



Research into

HOW MUCH WATER IS HELD BY FIRST NATIONS AND TRADITIONAL OWNER ORGANISATIONS IN THE MURRAY-DARLING BASIN IN 2020: *A First Nation summary*

AUTHORS

Murray Lower Darling Rivers Indigenous Nations (MLDRIN)
and Northern Basin Aboriginal Nations (NBAN).

*Research into how much water is held by First Nations in and
Traditional Owner Organisations in the Murray-Darling Basin
in 2020: A First Nations Summary.*

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ARTWORK

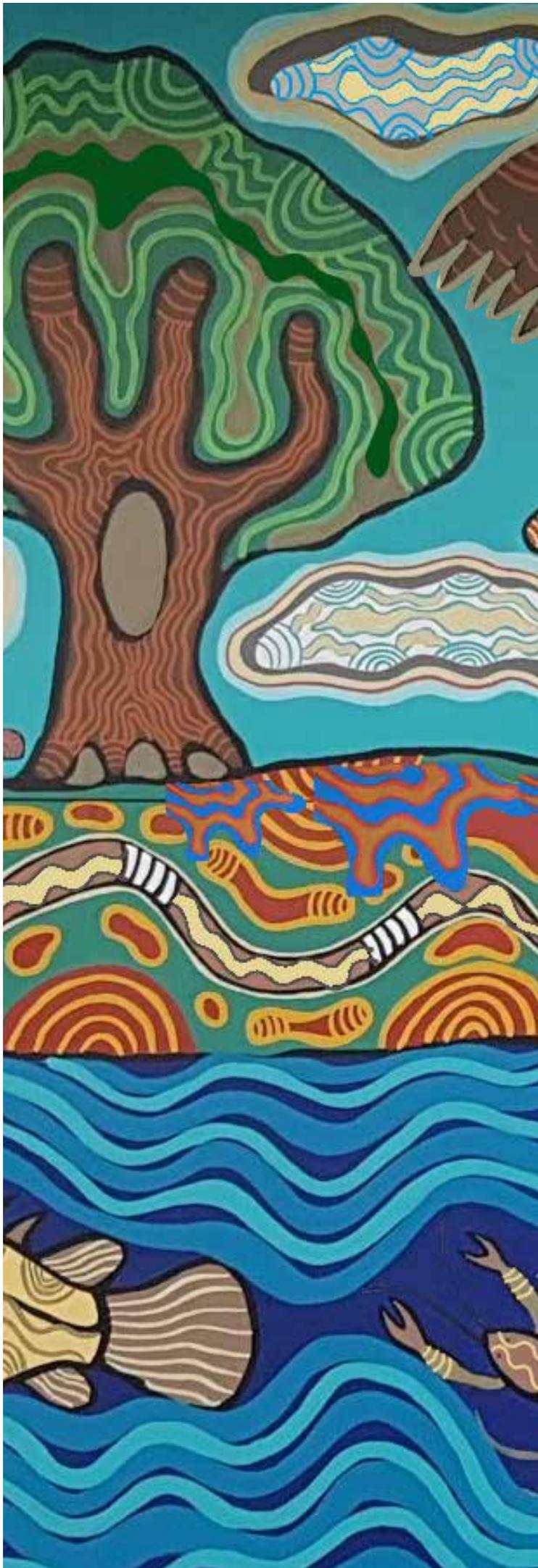
The artwork in this summary is by
Tati Tati artist, Brendan Kennedy.



GRAPHIC DESIGN

Mazart Communications Pty Ltd.

Supply Nation and Kinaway certified.



SUMMARY

This summary was prepared by Traditional Owner representatives from Murray Lower Darling Basin Indigenous Nations (MLDRIN) and Northern Basin Aboriginal Nations (NBAN) in partnership with Griffith University researchers.

The Traditional Owner representatives assert that **we have never ceded our sovereignty**, or given consent or authorised anyone other than us to manage and make decisions about our waterways.

PURPOSE

The purpose of this summary document is to bring attention to the inequality and injustice of First Nations' water holdings.

We have prepared this document for First Nations to strengthen our case in achieving water justice and self-determination.



INTRODUCTION

When Australia was colonised, the British Government **did not negotiate a treaty** with First Nations peoples. Many legal questions remain unanswered, including claims to water by First Nations.

Our people never agreed to the theft and destruction of our lands and waterways. We are strong, yet we continue to experience the negative impacts of dispossession. Our people have been speaking out about this for many years.

Government decision making still does not fully consider how important water is for us and our Country. Instead it prioritises everyone else over us.

Currently, it is very difficult to enjoy our inherent rights to care for and benefit from our water. We ask governments and water managers **to listen to and learn from** the ways we manage water. They urgently need to **increase water holdings** among First Nations and Traditional Owners.

This research can help governments and water managers understand why this is important.

BACKGROUND

In 2020, Griffith University's Australian Rivers Institute measured how much water we hold across the Basin.

The research report includes latest **First Nations population data**. Most government agencies and researchers use out of date information.

The information in the research report is important because it tells governments and decision makers about **the true extent of the water injustice** we face.

This summary presents the same facts as the research report without all the technical details.

The words used in this summary do not discount the words or languages that First Nations people may use.



IMPORTANT THINGS TO KNOW

This summary (like the research report) relies on the water management approaches and language used by government agencies.

This means:

1. When the summary talks about water holdings, it means holding water permits or **'water entitlements'** that are granted by governments.
2. **Surface water** is described separately from **groundwater** because this is the way government manages and measures water.



The research only looked at information about water entitlements held by First Nations and Traditional Owner organisations and not individual people. This is because information about individual First Nations people's water holdings is not available.



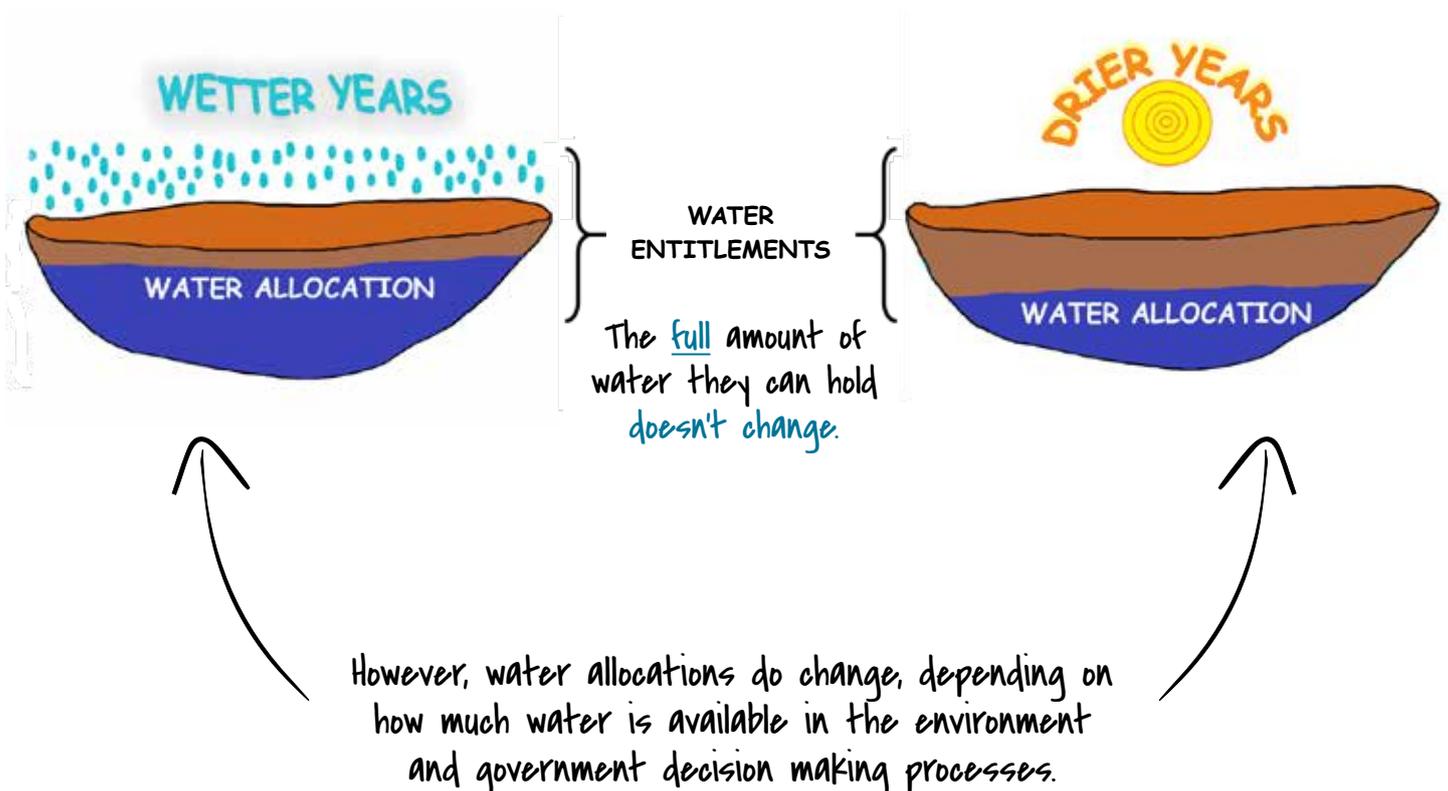
WATER ENTITLEMENT AND WATER ALLOCATION DIFFERENCES

A **WATER ENTITLEMENT** is an ongoing permit to a share of water. It is granted by state and territory governments. Water entitlements have a dollar value. This dollar value changes depending on the number of people wanting water, where and when.

A **WATER ALLOCATION** is the amount of water that is made available to water entitlement holders by state and territory governments each year.

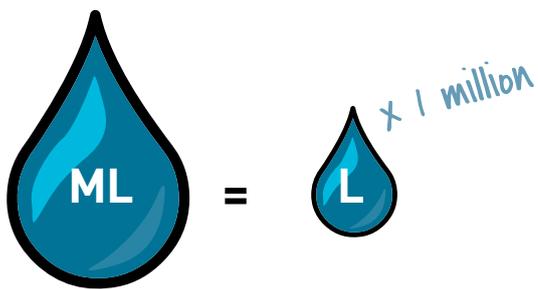
There are different types of water entitlements. Some water entitlement types may only get water allocations in wetter years when there is plenty of water. These are described as having **lower reliability** or, in some states, **lower security**.

For example, the coolamons below represent water entitlements, and the difference between water entitlements and water allocations in wetter and drier years.



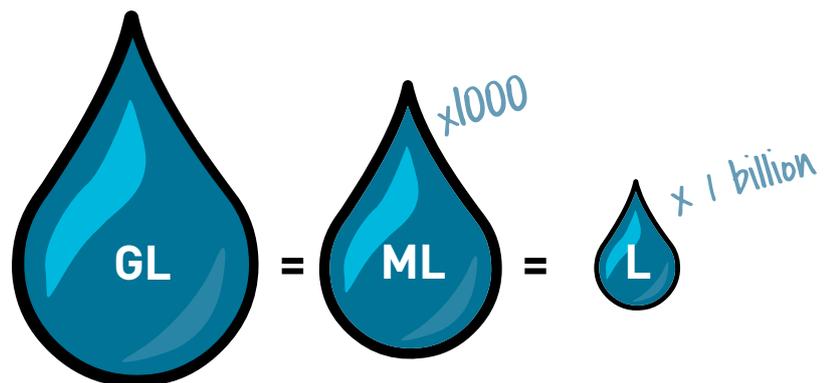
GOVERNMENT **WATER MANAGERS** MEASURE WATER IN MEGALITRES AND GIGALITRES

HOW BIG IS A **MEGALITRE**?



1 megalitre (ML) = 1 million litres (L)

HOW MANY **MEGALITERS** ARE IN A **GIGALITRE**?



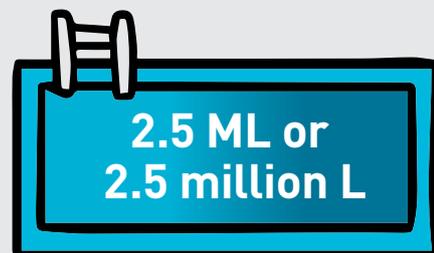
1 gigalitre (GL) = 1000 megalitres (ML) = 1 billion litres (L)

Did you know?

An average sized bathtub filled to the brim holds



An Olympic sized swimming pool holds





Sydney Harbour holds about

=



=

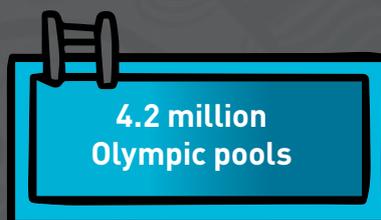


ALL THE SURFACE WATER ENTITLEMENTS IN THE
Murray-Darling Basin provide for

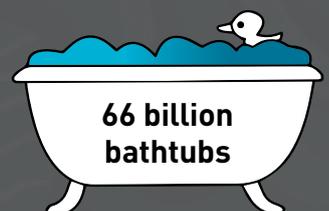


21 Sydney
Harbours

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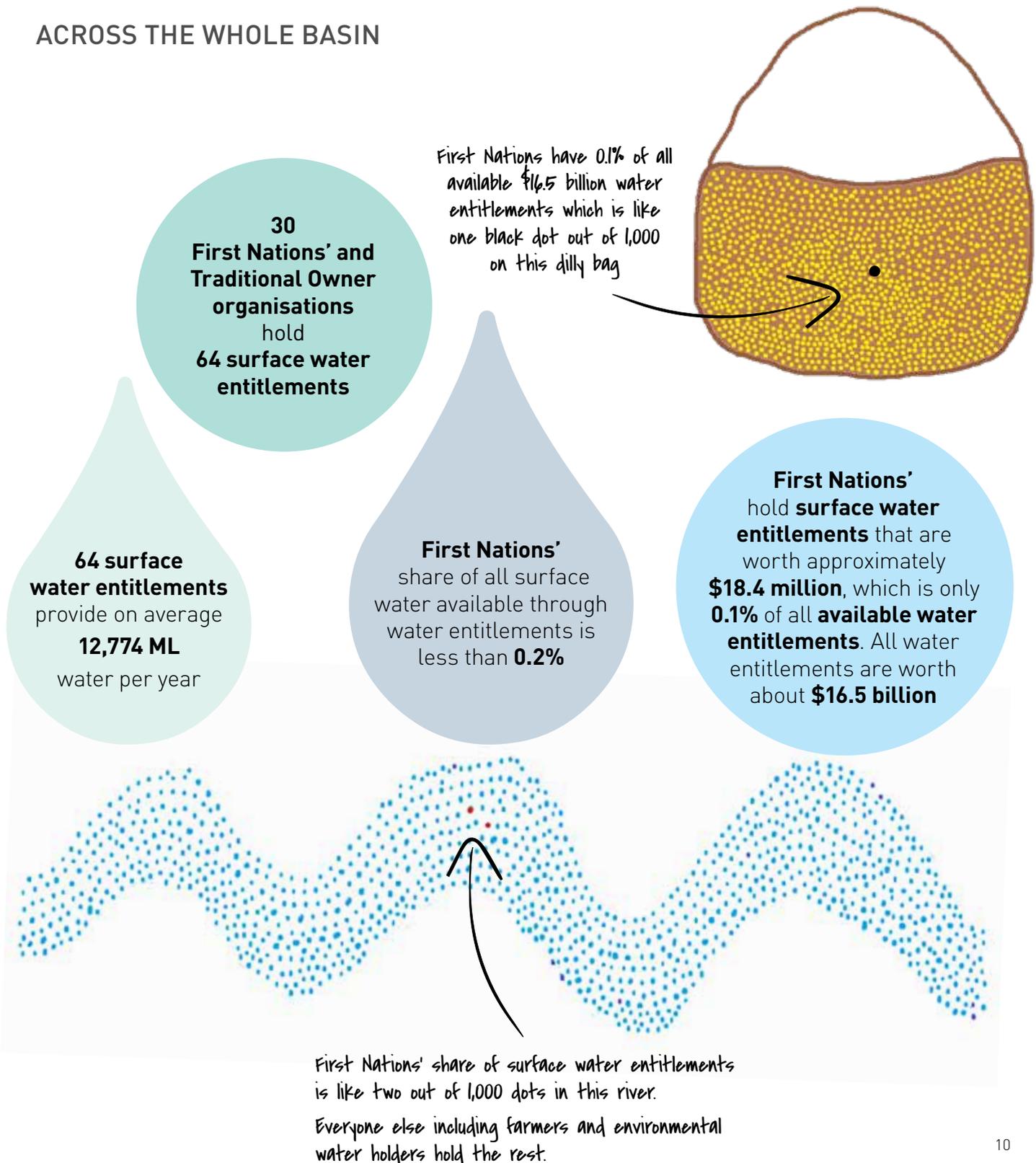


You can learn more about these water words and concepts on the Murray-Darling Basin Authority's [website](#)

HOW MANY SURFACE WATER ENTITLEMENTS DO FIRST NATIONS AND TRADITIONAL OWNER ORGANISATIONS HOLD?

Surface water includes all the waters above the ground, including creeks, rivers, billabongs and lakes.

ACROSS THE WHOLE BASIN



HOW MANY **GROUNDWATER ENTITLEMENTS** DO FIRST NATIONS AND TRADITIONAL OWNER ORGANISATIONS HOLD?

Groundwater includes all the waters below the surface, including aquifers, springs and underground rivers.

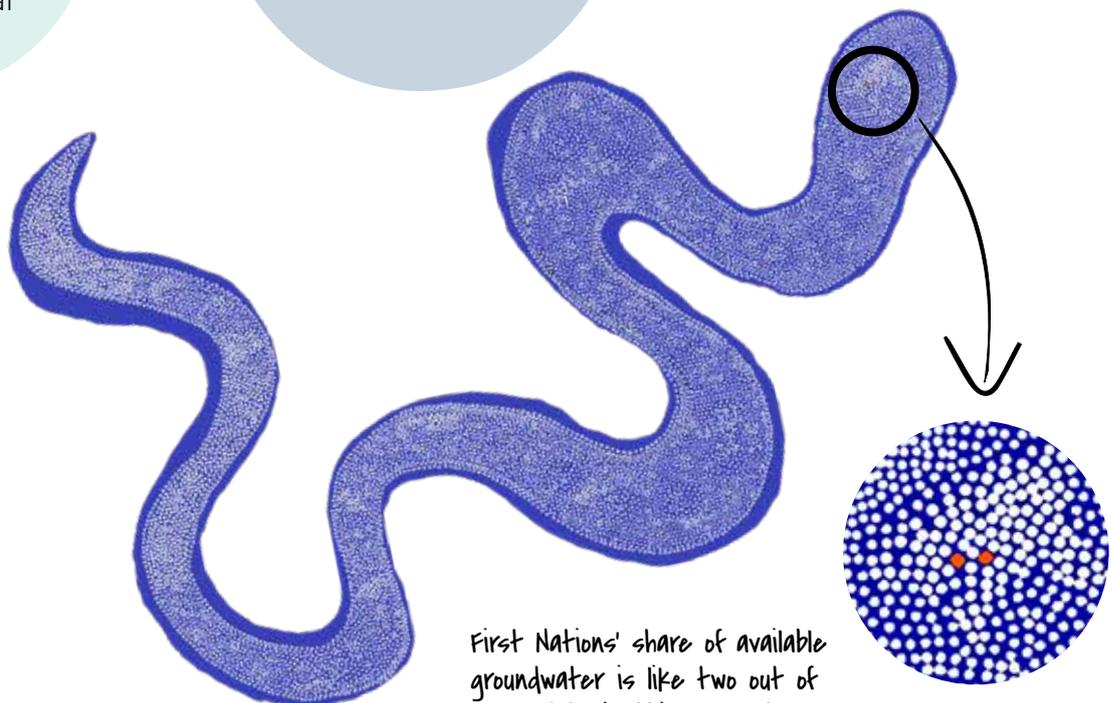
ACROSS THE WHOLE BASIN

6
First Nations' and
Traditional Owner
organisations
hold
6 groundwater
entitlements

First Nations'
hold **groundwater**
entitlements that are
worth approximately
\$773,000, which is only
0.005% of all **available water**
entitlements. All water
entitlements are worth
about **\$16.5 billion**

6 groundwater
entitlements provide
on average
556 ML
water per year

First Nations'
share of all available
groundwater is
only 0.02%



WHAT ARE SOME **KEY BARRIERS** TO OUR PEOPLE HAVING **MORE WATER ENTITLEMENTS**?



Governments gave out land and water to British citizens when Australia was colonised. For centuries we had few options to use land and water for economic development and self-determination.



In most of the Murray-Darling Basin, governments gave out water entitlements to farmers and then capped water extractions. They did not consider how we would be affected. Now there is no more water to be used without getting it from someone else.



The only way we can get water is to buy it on the water market, which can be very expensive. For example, in 2020 one megalitre of water in the Basin cost up to \$9,500, depending on the area and entitlement type.

HOW MIGHT **FIRST NATIONS PEOPLE** USE OR BENEFIT FROM **GREATER WATER HOLDINGS**?

There are many ways that First Nations people might choose to use and benefit from water holdings. Ultimately, the decision is up to them, but some examples include:



Delivering water to wetlands and other areas of Country that are culturally significant. This would generate many outcomes for Country and for us.



Developing enterprises and businesses that provide income and employment for our people. These could include irrigation, aquaculture, manufacturing, or cultural tourism operations.



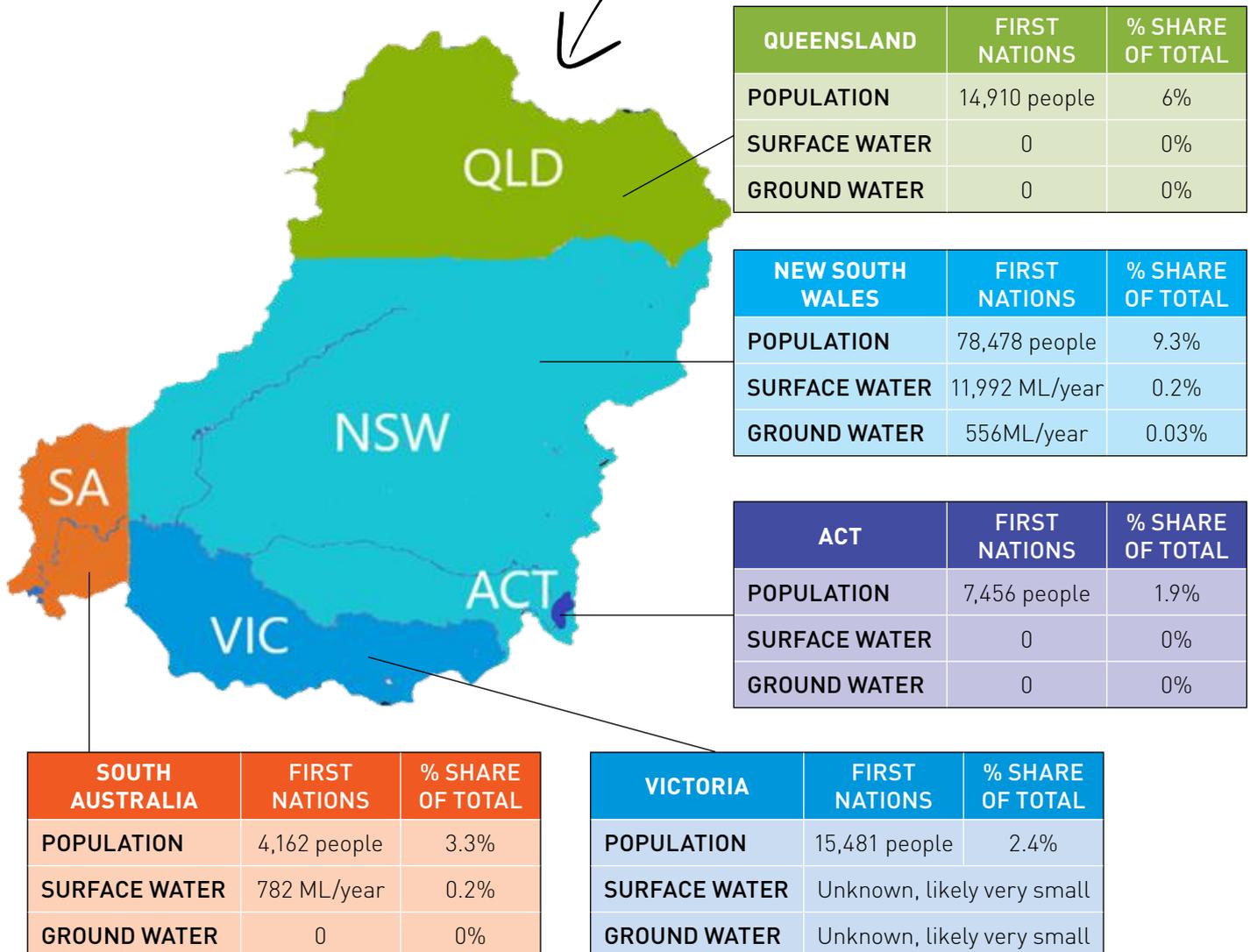
Trading water allocations on the water market. This can generate income to invest in other community activities and outcomes.

KEY RESEARCH FINDINGS: BASIN STATE-BY-STATE SNAPSHOT

First Nations and Traditional Owner organisations in NSW hold the most water of all First Nations water holders. **But this is only a tiny share of all available water.**

Most First Nations and Traditional Owner organisations' water entitlements have lower reliability. This means **First Nations can only benefit from these entitlements in wetter years** when there is plenty of water available.

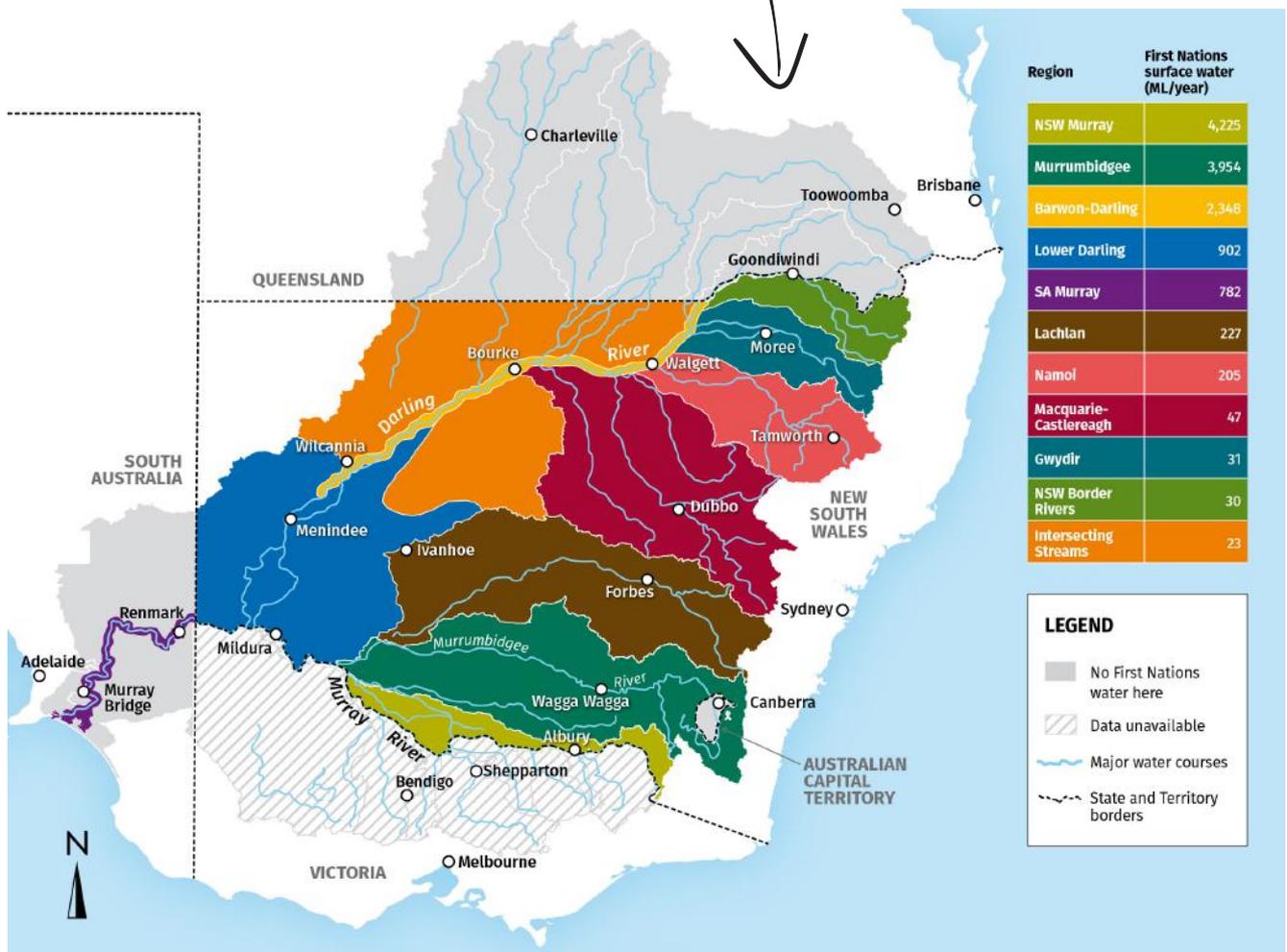
This picture gives a snapshot of First Nations' current population and water holdings in each state and territory.



*There is no water information available from Victoria, which relates to the privacy laws in that state.

KEY RESEARCH FINDINGS: SURFACE WATER ENTITLEMENTS PER REGION

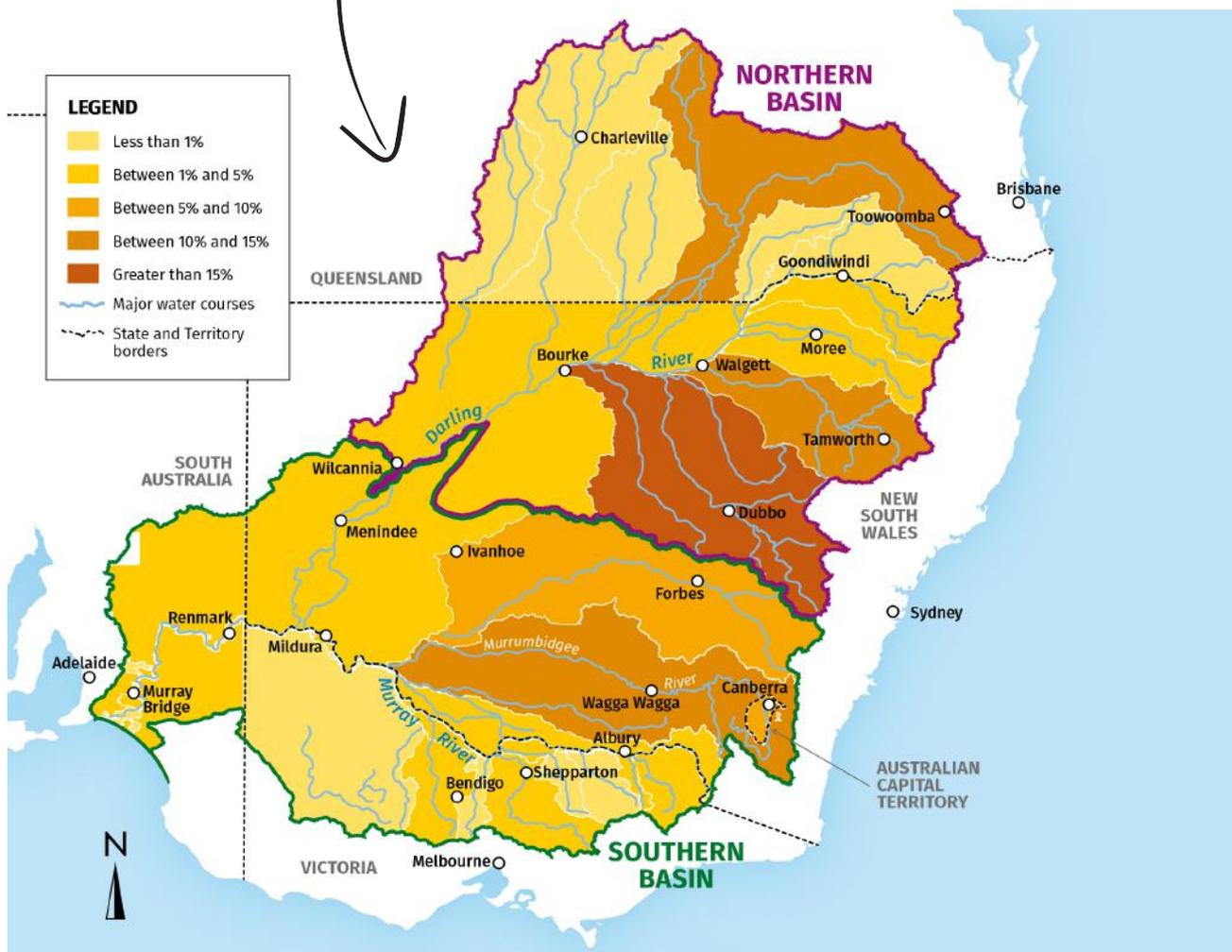
The researchers mapped the volume of surface water held by First Nations and Traditional Owner organisations across regions



1. In the grey regions, First Nations and Traditional Owner organisations do not currently hold any water entitlements. For the grey hashed area (i.e. Victoria), information was unavailable.
2. First Nations and Traditional Owner organisations hold the largest volume of water in the **NSW Murray region**, followed by the **Murrumbidgee**, and the **Barwon-Darling**.
Even in these areas where First Nations' water holdings are largest, it's a tiny portion of all available water – **in most cases, it's less than 1%**.
3. The water First Nations and Traditional Owner organisations hold now was acquired through historic land transfers by Federal government agencies like the Indigenous Land and Sea Corporation and in NSW only, through the *Aboriginal Land Rights Act 1983*.

KEY RESEARCH FINDINGS: FIRST NATIONS PEOPLE LIVING IN THE BASIN

The researchers also updated population information across the Basin. They did so using information collected during the 2016 Census



1. A total of **120,487 First Nations people** live in the Basin. This means 5% of the whole Basin population, or 5 in every 100 people, identify as First Nation.
2. 15% of Australia's total First Nations population live in the Basin.
3. From 2001 to 2016, **the Basin First Nations population grew 5 times faster** than did the non-Indigenous population. This faster rate of growth is expected to continue.
4. Northern Basin – Just over half (54%) of First Nations live here (about 64,739 people). That's **10.5% of the total Northern Basin population**.
5. Southern Basin – Just under half (46%) live here (about 55,748 people). This is **3.4% of total Southern Basin population** (many more non-Indigenous people live here).
6. The NSW portion has the largest share of First Nations people (65%).

WHAT **GOVERNMENT ACTIONS** ARE NEEDED TO INCREASE **FIRST NATIONS' WATER HOLDINGS**?

The researchers reviewed recent government actions to improve First Nations' water holdings. These are:

 In 2018, the Federal government committed **\$40 million for water for First Nations** people for economic and cultural purposes. No water has been bought with this money so far.

 In 2018, a change to legislation enabled the **Indigenous Land and Sea Corporation** to help First Nations with grants and loans to support water-related projects.

 The Queensland and Victorian Governments are developing **options for First Nations people to access certain water entitlements**. These actions will provide lessons for First Nations and policymakers.

The researchers urged governments to act more quickly with these and other actions that are being developed. They made the following recommendations as well, which we strongly support.

Governments need to do more than buy water entitlements for First Nations people and Traditional Owners.

They need to look at **ways to overcome the barriers** to using and benefiting from water. That means governments also need to work with us to:

 **Resource and empower us to make our own decisions** about how to use and manage water.

 **Increase our understanding** of how governments manage water.

 **Improve our land access**, which is essential for us to access, use and benefit from water.

 **Help us with initial start-up and operational costs** from using water for businesses and caring for Country.

*We need to stay vigilant,
keep asking important questions
and push our inherent cultural
rights to water.*



Governments need to be held accountable to their targets, agreements and commitments to improving our situation.

Governments also need to **better track and evaluate progress** against such targets and objectives. This aligns with the Australian Government's Closing the Gap agenda.

We need governments to **develop new cooperative approaches and agreements** with each other and with us. These actions will improve our involvement and ensure that we benefit from water reform.

All these suggestions will help governments to follow through on their commitments to improving our situation.

The value of the Basin's water market is increasing. This means that as time passes, water entitlements are likely to be more expensive. **Water purchases for First Nations should not be delayed any further.**





Our people have jobs and business opportunities

Birds are breeding

Cultural tourism is supporting families

Our people are healthy and happy

Animals are nourished and stories are told

Our people are connecting with and caring for Country

Country is restored

All waters are connected and flowing

Medicine plants are thriving

Our people live longer

Fish are breeding and people are fed

Our totems are cared for

First Nation controlled aquafarms are prospering

Rivers are healthy

A VISION FOR **FIRST NATIONS' WATER**

We are the most experienced natural resource managers of the Basin. Our science, expertise and knowledge spans over 65,000 years – some say more, some say less.

Governments and water managers must partner, listen to and work with us to increase our water holdings. From this, Country and people will be healthier and stronger.

In this artwork, First Nations peoples are represented by our totem animals.

