



THE BASIN PLAN IMPLEMENTATION

# Namoi Surface Water Resource Plan Consultation Report

## Schedule C

Published by NSW Department of Planning, Industry and Environment

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

## **Namoi Peel Water Resource Plan Consultation Report**

First published July, 2019.

INT17/228754

NOTE: On 1 July 2019, NSW Department of Industry and NSW Department of Planning and Environment were consolidated to form NSW Department of Planning, Industry and Environment. Any references to Department of Industry or Department of Planning and Environment in this document, except where made in a historical context, can be taken to refer to Department of Planning, Industry and Environment. Environmental water responsibilities of the former Office of Environment and Heritage are now with the Biodiversity and Conservation branch within Department of Planning, Industry and Environment.

### **More information**

NSW Department of Planning, Industry and Environment—Water

[www.industry.nsw.gov.au/water](http://www.industry.nsw.gov.au/water)

### **Acknowledgments**

NSW Department of Planning, Industry and Environment – Biodiversity and Conservation

NSW Department of Primary Industries—Agriculture

NSW Department of Primary Industries—Fisheries

NSW Department of Primary Industries—Local Land Services

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# Aboriginal acknowledgement

*New South Wales Government proudly acknowledges the Aboriginal community of NSW and their rich and diverse culture and pays respect to their Elders past, present and future.*

NSW acknowledges Aboriginal people as Australia's First Peoples practicing the oldest living culture on earth and as the Traditional Owners and Custodians of the lands and waters.

We acknowledge that the people of the Gomeroi/Kamilaroi Nations hold a significant connection to the lands in the Namoi-Peel Water Resource Plan Area.

The Namoi-Peel Water Resource Plan Area holds great areas of spiritual, cultural and economic importance to the First Nation people and NSW recognises the connection of the water to the people of these nations.

We recognise the intrinsic connection of Traditional Owners to country and acknowledge their contribution to the management of the Namoi-Peel Water Resource Plan Area landscape and natural resources.

NSW Department of Planning, Industry and Environment understands the need for consultation and inclusion of Traditional Owner knowledge, values and uses in water quality planning to ensure we are working towards equality in objectives and outcomes.

NSW Department of Planning, Industry and Environment is committed to continued relationships and building strong partnerships with our First Nation People.

We thank the Elders, representatives of Gomeroi/Kamilaroi Nations and Aboriginal community who provided their knowledge throughout the planning process.

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# 1 Introduction

## 1.1 The role of the consultation report

Consultation with stakeholders and the community is at the forefront of the development of New South Wales (NSW) Water Resource Plans (WRPs). Consultation has been undertaken for each of the 20 surface water and groundwater WRPs being developed by NSW. The purpose of this report is to describe the consultation that was undertaken. Specifically, this report will detail the public consultation, both broad and targeted, that took place to further the development of the Namoi WRP and inform changes to the Namoi-Peel Regulated and Unregulated Water Sharing Plans (WSPs).

## 1.2 The Basin Plan 2012 (*Water Act 2007* Cwth)

The Murray-Darling Basin Plan 2012 (the Basin Plan) provides a coordinated approach to managing water within the Murray-Darling Basin across Queensland, NSW, Australian Capital Territory, Victoria and South Australia. In NSW, the Basin Plan came into effect following the signing of Inter-governmental and National Partnership Agreements in 2014. As lead agency, NSW Department of Planning, Industry and Environment is working with all relevant agencies to implement the Basin Plan. It requires NSW to develop WRPs for each area within the Murray-Darling Basin. The development of each WRP is guided by the requirements set out in Chapter 10 of the Basin Plan. Consultation and the views of local communities are an integral part of the preparation and development of WRPs. The following requirements of the Basin Plan will be assessed in relation to consultation.

### 10.07 Consultation to be demonstrated

(1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the State gave the plan to the Authority under subsection 63(1) of the Act.

### 10.26 Planning for environmental watering

(1) A water resource plan must provide for environmental watering to occur...  
 (2) For the purposes of subsection (1), the water resource plan must be prepared having regard to:  
 (b) the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering.

### 10.53 Consultation and preparation of water resource plan

(1) A water resource plan must be prepared having regard to the views of relevant Indigenous organisations with respect to the matters identified under section 10.52.

## 1.3 Namoi WRP area

The Namoi WRP (Surface Water) (SW14) will cover all surface water resources of the Namoi and Peel valleys (Figure 1-1). It will include the regulated river systems, unregulated rivers flowing into the regulated river systems, unregulated effluent creeks flowing out of the regulated river system on the plains, and water captured through farm dams and floodplain water harvesting. Groundwater in the area is not included, and will be covered by the Namoi Alluvium WRP (GW14).

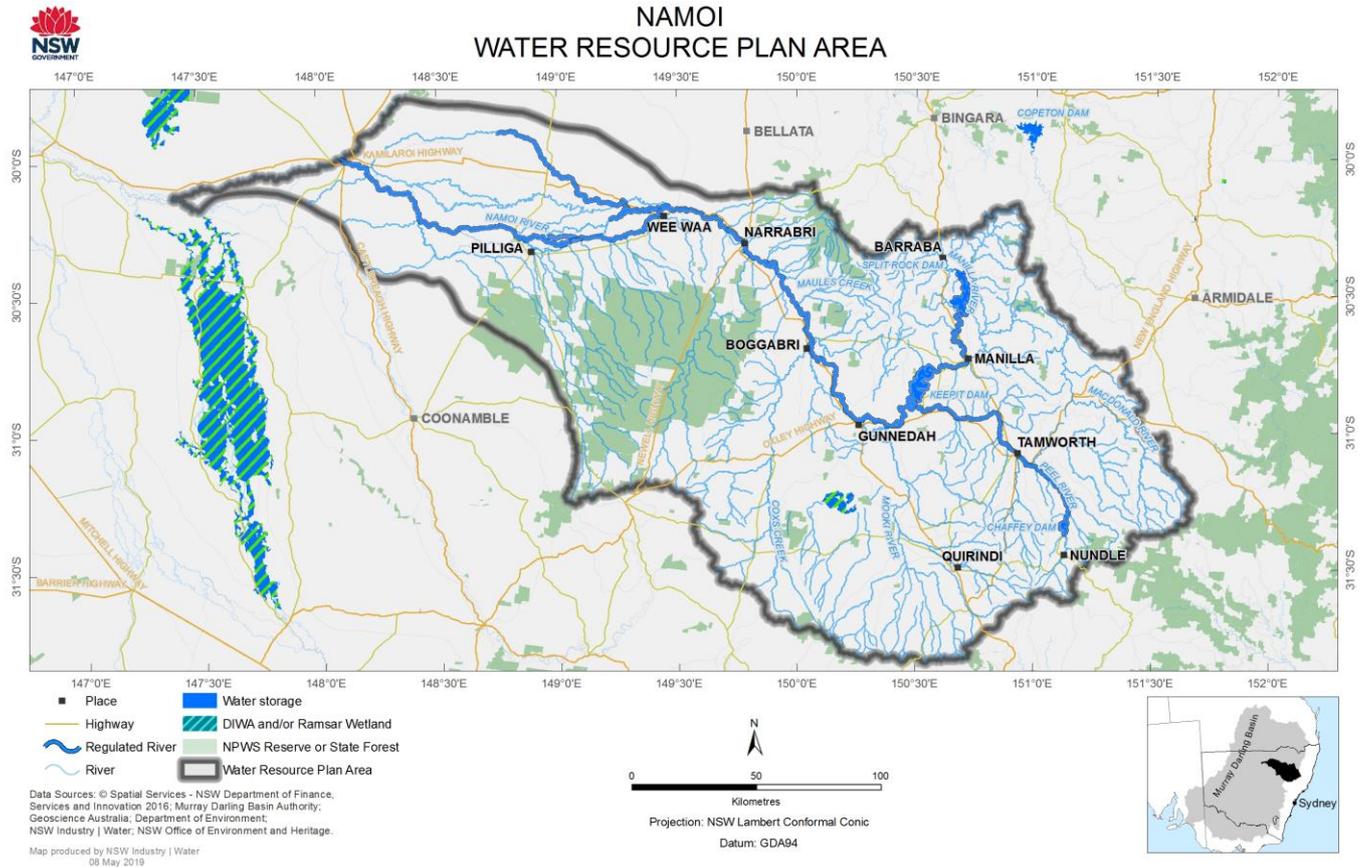


Figure 1-1 SW14 Namoi-Peel Water Resource Plan Area

# 2 Consultation

Stakeholder consultation is an essential part of the development of NSW WRPs and was undertaken throughout the development of the Namoi WRP. The general public and stakeholders had opportunity to provide comment during the early phase of WRP development through the Status and issues phase (Section 2.1.1) and then again in the later stages of WRP development during the public exhibition phase (Section 2.1.2).

## 2.1 Broad public consultation

### 2.1.1 Status and issues phase

The *Namoi-Peel Water Resource Plan - Status and Issues Paper* (NSW Department of Industry, 2017) was released for public comment on 17 February 2017. The paper compiled the issues raised as part of the WSP replacement process and provided an opportunity for stakeholders to raise additional issues to be considered during the development of each WRP. The paper is available on the NSW Department of Planning, Industry and Environment website: [www.industry.nsw.gov.au/water](http://www.industry.nsw.gov.au/water)

Eighteen public submissions on this paper were received and within these submissions 108 issues were raised. Further examination and discussion was undertaken by the department on the issues in order to prepare an Issues Assessment Report. The Issues Assessment Report presented issues raised as part of WSP replacement, as well as those raised recently through the public exhibition of the Status and Issues Document. The report indicated whether an issue is to be considered further during the water resource planning process along with those not to be progressed and the reasons why. This information was presented to the Namoi Stakeholder Advisory Panel (see Section 2.2.1) and informed decisions for option prioritisation leading into the strategy and rule development phase of WRP development.

Key issues identified for consideration included:

- review of Clause 44 (2b) of WSP for Upper and Lower Namoi to increase maximum volume that may be held in a Water Allocation Account in Upper Namoi
- review Clause 44 (4b) of WSP for Upper and Lower Namoi to increase maximum volume that may be held in a Lower Namoi GS licence
- review of End of System Flow rule
- review of rule for accessing supplementary flow
- review Water Trading rule (Temporary) from Peel to Lower Namoi
- review Water Trading rule (Permanent) from Peel to Lower Namoi
- review Water Trading rule between Lower and Upper Namoi water users
- review Water Trading between Unregulated water sources
- review access conditions for Supplementary Class A and Class B licences
- consider Socio Economic impact of growth in extraction by Tamworth City Council
- review of Cease to Pump reference from Cockburn River
- CtP for ground water
- review volume of water set aside to ensure AWD for TRC increase.

### 2.1.2 Public exhibition phase

The amended WSPs for the Upper Namoi and Lower Namoi Regulated River water sources 2020, Namoi and Peel Unregulated Rivers Water Sources 2012, and Peel Valley Regulated River Water Source 2020, are available for public comment as part of the public exhibition phase.

During this phase the department communicated with stakeholders in a number of ways:

- community meetings and face to face appointments
- targeted consultation with specific communities directly affected by significant rule changes
- print and virtual media campaign.

NSW Department of Planning, Industry and Environment is seeking submissions on the draft WRP and amended WSPs. Supporting documents are available to provide context and background information.

Public submissions received on the draft WRP and amended WSPs will be uploaded to a submissions database system and will be considered when finalising the WRP. The department will focus on issues that are raised during public exhibition that have a material effect on the proposed changes.

## 2.2 Targeted consultation

Targeted consultation was undertaken for each surface water WRP primarily through a stakeholder advisory panel (SAP). The SAP is one of the main mechanisms to involve key stakeholders in the planning process for the regulated rivers. The SAPs provide a forum where competing interests can be aired and discussed to promote common understanding. Where further consultation is required, the department will also liaise directly with other representative groups or individuals such as identified experts, Aboriginal communities, local councils, local water users and other interest groups.

All aspects of the WRP development, including the review of relevant water sharing arrangements, have been prepared with regard to the views of local communities in relation to environmental watering. This has been achieved primarily through the SAP, where key components and proposed changes to water

sharing rules have been considered and discussed in detail. Environmental watering has been a consistent theme during these discussions with various views expressed by members.

Proposals to change planned environmental water (PEW) rules have been developed in close consultation with the branch with Department of Planning, Industry and Environment Biodiversity and Conservation (DPIE B&C) (formerly the Office of Environment and Heritage) and DPI Fisheries consistent with WSP objectives and where possible using environmental water requirements in the draft long term watering plans (LTWPs) to ensure the best environmental outcomes using PEW.

### 2.2.1 Namoi SAP

The main role of the SAP is to help identify issues, examine options and provide NSW Department of Planning, Industry and Environment with feedback and advice throughout the development of WRPs. The Namoi SAP, established in July 2015, takes membership from the following stakeholder groups or interests:

- NSW Department of Planning, Industry and Environment
- DPI Fisheries
- Water NSW
- Murray-Darling Basin Authority (MDBA)
- Commonwealth Environmental Water Office (CEWO)
- Namoi Water
- Split Rock Water Users’ Association
- Peel Valley Water Users Association
- Cockburn River Water Users’ Association
- Tamworth Regional Council
- Indigenous representatives nominated by Northern Basin Aboriginal Nations (NBAN).

The SAP terms of reference can be viewed on the department’s website at:

[industry.nsw.gov.au/water/plans-programs/water-resource-plans/stakeholder](http://industry.nsw.gov.au/water/plans-programs/water-resource-plans/stakeholder)

Information and technical reports have been discussed with the SAP throughout the WRP development. SAP meetings held as part of the Namoi WRP development and the key agenda items that were discussed at these meetings can be seen in Table 2-1.

**Table 2-1 Namoi WRP SAP Meetings**

SAP Meeting	SAP Meeting Description	Location	Date
Teleconference: Cockburn project status update.	<ul style="list-style-type: none"> <li>• Presentation of surface water CtP proposal and discussion</li> <li>• Presentation of Groundwater proposal and discussion</li> <li>• Auxiliary recommendations of the review and discussion</li> </ul>	Video link	17 Oct 2016
SAP Meeting 1: Namoi and Peel	<ul style="list-style-type: none"> <li>• SAP terms of reference</li> <li>• Water Resource Plans</li> <li>• WSP Evaluation Report</li> <li>• Status and Issues Paper</li> <li>• Resource description</li> <li>• Risk Assessment</li> <li>• Rules and Strategies Phase to Draft Plan</li> </ul>	Gunnedah, NSW	13 July 2017
SAP Meeting 2, Day 1: Namoi	<ul style="list-style-type: none"> <li>• BDL and PBP Modelling Reports</li> <li>• Issues and Assessment Report</li> <li>• Prioritization Analysis Approach table</li> </ul>	Gunnedah, NSW	4 October 2017

SAP Meeting	SAP Meeting Description	Location	Date
SAP Meeting 2, Day 2: Peel	<ul style="list-style-type: none"> <li>• Baseline Diversion Limit (BDL) and Pre Basin Plan (PBP) Modelling Reports</li> <li>• Issues Assessment Report</li> <li>• Prioritisation Analysis Approach Table</li> </ul>	Gunnedah	5 October 2017
Cockburn Review	<ul style="list-style-type: none"> <li>• Progress since last meeting                             <ul style="list-style-type: none"> <li>· Merging with WRP</li> <li>· Staff change</li> </ul> </li> <li>• Proposal for Surface Water CtP</li> <li>• WaterNSW                             <ul style="list-style-type: none"> <li>· Benefits of relocation</li> <li>· Time and activity required to move the orifice location</li> </ul> </li> <li>• Breaking of WSP into Surface Water, Alluvial and Fractured Rock</li> <li>• Proposal for Groundwater CtP</li> <li>• Update and Pool Study and Catfish Study</li> <li>• Feedback on proposal, timing and use of flow information on the internet</li> <li>• Next steps                             <ul style="list-style-type: none"> <li>· Brief to Executive</li> <li>· Relocation of office</li> <li>· Inform all license holders (letter and meeting)</li> <li>· Commence new CtP (hopefully 1 July 2018)</li> </ul> </li> <li>• Change WSP as part of WRP – 1 July 2019</li> </ul>	Department of Industry office, Calala, Tamworth	18 Jan 2018
SAP Meeting 3: Namoi and Peel	<ul style="list-style-type: none"> <li>• Modelling Scenarios</li> <li>• Supplementary Access Rule – update from project team</li> <li>• Namoi-Peel Incident Response Guide</li> <li>• Environmental Contingency Allowance</li> <li>• Update on Cockburn River CtP</li> </ul>	Gunnedah, NSW	13 February 2018
SAP Meeting 4, Day 1: Namoi	<ul style="list-style-type: none"> <li>• Water Quality technical Report</li> <li>• Salinity Technical Report</li> <li>• Long Term Watering Plan (LTWP) Modelling Scenario – TRC request for increased security</li> </ul>	Gunnedah, NSW	2 May 2018
SAP Meeting 4, Day 2: Peel	<ul style="list-style-type: none"> <li>• Modelling Report water trading (permanent) between Lower and Upper Namoi</li> <li>• Modelling Report water trading (Permanent) between Peel and Lower Namoi</li> <li>• Modelling Report water trading (Permanent) between Peel to Lower Namoi</li> <li>• Options paper Water Trading (Permanent)</li> <li>• Update on Water Trading between Unregulated water sources within the Peel-Namoi water sources</li> </ul>	Gunnedah	3 May 2018
SAP Meeting 5: Namoi and Peel	<ul style="list-style-type: none"> <li>• Environmental Objectives</li> <li>• Socio-Economic Objectives</li> <li>• Timelines for consultation with indigenous Nations and outcome of consultation with Gomerroi/Kamilaroi Nation</li> <li>• Proposed Water Trading in Unregulated River systems</li> <li>• Permanent trade between Peel and Namoi</li> </ul>	Gunnedah, NSW	2 August 2018
Workshop: Supplementary flow access rule	<ul style="list-style-type: none"> <li>• Basal resources and food study</li> <li>• Fish study</li> <li>• Department of Industry Water Science studies</li> <li>• Options modelling</li> <li>• Next step</li> </ul>	Narrabri	1 November 2018

SAP Meeting	SAP Meeting Description	Location	Date
SAP Meeting 6: Namoi and Peel	<ul style="list-style-type: none"> <li>Review of prioritised issues</li> <li>90:10/50:50 rule - additional modelling subsequent to the workshop</li> <li>Permanent Water Trading between Peel and Namoi - conversion factor confirmation</li> <li>Water Quality Management Plan</li> <li>Monitoring, Evaluation, and Reporting</li> <li>EWRs, LTWP, MER, and End of System flow rules</li> <li>Resolution of surface and groundwater connectivity in Cockburn System</li> <li>Commencement of water trading between unregulated water sources</li> <li>SDL compliance and cap factors.</li> </ul>	Gunnedah, NSW	13 February 2019
SAP Meeting 7: Namoi.  Supplementary flow access – Options for rule development	<ul style="list-style-type: none"> <li>Principles</li> <li>Proposed triggers – criticality to environmental outcomes and background (Biodiversity and Conservation)</li> <li>Preliminary Model outputs (Water)</li> <li>Discussion (All)</li> <li>Next steps (Water)</li> </ul>	Gunnedah, NSW	6 August 2019

## 2.2.2 Workshops for all stakeholder advisory panels

The department convened two ‘all stakeholder advisory panel’ workshops during the course of WRP development. Both workshops were held in Sydney, the first on 11 and 12 December 2017 and the second on 5 and 6 June 2018. Attendees included representatives from all stakeholder advisory panels involved in water resource plan development. Key NSW government agencies included the DPIE B&C and DPI Fisheries. The MDBA and CEWO were also represented.

The first workshop covered the following topics:

- NSW Government’s response to recent reviews and how the department will approach its responsibilities within the Murray-Darling Basin
- key NSW policy issues requiring resolution in order to progress WRP development
- role of modelling and planning assumptions in NSW’s water resource planning
- management of environmental water
- how SAPs and agencies can work together to deliver the water resource plans over the next 12–18 months.

The second workshop addressed unresolved matters identified as part of the first meeting. The department provided an update on key reforms and shared information on the water resource planning process. The workshop also provided an opportunity to seek stakeholder input and collaborate on critical issues.

Sessions focussed on the following topics:

- statewide planning assumptions
- the WRP including the LTWP, risk assessment and water quality management plan
- MDBA compliance framework
- Water Renewal Taskforce update
- First Nations engagement and cultural water
- Northern Basin floodplain harvesting and northern watering event and Southern Basin SDL adjustment mechanism and pre-requisite policy measures (PPMs)

- groundwater policy update.

## 2.3 Healthy floodplains project

The aim of the NSW Healthy Floodplains Project is to drive reform in water management across the Northern Basin floodplains. This includes managing development in floodplain areas and bringing water extractions from floodplains into the water licensing framework. The NSW Healthy Floodplains Project is being implemented across five valleys in northern NSW: the Border-Rivers, Gwydir, Namoi (Upper and Lower), Barwon-Darling and Macquarie valleys.

Once the NSW Healthy Floodplains project is completed, NSW will be consistent with the requirements detailed in the National Water Initiative and the NSW Floodplain Harvesting Policy. This project is also critical in enabling NSW to meet extraction limits defined in water sharing plans and sustainable diversion limits in the Murray–Darling Basin Plan.

There are two simultaneous, but separate, programs of the NSW Healthy Floodplains Project:

### 1. Floodplain management planning program

Floodplain management plans (FMPs) are being prepared for rural floodplains as part of the transition of water management from the provisions of the *Water Act 1912* to the provisions of the *Water Management Act 2000*. Floodplain management plans provide the framework for coordinating the development of flood works on a whole-of-valley basis.

Extensive consultation was undertaken as part of the preparation of both the Upper Namoi Valley and Lower Namoi Valley FMPs. A summary of this consultation is provided below in Table 2-2.

**Table 2-2 - Summary of floodplain management planning consultation activities undertaken in the Namoi valley as part of the NSW Healthy Floodplains Project**

Valley	Targeted consultation	Public exhibition
Upper Namoi Valley FMP	Targeted consultation with key stakeholders was held during February to May 2015. NSW Department of Industry (now Department of Planning, Industry and Environment) and the DPIE B&C road-tested the draft Upper Namoi Valley FMP boundary, management zones and rules with 15 key stakeholders over eight targeted consultation events. A range of stakeholders were represented including local landholders, Aboriginal communities, environmental, local government, agency, and industry.	The draft Upper Namoi Valley FMP was placed on public exhibition during 19 September to 25 October 2016. A total of 44 submissions were received during the exhibition period and a number of changes were made as a result of the feedback received. All submissions received during the exhibition period were considered by an Interagency Regional Panel prior to the preparation of the plan for commencement. The Upper Namoi Valley FMP is due to commence in early 2019.
Lower Namoi Valley FMP	Targeted consultation with key stakeholders was held during October 2015 to March 2016. NSW Department of Industry (now Department of Planning, Industry and Environment) and the DPIE B&C road-tested the draft Lower Namoi Valley FMP boundary, management zones and rules with 42 key stakeholders over 18 targeted consultation events. A range of stakeholders were represented including local landholders, Aboriginal communities, environmental, local government, agency, and industry.	The draft Lower Namoi Valley FMP was placed on public exhibition during 13 February to 13 April 2017. A total of 51 submissions were received during the exhibition period and a number of changes were made as a result of the feedback received. All submissions received during the exhibition period will be considered by an Interagency Regional Panel prior to the preparation of the plan for commencement. The Lower Namoi Valley FMP is due to commence in 2019.

### 2. Floodplain Harvesting Program

The NSW Floodplain Harvesting Policy was endorsed by the NSW Government in 2013 following a period of extensive consultation with all stakeholders from 2008. The policy aims to bring all legitimate

floodplain harvesting diversions (those from historically approved infrastructure) within the water licensing framework under the *Water Management Act 2000*.

Public consultation on proposed amendments to the policy occurred at the Stakeholder Advisory Panel Policy Forum on 11 and 12 December 2017 and as part of the Water Reform Action Plan consultation in March and April 2018. Stakeholder feedback was sought on:

- management of rainfall runoff
- monitoring of floodplain harvesting take
- proposed approach to account management rules for floodplain harvesting.

The consultation period formally closed on 15 April 2018 with over 50 submissions being received. More information on the outcomes from community engagement is available on the NSW Department of Planning, Industry and Environment's website ([www.industry.nsw.gov.au/water-reform/consultation](http://www.industry.nsw.gov.au/water-reform/consultation)).

To ensure the effective implementation of the Policy, the Department of Planning, Industry and Environment is holding a series of workshop sessions across NSW. Workshop series 1 involved three workshops in Dubbo, Sydney and Tamworth in October 2018. The purpose of this workshop series was to:

- communicate process for finalising floodplain harvesting modelling
- provide an overview of the model refinement process including data sources and verification processes
- test key floodplain harvesting modelling assumptions
- provide information about the independent review of NSW floodplain harvesting policy implementation; including the modelling peer review process
- test key monitoring and auditing requirements.

Workshop series 2 will occur in early-mid 2019, the goal of this workshop series is to communicate the findings of the peer review and provide an update on the revised valley scale floodplain harvesting modelling outcomes.

To improve stakeholder confidence, the department, together with the Murray Darling Basin Authority has commissioned an independent review of the policy's implementation. The focus of the independent review is to ensure that the modelling is technically robust, based on the best available information and that implementation of the policy is consistent with relevant legislation and other related policies.

This process will delay the release of the draft floodplain entitlement licences to mid-2019.

## 2.4 Long term watering plan

DPIE B&C is developing long-term water plans (LTWPs) across all nine NSW Murray-Darling Basin catchments. These plans link to the basin-scale plans developed by the MDBA, and include detailed objectives, targets and watering requirements for priority species and processes within, and between, catchments.

A key element in the development of the LTWPs involved consultation with Environmental Water Advisory Groups (EWAGs). These groups are established by DPIE B&C in the majority of NSW's regulated catchments and are made up of riparian landholders, representatives of Aboriginal organisations, irrigators and relevant government agencies. They meet to discuss watering options and test scenarios - to ensure river and wetland health outcomes are maximised through the use of environmental water.

The development of the LTWP involved incorporating the best available information and scientific advice. In addition to the consultation undertaken with EWAGs, DPIE B&C has sought feedback from other various stakeholders, including:

- stakeholder advisory panels established to input into water resource plan development
- interagency consultation groups, established in each LTWP catchment, that include relevant agency staff and scientists with expertise in the area

- other key regional stakeholder groups.

Consultation undertaken by DPIE B&C is guided by a communications and engagement strategy. This ensures that DPIE B&C meet the community's expectation surrounding information on environmental water and its management. It is intended that the draft Namoi-Peel LTWP will be placed on public exhibition at the same time as the draft Namoi WRP to ensure efficient stakeholder engagement. DPIE B&C will consider all feedback when finalising the Namoi-Peel LTWP.

### 3 First Nation Consultation

The Namoi Peel WRP area is located within the traditional lands of, and is significant to, the Gomeroi/Kamilaroi, Nation and traditional owners. NSW Department of Planning, Industry and Environment has committed to engaging and consulting with various nations to identify and record objectives and outcomes in regard to Aboriginal spiritual and cultural values and uses within the Namoi WRP area. Consultation undertaken followed a nation-based model, which allows individual Nations to contribute to WRPs and assist the government to make better decisions in water planning.

The department engaged the services of a number of consultancies to facilitate the gathering of cultural information from traditional owners. The consultation and report status, and the consultant engaged, is listed in Table 3-1. The consultation reports will become available as appendices as they are finalised.

**Table 3-1 Status of consultation and report for each Nation**

Nation	Consultant	Consultation Status	Consultation Report Status	Appendix
Gomeroi/Kamilaroi	Dhirranggal Solutions	Complete	Complete	A

#### 3.1 Gomeroi/Kamilaroi Nation

Gomeroi Nation boundaries cross over six surface water and seven groundwater WRP areas. The consultation process adhered to the Murray Darling Basin Plan Part 14 Guidelines for meeting Basin Plan Chapter 10 requirements. The process was underpinned by eight principles for culturally appropriate consultation:

- respect for the Contemporary Cultural Framework
- flexibility
- collaboration
- quality assurance
- clear communication
- building tangible outcomes
- inclusivity and accessibility
- Indigenous data sovereignty.

##### 3.1.1 Face-to-Face Interviews

A series of face-to-face interviews were undertaken with Senior Traditional Owners (TOs) from the Gomeroi Nation in late March 2018. Senior TOs who participated in the face-to-face interviews were drawn from three categories – Grassroots, Native Title applicants and suggestions from other interview participants. Eight TOs participated in these interviews, they represented their own family groups and spoke for a broad range of communities and different areas of Gomeroi Nation. These interviews assisted in formulating the discussion undertaken in the workshops held in April 2018.

The process involved in identifying Senior TOs and the questions they were asked can be reviewed in detail in Appendix A.

### 3.1.1 Workshops

Following on from the face-to-face interviews First Nation consultation workshops were held in Tamworth, Walgett, Moree and Tingha in April 2018. These workshops gave the department the opportunity to engage with the wider Gomeroi community and capture their views and opinions on objectives, outcomes, values and uses for the Namoi WRP area. Common themes were used to guide discussion in the workshops. These were established during the face-to-face interviews and included:

- Water is life
- Healthy Country and people
- Cultural continuity and revival
- Custodianship and jurisdiction
- Compensation and redress
- Management and control
- Communication and partnerships.

A total of 31 people representing 25 family groups participated in the 4 workshops, including 31 Gomeroi TOs. Detailed workshop participant data can be viewed in Appendix A (Table -2). In addition to Gomeroi participants representatives from Northern Basin Aboriginal Nations, NSW Department of Industry (now Department of Planning, Industry and Environment) and the DPIE B&C also attended the workshops.

As a result of this two-step consultation process Gomeroi Nation’s values and uses were identified. The risks to those values and uses were also acknowledged and these were further built on to develop objectives and outcomes for water management (see Appendix A).

### 3.1.2 Consultation Outcomes

Successful outcomes included a total of 36 Gomeroi people consulted, representing a broad set of families; the use of data agreements to safeguard First Nations Cultural Knowledge; engagement with a nation-based traditional governance model; and comprehensive findings. Participants gave positive feedback about new nation-based consultation processes. A series of recommendations suggest improvements for future consultations to make them more culturally appropriate.

The consultation with the Gomeroi Nation satisfied the Basin-Plan outcomes as demonstrated in Table 3-2 and described throughout Section 1 of the *Namoi Peel Surface WRP* and Appendix A.

**Table 3-2 Gomeroi Nation consultation outcomes**

Requirement	Outcome
Demonstrate that the WRP was developed in a way that had genuine regard to objectives and outcomes in respect of social, spiritual and cultural values and uses of the water resources by Aboriginal people.	NSW Department of Industry completed Nations consultation in conjunction with NBAN. The process developed objectives and outcomes that have respect for social, spiritual and cultural values and uses for water resources.  An overview of the objectives and values are in Chapter 1 Section 1.2.3 Table 1.2 of the Namoi WRP. Detailed information on the objectives and outcomes considered in respect of values and uses can be found in Section 7 of Appendix A.

Requirement	Outcome
That consultation with relevant Indigenous organisations was undertaken, including with the Northern Murray-Darling Basin Aboriginal Nations	<p>Consultation was undertaken with relevant Indigenous organisations such as NBAN and LALC's. NBAN played a key role in the consultation and were brought on-board to be nation organisers and had an important role in phases 3 and 4 of the process. They also advised on methods to ensure the consultation was culturally appropriate. NSW Department of Industry worked with NBAN to appoint a Nation Organiser to suggest appropriate Traditional Owners to engage with. NBAN representatives were present at all workshops. Development of the stakeholder list also involved a desktop analysis of external and internal governance structures, including Local Aboriginal Land Councils (LALCs), Aboriginal Medical Services (AMS), committees and social media groups. Further information on this is described throughout Appendix A.</p>
That the consultation had regard to the views of relevant Indigenous organisations with respect to native title rights, native title claims and Indigenous Land Use Agreements provided for by the Native Title Act 1993 in relation to the water resources of the WRPA	<p>Discussions on native title rights, native title claims and Indigenous Land Use Agreements and the <i>Native Title Act 1993</i> in relation to the water resources of the Namoi area were held throughout the consultation.</p> <p>A letter was sent out to NTS Corp to advise on further consultations on country and how they would like to be engaged. One representative from NTS Corp was in attendance at the workshops held. Any comments made can be found in Appendix A.</p> <p>Community WRP workshops were held (Appendix A) and invitations were emailed to a wide range of people and organisations including Native Title applicants and claimants.</p>
That the consultation had regard to the views of relevant Indigenous organisations with respect to registered Aboriginal heritage relating to the water resources of the WRPA	<p>Local Aboriginal Lands Councils were invited via email, opportunities arose for them to speak of any listed sites on the heritage register throughout the workshop sessions.</p>
That the consultation had regard to the views of relevant Indigenous organisations with respect to inclusion of Indigenous representation in the preparation and implementation of the plan	<p>NSW Department of Industry directly engaged with NBAN to engage a Nation Organiser to suggest appropriate Traditional Owners to engage with. The consultation process utilised a representative from NBAN for the Gomeroi Nation.</p> <p>Refer to Chapter 1, Section 1.7.1 of the Namoi Surface Water WRP and Appendix A.</p>

Requirement	Outcome
<p>That the consultation had regard to the views of relevant Indigenous organisations with respect to Indigenous social, cultural, spiritual and customary objectives, and strategies for achieving these objectives</p>	<p>Appendix A in Section 7.3 details the various objectives that were identified with the desired outcomes and also outlines strategies to achieve these outcomes. Objectives and values are summarised in Table 1.2 of the WRP.</p> <p>It was of high importance that the consultation process was culturally appropriate. Traditional Owners that were interviewed gave guidance on culturally appropriate venues within towns, cultural protocols to be followed and culturally appropriate communication techniques. Eight principles were developed to assist with this:</p> <ul style="list-style-type: none"> <li>• respect for contemporary cultural framework</li> <li>• flexibility</li> <li>• collaboration</li> <li>• quality assurance</li> <li>• clear communication</li> <li>• building tangible outcomes</li> <li>• inclusivity and accessibility</li> <li>• Indigenous data sovereignty</li> </ul> <p>These principles can be mapped against the MDBA Part 14 Guidelines and Best Practice Methods employed are outlined in Appendix A (Table 3-1)</p>
<p>That the consultation had regard to the views of relevant Indigenous organisations with respect to encouragement of active and informed participation of Indigenous people</p>	<p>NSW Department of Industry followed cultural protocols to ensure active and informed participation of Indigenous people.</p> <p>In the First Nations Consultation, the Gomeroi people were encouraged to attend workshops in four different locations. Culturally appropriate consultation required Senior Traditional Owners to be appointed through a Nation Organiser (NBAN) and be interviewed prior to other stakeholders. In this interview they were encouraged to provide the department with guidance about how they would like the interview conducted, including choice of venue, food, recording options and a walk 'On Country'. A stakeholder list was developed and the wider Gomeroi community were invited to participate in workshops, where Traditional Owners were invited to give input on the identified risks, objectives and outcomes based on their water-dependent values and uses. These workshops were also a platform to give information about the water planning process and build a relationship for future consultation.</p> <p>More detail on the engagement process is Chapter 1, Section 1.7.1 of the WRP and and Appendix A.</p>

Requirement	Outcome
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That the consultation had regard to the views of relevant Indigenous organisations with respect to risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area?

The First Nation consultation determined that the Gomeri Nation see the following as their main risks to water-dependent values and uses:

- inequity across the system
- agricultural land use, particularly cotton and cattle
- infrastructure controlled flows
- illegal activity and monitoring and compliance practices
- governance and capacity
- government communications
- government policy and practices
- conflicting value systems between themselves, government and the wider community
- consultation practices
- mining
- pest animals and invasive species
- pollution
- access issues and fencing

The risks to Indigenous Values and Uses are outline in Table 1.3 of the WRP and Section 7.2 of Appendix A.

That the consultation have regard to the views of Indigenous people with respect to cultural flows?

Throughout the First Nations consultation, cultural flows was a key theme as cultural practices and events are supported by cultural flows. The Gomeri people would also like to receive information about cultural flows including application, polciies and their release.

The consultation determined that the Gomeri people would like to see cultural flows allocated to the Gomeri people, distinct to environmental flows, for the purpose of cultural practices and events, and to support fishing practices and fish breeding. They would also like to be given information about cultural flows including applications, policies and their release and would like to be employed to conduct research on the benefits and reach of these flows.

NSW Department of Industry is working with MDBA and NBAN and consultations to codify cultural flows into the relevant WSPs will be continued. Additional consultation is underway as part of the Basin Plan commitments package following the Basin Plan Amendment deal .

This is discussed in section 1.7.1 of the WRP and Appx A.

# Appendix A to Schedule C: Culturally Appropriate First Nations Consultation Gomerioi/Kamilaroi Nation Consultation Report Development of NSW Water Resource Plans

Report available at <https://www.industry.nsw.gov.au/namoi-surface-wrp>