

Recognising and protecting Indigenous values in water resource management



Background paper for the 5-6 April 2006 workshop at CSIRO, Darwin

This background paper was written by Sue Jackson from CSIRO Sustainable Ecosystems to provide those coming to the Indigenous values workshop in Darwin with background information on what has been happening in the Daly River region. It describes how Indigenous values have been dealt with in catchment planning processes and raises some of the problems I hope can be discussed further in the workshop.



The Daly River

The Daly River has the largest flow of any NT river, with a dry season flow far in excess of any other. Water quality and the reliability of flow are dependent on large groundwater supplies that also sustain the region's many wetlands. The river is highly valued by a range of sectors for its constant flow and for the provision of breeding areas and habitat for important aquatic populations of fishes, turtles, water-birds etc.



The Daly region is also considered the NT's most suitable region for agricultural development because of the good soils and water supplies. Throughout 2003 Government decisions to subdivide vacant crown land, along with proposals to clear land and allocate water for mixed farms, generated considerable public debate about the environmental and social impacts of development.

There are at least ten Aboriginal language groups in the Daly River region, representing a quarter of the population, and Aboriginal people own approximately 30% of the land. During 2003, Aboriginal people were largely unaware



of the issues that were being discussed by water resource managers, biodiversity planners, economic development officers or farmers, pastoralists and others. At that time some Aboriginal people expressed concern about the effects of increased farming on sacred sites and river health.

Land and water allocation planning

Many people commenting on the Daly agricultural controversy saw catchment planning as a means of avoiding a repeat of water resource management problems of southern Australia. In late 2003, the NT Government stopped land subdivision and clearing while they worked on an integrated land-use plan and water allocation plan.

A mixed group of stakeholders, called the Daly Region Community Reference Group (CRG), was created to oversee the production of a land-use plan within 9 months. The Government's Water Resources Branch was at the time working on a water allocation plan, so the CRG was asked to provide community input to that planning process. Under the Water Act, a water allocation plan should ensure that water is allocated to declared environmental values (see discussion below) and within sustainable limits.

Rick Farley from NSW was appointed Chairman of the group. There were 12 people representing various stakeholder groups (e.g. Amateur Fishermen's Association) and 5 local people, making 17 in total. Traditional owners from the region were represented by John Daly, then Deputy Chair of the Northern Land

Council. ATSIC was also represented. Following criticism of the CRG for inadequate Indigenous representation, an Indigenous values sub-committee was formed with two extra members (Mona Liddy and John Sullivan).

The CRG was asked to maintain and respect the environmental, social, economic, cultural and heritage values of the region, as well as 'the special connection that Aboriginal traditional owners have to the land' (NT Government 2004). The Community Reference Group reviewed all the scientific information and requested more information on the social and cultural values of the Daly region. Two separate studies were done – one on the social values of the non-Indigenous communities and one on the cultural values of the Indigenous communities. I was asked by the Northern Land Council to work with traditional owners to prepare a report on Indigenous interests. This report said that water – its origins, features and appropriate use – is highly significant to the way of life, sense of identity, economy and cosmology of the Aboriginal language groups.

The report was critical of the lack of time available to gain a comprehensive understanding of Indigenous interests, values and possible impacts on their way-of-life, as well as the way in which the Community Reference Group was structured. Throughout 2004, Aboriginal people said that this Group could not properly represent their concerns and their ways of making decisions. Many people said that they wanted the chance to meet as an alliance of Aboriginal groups who all share interests in the river.



The report recommended that an Interim Aboriginal Reference Group with two representatives from each of the ten groups be established to participate in catchment management activities, and to negotiate a regional land-use agreement. It was then not clear whether the Government would set up an ongoing catchment management group and how Aboriginal people would relate to that group.

In July 2004 traditional owners withdrew their support for the CRG, but continued to meet to discuss the Daly on their own, with the assistance of the NLC.

The CRG produced a report - but not a land-use plan, in December 2004. When the NT Government responded in August 2005 it announced that the moratorium on land subdivision and clearing would be extended until 2007 to allow for further research and monitoring. The Government has since provided assistance to the NLC to establish and support an Aboriginal Reference Group. That group has met on four occasions and is currently developing its abilities to influence the land and water use decisions.

Values in water resource management

Values are now being talked about in water policy throughout Australia. The determination of a community's preferred values and uses is an essential step in developing a water quality management program and in water allocation plans. These values are referred to as 'environmental values' and described as 'what we want and need to protect' (Department of Heritage and Environment 2002). Environmental value categories include: agricultural, aquaculture, environment, public water supply and the most recent category, cultural. The National Water Quality Management Strategy Guidelines reveal a spiritual focus underlying 'cultural value':

Indigenous cultural and spiritual values may relate to a range of uses and issues including spiritual relationships, sacred sites, customary use, the plants and animals associated with water, drinking water or recreational activities (ANZECC & ARMICANZ 2000: 2-7).

There are no water quality guidelines for cultural and spiritual values, unlike other environmental values. The National Strategy recommends that managers, in full consultation and co-operation with indigenous peoples, will need to decide how best to account for cultural values within their own management frameworks.

The NT water resource legislation is in line with national policy. It defines a role for environmental values across seven categories, including cultural values. Under the current Water Act, the definition of cultural value is 'water to meet aesthetic,



recreational and cultural needs'. Nowhere else in the water resource regulatory or management framework is there guidance on what is meant by the cultural value concept, nor how to protect these values once they have been identified.

In an article published in March 2006, I wrote about the way that Indigenous values were being talked about in the Daly planning process. A lot of attention was given to sacred sites and cultural heritage. But Indigenous interests were defined in a narrow way, leaving them out of discussions about economic development and environmental research and activity. More thought needs to go into setting up ways for traditional owners to manage their country, increase their access to places and have an on-going say in decisions about the region.

Issues to talk about at this workshop:

- What do we mean by cultural values?
- Are the issues described here for the Daly the same ones facing other regions – e.g. in the Murray Darling and the Ord River region of the Kimberley?
- How can the full range of Indigenous interests and values be recognised in water resource planning and management?
- What are the best ways of identifying them and then making sure that they are being protected or maintained?
- How can Indigenous people be supported to participate in monitoring and management?

References

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Further information

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