outcomes in the water resource plan and a number of maps showing surface and groundwater use, significant sites for protection (including waterholes and springs), water quality and land use. This use of posters proved a helpful tool in the consultation to clearly convey the key information gathered up to that point in time and to seek feedback on any gaps in the information.

The Queensland Government has undertaken consultation based on formal and informal advice from NBAN and the MDBA throughout the preparation of the Water Resource Plan. The consultation was consistent with existing processes under the *Water Act 2000* (Queensland), *Environmental Protection Act 1994* and the National Water Initiative. In addition, Queensland was guided through the consultation in the WPBN plan area by the following resources:

- Murray Lower Darling Rivers Indigenous Nations (MLDRIN) and NBAN Principles of Indigenous Engagement in the Murray-Darling Basin
- Akwe: Kon Voluntary Guidelines on for the Conduct of Cultural, Environmental and Social Impact Assessment (CBD 2004)
- A review of Indigenous involvement in water planning (NWC 2014)
- Engaging Queensland: Introduction to working with Aboriginal and Torres Strait Islander communities (Queensland Government 2005)
- MDBA Handbook for Practitioners, which refers further to the United Nations Declaration on the Rights of Indigenous Peoples (MDBA 2013).

The Department of Environment and Heritage has also undertaken consultation with Aboriginal people as part of the development of the Healthy Waters Management Plan, as detailed in the consultation and engagement chapter of this report.

5.3 Native Title claims and Indigenous land use agreements

Native Title is the recognition by Australian law that Aboriginal people have rights and interests to their land that come from their traditional laws and customs (NNTT 2011). At the time of writing the Cultural Assessment report in 2014, there were eight native title claims identified in the Warrego, Paroo, Bulloo and Nebine catchments covering approximately 310,632 square kilometres (DATSIMA 2012). Some of these claims cover multiple catchments as well as other native title claims. More detail on the native title claims in the Warrego, Paroo, Bulloo and Nebine catchments is provided in Attachment 2 of the Cultural Assessment Report.

The Commonwealth *Native Title Act 1993* provides for Indigenous land use agreements between native title holders or claimants and other interested parties about how land and/or water in a particular area will be used and managed in the future. At the time of writing the cultural assessment

report in 2014, there were seven Indigenous land use agreements in the Warrego, Paroo, Bulloo and Nebine catchments and a further seven that were being determined for registration (DATSIMA 2012). A majority of the agreements to be registered are in the Nebine catchment. The registered Indigenous land use agreements are mostly in the Bulloo and Paroo catchments. More detail on the Indigenous land use agreements in the Warrego, Paroo, Bulloo and Nebine catchments is provided in Attachment 3 of the Cultural Assessment Report.

The *Water Act 2000* (Queensland) makes provision (Section 20B) for an Aboriginal party or a Torres Strait Islander party to take or interfere with water for traditional activities or cultural purposes. This aims to clarify those rights that are provided under state Native Title and Aboriginal Cultural Heritage Acts. Rights under section 20B are discussed in detail under section 6.1 of this report.

Opportunities to discuss any concern that local Aboriginal people may have with registered and unregistered Aboriginal heritage in the Warrego, Paroo, Bulloo and Nebine catchments were provided during consultation for the review of the water resource plan. No concerns were raised at the meetings held throughout the plan review.

6 Cultural flows

Addressing section 10.54 of the Basin Plan

Cultural flows is considered along with other water values identified by local Aboriginal people to help translate the relationship that local Aboriginal people have with water into the language of water planning and management. The MDBA states that the provision of cultural flows has the potential to benefit local Aboriginal people by enabling them to care for their Country and undertake cultural activities (MDBA 2012). Provision of cultural flows also provides an important and respectful acknowledgement of Aboriginal culture, traditional knowledge and spiritual attachment to place (MDBA 2012).

The following definition of cultural flows has been agreed upon by the NBAN and Murray Lower Darling Rivers Indigenous Nations (MLDRIN) and is recognised in the Basin Plan (MDBA, 2012, p.12):

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

In addition to the *Water Act 2000* (Queensland) provisions for Aboriginal people to take or interfere with water for traditional activities or cultural purposes (refer section 4.3 above), Queensland also has statutory responsibilities under chapter 2 of the Act where it makes provision for advancing the sustainable management and efficient use of water in water planning. Sustainable management under the Act includes recognising the interests of Aboriginal and Torres Strait Islander people and their connection with the landscape in water planning.

Discussions with NBAN during the review of the water resource plan did include reference to the importance of cultural flows to Aboriginal people in the Murray-Darling Basin. Queensland recognises this importance and is committed to working further with NBAN and other stakeholder groups to understand cultural flows and how these flows may relate to the state water planning framework. The Queensland Government is also a member of the National Cultural Flows Research Project

Committee and will provide advice to the committee on state water planning processes and promote the results of the research project to its stakeholders.

7 Protection of Aboriginal values and uses

Addressing section 10.55 of the Basin Plan

A number of specific changes to the way water is managed have been made to implement recommendations made by Traditional Owners in the plan area. These changes have been made during the review of the Queensland Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003 and included in the new Queensland Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2016 and the Warrego, Paroo, Bulloo and Nebine resource operations plan. The level of protection of Aboriginal values and uses has been maintained and enhanced in the new water resource plan, as described in the sections below.

7.1 Legislative rights to water for cultural purposes or traditional activities

The *Water Act 2000* (Queensland) makes provision for local communities to access water for several purposes, including ecotourism, stock and domestic and recreational use, without the need for a water entitlement. There are conditions in place to make sure that the take of this water does not impact on other water users or on the ecological values that have been identified in the plan.

In 2013 changes were made to the Act to acknowledge Aboriginal rights and uses of water as being distinct from those of the general community. Section 20B was added which explicitly enables an Aboriginal party to take or interfere with water for traditional activities or cultural purposes.

An Aboriginal party (as defined in section 35 of the *Aboriginal Cultural Heritage Act 2003*) is:

- a native title party (including a registered native title claimant or native title holder)
- if there is no native title party, an Aboriginal person with particular knowledge about traditions, observances, customs or beliefs and who is recognised in accordance with Aboriginal tradition as having responsibility for the area or for significant Aboriginal objects located or originating in the area.

‘Cultural purposes’ means an activity, other than a commercial activity, that supports the maintenance or protection of Aboriginal cultural heritage. ‘Traditional activities’ is any activity that the Aboriginal party carries out which is part of their tradition including, hunting, fishing, gathering, camping, performing rites or ceremonies and visiting sites of significance.

7.2 Planning outcomes and rules

The Queensland WRP for the Warrego, Paroo, Bulloo and Nebine is the first in Queensland to include separate outcomes for Aboriginal people, in addition to the ecological, economic and social outcomes. This highlights the important role of water planning in protecting Aboriginal values and uses of water.

The protection of many of the identified Aboriginal values and uses of water is achieved through the operation of the Queensland WRP and resource operations plan. Aboriginal values and uses linked to waterholes, rivers, wetlands and culturally significant animal and plant species are dependent on the protection of the near natural flow regime. Due to the low level of water resource development in the WPBN catchment, the emphasis of the environmental watering requirements is to protect and

maintain the flow-related components of the ecosystem. For example, the Queensland WRP has management arrangements to protect waterholes, lakes and springs. This is done by limiting the take of water from these water sources to maintain the ecological health and function of the ecosystem. This helps to maintain the health and integrity of these systems and in turn assists in the protection of cultural values that link to this water.

Flooding of the landscape provides for many biological functions, such as the refreshing of waterholes and wetlands that are important to Aboriginal people in the Warrego, Paroo, Bulloo and Nebine catchments. The level of water extracted is small in this context but there are arrangements in the Queensland WRP to manage this take and ensure that flooding regimes continue to occur in the catchments.

The new Queensland WRP for the WPBN also includes a number of revised environmental flow objectives (EFOs) and performance indicators. EFOs are statistics that describe acceptable levels of change to aspects of the modelled flow regime at specific locations in the plan area. Future decisions made under the Queensland WRP will need to meet the EFOs, which will help protect flow regimes that contribute to the health of natural ecosystems and will help to ensure many of the Aboriginal values and uses of water are protected.

There are requirements to monitor the performance of the plan against the ecological and other objectives that are stated in the plan. Certain species of plants and animals that represent the water requirements of the ecosystem are identified and assessed using research and monitoring information provided by DNRM and other organisations.

Subartesian groundwater resources will now be managed under the Queensland WRP, which will contribute to the protection of Aboriginal values and uses that depend on groundwater, such as springs.

7.3 Unallocated water reserves

A key change in the new Queensland WRP is that Traditional Owners in the plan area can apply for water entitlements from the reserves of unallocated water, including groundwater, which are available to all members of the community. Traditional Owners proposing to develop an economic venture can access the 100ML of unallocated surface water set aside for Indigenous purposes in each catchment. Indigenous purpose is defined in the plan as a use for the purpose of helping an Indigenous community achieve its economic and social aspirations. This will assist small scale projects such as irrigation or aquaculture to be developed by Traditional Owner communities. More information on the process for accessing the unallocated water reserves will be available on DNRM's website www.dnrm.gov.au.

7.4 Other

Additionally, the Healthy Waters Management Plan seeks to establish environmental values, which include cultural, ceremonial and spiritual values, aquatic ecosystem values and human use values, in south west Queensland. Cultural, ceremonial and spiritual values under the Environmental Protection (Water) Policy 2009 for this process are defined as aesthetic, historical, scientific, social or other significance to the past, present or future generations. The definition in this context includes non-Aboriginal values as well as Aboriginal people's values. Refer to the Healthy Waters Management Plan for Warrego, Paroo, Bulloo and Nebine basins for more information.

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Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003

Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2016

Attachment 2: Summary of identified Aboriginal values and uses in the WPBN plan area

Site or object	Value or use	Example
Natural springs, mound springs	<p>Use of natural springs for access to water to enable Aboriginal people to travel across Country</p> <p>Use of natural springs for recreation</p> <p>Value of natural springs for storytelling</p> <p>Value of rock wells dug by ancestors for men's or women's business</p> <p>Value of mound springs as significant cultural sites in need of protection</p>	<p>Youlain Springs west of Lake Wyara is a mound spring that is believed to be 13,000 years old and has evidence of cultural activity with animal bones, stone artefacts and hearths</p>
Rivers and waterholes	<p>Rivers and waterholes are intrinsically valued by Aboriginal people as places for recreation, storytelling, fishing, singing, family activities and birthing.</p> <p>The economic value of waterways for Aboriginal people has been recognised during consultation as important.</p> <p>Value of cultural flows</p>	<p>Caiwarro Waterhole on the Paroo River has been identified as a resting place of an ancestral being as well as a place for fishing and ceremonies</p>
Lakes, wetlands, claypans and gilgais	<p>Cultural and sacred sites, integral to ceremonies and stories</p> <p>Gilgais provided seasonal water and food to sustain Aboriginal people in the arid landscape.</p>	<p>Currawinya Lakes is a nationally significant wetland system that holds cultural value to local Aboriginal people. A gilgai is a small, ephemeral lake formed from a depression in the soil surface in expanding clay soils. The name comes from an Australian Aboriginal word meaning small water hole. Claypans and gilgais slow the movement of water into the soil.</p>
Fish traps	<p>Fish traps located in the region hold cultural significance and need protection</p>	<p>Piastre fish traps located in Mardigan Country are relatively intact and have been used to catch fish in times of flood</p>
Earthen and stone arrangements	<p>Earthen and stone arrangements are associated with initiations and religious ceremonies. They generally consist of bare areas of ground surrounded by roughly circular low mounds.</p>	<p>Numerous earthen and stone arrangements on floodplains have been identified as cultural heritage sites.</p>
Scarred and carved trees	<p>Scarred trees are important sites signifying Aboriginal ancestry across the South West region.</p>	<p>Southwest of Cunnamulla there is a box gum with foot holes cut into the trunk, most likely used to catch possums</p>

Site or object	Value or use	Example
		<p>North east of Charleville there is a large canoe scar on a box gum</p> <p>Scar tree located on Cubbie Station that Traditional Owners have asked to be protected</p>
Middens	Middens were raised as important cultural sites during consultation.	Middens are located in the far south west of Bulloo catchment and contain predominantly mussel shells, stone artefacts, clay and stone hearths and European artefacts
Hearths	Hearths are ash and charcoal remains of ancient campfires and earth ovens often found near fresh water on the plains of western Queensland	Far south of the Bulloo catchment there is a hearth made out of an ant mound rather than stone
Burial grounds	Burial grounds are sacred sites for Aboriginal people and a high priority for protection and maintenance.	Burial grounds are located in various locations across the Warrego, Paroo, Bulloo and Nebine catchments, as identified through discussions with Aboriginal people.
Plants and animals	Plants and animals are important to local Aboriginal people for food, trade, storytelling and ceremonies.	<p>Among those important include:</p> <ul style="list-style-type: none"> • Murray River cod • Catfish • Yellow belly • Mussels • Cray fish • Yabbies • Kangaroo • Emu • Berries • Witchetty grubs • Mulga • River red gums • Pelicans • Black swans
Water quality	Cultural, spiritual and ceremonial purposes.	Suitable water quality is an important value to Aboriginal people across all management units in the Warrego, Paroo, Bulloo and Nebine catchments.
Riparian zone	Provides habitat for the flora and fauna important to the Aboriginal community. Significant cultural sites, such as burial grounds, are often located in the riparian zone.	Maintaining the connectivity of the riparian zone is highly valued across all catchments in the WPBN.
Connectivity through the landscape	The connectivity of water through the landscape is important for spiritual, physical, social, ceremonial and cultural values. The Caring for Water on Country in South West Queensland report (FSWANRM, 2012) states, 'The connectivity in the landscape is a key factor that cannot be ignored by Aboriginal people.'	Catchment-wide