

NSW Aboriginal Water Strategy Submission Form



The NSW government is developing a state-wide Aboriginal Water Strategy and implementation plan to identify ways of increasing water rights and ensure that Aboriginal people are empowered to contribute to water management and planning decisions.

The strategy is being developed through a genuine partnership between the department and NSW Aboriginal stakeholders and communities. It is based on listening to what has been said in the past and what is heard during the community consultation process.

The NSW government is developing a state-wide Aboriginal Water Strategy and implementation plan to identify ways of increasing water rights and ensure that Aboriginal people are empowered to contribute to water management and planning decisions.

Please email your completed form to: water.enquiries@dpie.nsw.gov.au

If you have any questions about the questionnaire, please email:
water.enquiries@dpie.nsw.gov.au

Your voice is important

This is your opportunity to provide feedback on the actions identified in the draft strategy, and how they should be implemented.

We value your feedback and would appreciate if you could complete this 20-minute questionnaire.

Your responses can remain anonymous if you wish.

This survey closes at 11:59 pm (AEST) on Sunday 25 August 2024.

Privacy

Information on privacy and confidentiality

All feedback received by the department will be reviewed. We value your input and accepts that information you provide may be private and personal. If you would prefer your feedback or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your feedback, including any personal details contained in the feedback, available to the public. Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of feedback forms to third parties in accordance with the *Government Information (Public Access) Act 2009*.

Further information is available in our [Privacy statement](#).

Mandatory questions are indicated with an asterisk (*)

Privacy questions

I would like my feedback to be treated as confidential *

- Yes
- No

I would like my personal details to be treated as confidential. *

- Yes
- No

Your details

Given name * _____

Family name * _____

Phone number _____

Email address * _____

Organisation _____

Postcode * _____

What is your age group?

- 17 and under
- 18-25
- 26-35
- 36-45
- 46-55
- 56-65
- 66+
- Prefer not to say

Do you identify as Aboriginal and/or Torres Strait Islander?

- Yes
- No
- Prefer not to say

Are you making this submission as an individual or as a representative of an organisation?

- Individual
- Organisation

If making this submission as a representative of an organisation, who do you represent?

Government (select one)

- Commonwealth
- New South Wales
- Other State
- Local

Peak representative organisation (select one)

- Environment
- Industry
- Business group or business chamber
- Community
- Water Utility

Aboriginal organisation (select one)

- Yes
- No

Please name the department or organisation_____

- Other (select and provide details)

- N/A

What is your interest in water in your area? Select all that apply.*

- I live in the area
- I own land in the area
- I work in the area
- I own a business in the area
- My Country is in the area
- I am an irrigator
- I am a water broker
- I am a water access licence holder
- I am an environmental water holder
- I represent a government organisation – please specify _____
- I am part of a community group – please specify _____
- I am part of an industry or environmental group – please specify _____
- Other – please specify _____

What do you use the water resources for? (Select all that apply) *

- Commercial farming/ industry/irrigation
- Stock and domestic uses
- Fishing
- Recreational activities – swimming, boating, relaxing etc
- Cultural or community events
- Environmental conservation activities
- Transportation
- Educational/ research purposes
- Other – please specify _____

Objective 1 – Strengthen the role of Aboriginal people in water planning and management.

This objective aims to embed and sustain culturally appropriate Aboriginal engagement, participation, partnerships, and communication processes into water management and government decision making.

The actions of this objective should not only reform existing water governance and decision-making processes to improve meaningful Aboriginal representation, but they should also provide opportunities for Aboriginal people to develop Aboriginal-led water governance and decision-making structures and processes consistent with the principle of self-determination. Importantly, the actions should provide opportunities at all levels for Aboriginal people to contribute to, and lead the management of, their land and water resources.

Key actions

- 1.1. Collaboratively design and implement governance arrangements that enable NSW Aboriginal peaks and community controlled organisations, other Aboriginal

- water-interest groups, and Aboriginal communities to work with the government on critical statewide water strategies, policies, programs, and issues.
- 1.2. Collaboratively design an Aboriginal water engagement framework that respects and builds appreciation for Aboriginal cultural protocols and recognises the importance of cultural safety for Aboriginal participants in water management and government decision-making processes.
 - 1.3. Reform existing water engagement frameworks and decision-making processes to support Aboriginal representation, including through identified Aboriginal gender-balanced roles on relevant boards and committees and supporting roles for Aboriginal community controlled organisations in water governance. This will build on a current action to establish a Regional Aboriginal Water Committee in each of the NSW water regions.
 - 1.4. Increase the participation and employment of Aboriginal people on Country to maintain the health of land, rivers, and wetlands. This will include working with the Commonwealth Government and other state government agencies to sustain an Aboriginal River Ranger program across all NSW waterways that includes multi-faceted outcomes for Aboriginal people through employment and caring for Country.
 - 1.5. Increase procurement of Aboriginal businesses in NSW Government across the water sector, including related investments and infrastructure development.
 - 1.6. Increase Aboriginal employment in water-related government agencies.

Do the proposed actions reflect the needs of your community?

- Yes
- No
- If No, how can we better address the needs of your community through these

actions?

- Prefer not to say

Are there any gaps in the proposed actions?

- Yes
- If Yes, please describe these gaps:

- No
- Prefer not to say

Objective 2 – Provide Aboriginal ownership of and access to water for cultural and economic purposes.

This objective recognises the critical role of water resources in culture and caring for Country, and the important part these play in health and wellbeing. It also recognises the historical dispossession in relation to Aboriginal people’s water rights and responsibilities and seeks to redress this imbalance.

The actions for this objective promote Aboriginal rights for water to be left in a river or groundwater source for cultural purposes and to sustain water quality and culturally important ecosystems, rights to take water out of a river or groundwater source for cultural or economic uses, and rights to gain access to waterways and other water-dependent culturally significant sites. This also includes providing safe and effective water and sewerage services in rural villages and towns to improve the health and wellbeing of residents of Aboriginal communities.

Key actions

- 2.1. Review policy, planning, and legislative settings and identify possible amendments to the current framework to better enable Aboriginal rights, interests, and ownership of water, and implement changes as the government approves. As an element of Action 1.1, collaboratively design and establish a statutory Aboriginal water investment entity representing all NSW regional Aboriginal water communities designed to incorporate access to sustainable and equitable economic opportunities that can:
 - hold and undertake dealings in water access licences and water allocations
 - hold, administer, and invest monies from, for example, parliamentary appropriation, levies, gifts, or bequests.
 - promote, organise, conduct, and fund projects and initiatives that maximise the cultural, social, spiritual, and economic benefits of the State’s water sources for present and future generations of Aboriginal people
 - engage in other activities relating to its objects as the Minister may approve.
- 2.2. Develop and deliver a program to develop cultural watering plans and other community-led water initiatives.

- 2.3. Investigate and implement opportunities to embed “planned” cultural flows or allowances in water-sharing plans.
- 2.4. Investigate and implement opportunities to optimise operational water delivery and in-river infrastructure to achieve connectivity and cultural outcomes.
- 2.5. Work with Traditional Owners, scope measures to better recognise Native Title water rights, and adopt Indigenous Land Use Agreements to implement water-sharing plans and other mechanisms.
- 2.6. Develop and implement a program to deliver the proposed Closing the Gap Target 15c.
- 2.7. Collaboratively design and implement options for improving access to waterways and other culturally significant water-dependent places.
- 2.8. Continue and expand the Aboriginal communities water and sewerage program to deliver sufficient water for key amenities in small Aboriginal communities.
- 2.9. Create and put in place a system for Aboriginal involvement in decisions about environmental watering. This system should also include a mechanism for Aboriginal people to choose the right cultural authority or knowledge holder to enhance the exchange of cultural heritage knowledge and use water allocated for environmental purposes to deliver Aboriginal cultural outcomes and benefits where synergies exist.
- 2.10. Maintain water-related amenities for rural towns with significant Aboriginal populations during droughts (swimming pools, playing fields, parks, and gardens).

Do the proposed actions reflect the needs of your community?

- Yes
- No
- If no, how can we better address the needs of your community through these actions?_____
- Prefer not to say

Are there any gaps in the proposed actions?

- Yes
- If yes, can you please describe these gaps?_____

- No
- Prefer not to say

Objective 3 – Work with Aboriginal people to maintain and preserve water-related cultural sites and landscapes.

This objective recognises that our statutory land-use planning and heritage frameworks, our water policy, and our planning and strategic frameworks must make more considered approaches to water and water-dependent sites and values.

The actions of this objective aim to move beyond the narrow treatment of Aboriginal “heritage” and take a more holistic view of Aboriginal water values and rights in our planning frameworks, consistent with the objects and principles of the Water Management Act (2000)¹, to:

“recognise and foster the significant social and economic benefits to the State that result from the sustainable and efficient use of water, including the benefits to the Aboriginal people in relation to their spiritual, social, customary, and economic use of land and water”,

and

“protect geographical and other features of major cultural, heritage, or spiritual significance”.

Key actions

- 3.1. Develop a process and clear guidance for decision makers to recognise Aboriginal cultural values and the principle of Free, Prior, Informed Consent. This includes working together with Aboriginal communities on water-related issues when assessing applications under the Water Management Act, assessing development applications under the Environmental, Planning and Assessment (EP&A) Act, planning for infrastructure, and approving water-related projects.
- 3.2. Collaboratively create policies and procedures for acknowledging and respecting Aboriginal heritage values when developing and updating state and regional water strategies, water-management plans, and water policies.

3.3. Examine ways to ensure compliance and enforcement measures properly address and correct water-related offences affecting Aboriginal heritage values and sites.

Note that actions in Objective 4 relating to water knowledge and information, data sovereignty, and intellectual property must support the actions and achievement of Objective 3.

Do the proposed actions reflect the needs of your community?

- Yes
- No
- If No, how can we better address the needs of our community through these actions? _____
- Prefer not to say

Are there any gaps in the proposed actions?

- Yes
- If Yes, can you please describe these gaps? _____

- No
- Prefer not to say

Objective 4 – Work with Aboriginal people to improve shared water knowledge and build capacity.

This objective is multi-faceted and underpins, supports, and enables all other strategic objectives and actions. The actions of this objective will, as appropriate, create greater understanding and improved relationships between Aboriginal and non-Aboriginal water managers resulting in mutually beneficial outcomes. They will support and build the capacity of Aboriginal people and organisations to effectively participate and lead water management programs and build water-dependent businesses.

Key actions

- 4.1. Embed cultural competency training in the water sector, including localised content.
- 4.2. Promote and support Aboriginal-led research activities that recognise and value Indigenous Cultural Intellectual Property (ICIP) and Aboriginal knowledge within the water-management framework.
- 4.3. Support and promote the continuation of Aboriginal Waterways Assessments in the Murray-Darling Basin and expand to encompass all water sources in NSW.
- 4.4. Collaboratively design and deliver programs to improve understanding of water-management frameworks, policies, rules, and processes in Aboriginal communities and organisations.
- 4.5. Ensure Aboriginal people inform all government water information resources for cultural appropriateness.
- 4.6. Embed approaches to water-related data sovereignty that ensure the protection of Aboriginal people's intellectual property rights and interests.
- 4.7. Collaboratively design and implement a program for ongoing advice and support for employment and capacity building that realises Aboriginal-led water management, initiatives, and businesses.
- 4.8. Collaboratively design and implement mechanisms to deliver sustainable resourcing of Aboriginal-led water governance arrangements and programs (as per Objectives 1-4).

Do the proposed actions reflect the needs of your community?

- Yes
- No
- If no, how can we better address the needs of your community through these actions?? _____
- Prefer not to say

Are there any gaps in the proposed actions?

- Yes
- If yes, can you please describe these gaps?

- No
- Prefer not to say

Do you have any specific regional interests/concerns?

Once the actions in the strategy are underway, what outcome would indicate to you that the strategy and implementation plan are effective?

Is the information provided in the draft strategy easy to understand? *

- Agree
- Disagree
- Neither agree nor disagree

I believe the feedback I give will be heard and be considered as part of the overall decision making. *

- Agree
- Disagree
- Neither agree nor disagree

I value having the opportunity to engage about water planning and management, and other water related issues affecting me. *

- Agree
- Disagree
- Neither agree nor disagree

How satisfied are you with the opportunities you've had to have your say on the draft to date? *

- Extremely dissatisfied

- Somewhat dissatisfied
- Neither satisfied nor dissatisfied
- Somewhat satisfied
- Extremely satisfied

What role do you think Aboriginal people should have in water planning and management in NSW?

How did you hear about this questionnaire? *

- A colleague
- By word-of-mouth
- Email from Water Group team
- Website
- Social media (LinkedIn, Twitter, Facebook)
- Local paper
- Radio advertising
- Radio/ paper news
- Other please specify

Do you have any other comment?

Please keep me informed of any future department news by adding me to the Water newsletter database

- Yes
- No
- I've already subscribed

Thank you for taking the time to complete this survey. Your feedback is invaluable and will help us improve our future community information sessions and better address the needs and concerns of our community. If you have any further comments or would like to stay informed about the draft NSW Aboriginal Water Strategy, please visit our website.

Thank you once again for your participation.