

Kungun Ngarrindjeri Yunnan Agreement

Listening to Ngarrindjeri People talking
KNYA Taskforce Report 2010-11



Government of South Australia
Department of Environment,
Water and Natural Resources



Ngarrindjeri
Regional Authority

Acknowledgements

The Ngarrindjeri people are the descendants of the original indigenous inhabitants of the lands and waters of the Murray River, Lower Lakes and Coorong and adjacent areas. Ngarrindjeri have occupied, enjoyed, utilised and managed these traditional homelands since time immemorial.

The South Australian Government acknowledges Ngarrindjeri are the Traditional Owners of the land and that according to their traditions, customs and spiritual beliefs its lands and waters remain their traditional country. The State also acknowledges and respects the rights, interests and obligations of Ngarrindjeri to speak and care for their traditional country, lands and waters in accordance with their laws, customs, beliefs and traditions.

The KNYA Taskforce Planning Workshop was part of the South Australian Government's Murray Futures program, funded by the Australian Government's *Water for the Future* program.

Caution when reading this report

The Department of Environment and Natural Resources (DENR) will always make every effort to respect Ngarrindjeri cultural sensitivities when featuring images or names of people who have recently died.

However please be advised that this document may contain images of persons who have died after this Annual Report was finalised in January 2012 and we offer our apologies for any distress caused if this occurs.



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Lake Alexandrina looking towards the Tauwichee barrage

In memory of the late Ngarrindjeri Chairs of the KNYA Taskforce

Mr George Trevorrow

We are saddened by the loss of George Trevorrow, the Chair of the KNYA Taskforce, who has been an inspirational leader and advocate for Aboriginal people, in particular the Ngarrindjeri nation.

Mr Trevorrow passed away two days after the KNYA Taskforce Planning Workshop after a battle with illness.

Mr Trevorrow was the Rupelli (leader) of the Ngarrindjeri Tendi (traditional governing body of the Ngarrindjeri nation). Throughout much of his life he advocated for the recognition of Ngarrindjeri people's rights and interests in their Ruwe (Country). He worked closely with other Ngarrindjeri leaders and elders to progress those rights.

His leadership as the Chairperson of the Ngarrindjeri Regional Authority (NRA) and KNYA Taskforce has been integral in developing new relationships with the State Government, especially in relation to the conservation of the Coorong, Lower Lakes and Murray Mouth region.

Mr Trevorrow was forthright in his determination to ensure that Government and the broader community had a clear understanding of the Ngarrindjeri position on important issues, whilst at all time, being prepared to listen and talk to ensure a better understanding and relationship, even in times where agreement or consensus could not be reached.

He was central to the establishment of the NRA as the peak Ngarrindjeri regional body based on the traditional governance structure of the Ngarrindjeri Tendi.

Mr Trevorrow has always sought recognition and respect for Ngarrindjeri rights and cultural responsibilities in caring for the region. He and his family have lead by example in bringing Aboriginal and non-Aboriginal people together in the spirit of Reconciliation.

Mr Trevorrow was a much-respected and close friend to many people in Government. He will be remembered for his warmth and compassion, and as a teacher and mentor by the many people who have met and worked with him.

Mr Trevorrow's contribution to his community and cultural relations in South Australia leaves a significant legacy.

Mr Matt Rigney

We are also saddened by the loss of Matt Rigney, who assumed the Chair of the KNYA Taskforce following the passing of George Trevorrow. Matt was also an inspirational leader and advocate for Aboriginal people, in particular the Ngarrindjeri nation.

Rigney passed away on 18 August 2011 at Meningie Hospital. At the time of his passing Mr Rigney was the Chair of the Ngarrindjeri Regional Authority Inc.

Mr Rigney was highly respected by many people throughout South Australia and devoted his life to progressing a greater understanding of culture on behalf of the Ngarrindjeri Nation and in doing so made a significant contribution to South Australia.

Matthew Rigney played an enormous role in Aboriginal affairs, locally and nationally, in the areas of Aboriginal community welfare, education, youth affairs, sport, employment and training, natural resource management and community development. Through his work as a cultural and political educator at Camp Coorong, Mr Rigney provided the opportunity to meaningfully engage with Aboriginal people, their histories and cultures.

Beyond these roles, Mr Rigney was a leader of the Ngarrindjeri nation, playing a crucial role in building governance structures such as the Ngarrindjeri Regional Authority Inc and, in doing so, establishing partnerships with all levels of government including the KNYA Taskforce representatives. He was the chair of the Murray Lower Darling Rivers Indigenous Nations Coalition, Chair of the Ngarrindjeri Native Title Management Committee and a member of the Tendi-Ngarrindjeri Governing Body.

Mr Rigney's long political career in Aboriginal affairs included chairing the Patpa Warra Yuntli Regional Council of the Aboriginal and Torres Strait Islander Commission. In recent years he has been a tireless advocate for Aboriginal rights to water and was a member of the Murray-Darling Basin Ministerial Council's Community Advisory Committee. Mr Rigney was interested in the interconnection between how we treat the earth and how we treat each other. He was a fearless advocate for Aboriginal rights and the responsibility Aboriginal people have to care for country, yet was prepared to engage in meaningful dialogue, even on very difficult issues, with government and others. Mr Rigney designed the now famous Ngarrindjeri flag, which was first flown in 1999 on Kumarangk (Hindmarsh Island).

Mr Rigney will be sadly missed and long remembered.

Messages from the co-chairpersons of the Taskforce

North Coorong lagoon to the Murray Mouth

NRA Chairman's Report

Looking back at the past year as the Chair of the Ngarrindjeri Regional Authority, I am pleased to be able to say that the Kungun Ngarrindjeri Yunnan Agreement (KNYA) has been a success. The KNYA has provided opportunities for the Ngarrindjeri people to extend the work that we are doing as a Nation that otherwise would not have been possible. The negotiation of the KNYA between the NRA and the Government assisted us to address the terrible effects of the drought on our Ruwe Ruwar, which had caused great stress to the Ngarrindjeri people. We have achieved a number of positive outcomes through the KNYA that have helped to heal our Country and our people.

Another of the positive outcomes has been the opportunity to get to know Government people and to begin the process of creating a respectful relationship between them and the Ngarrindjeri people. My hope is that we can extend the KNYAs and respectful relationships we have begun with the current members of the Taskforce to all areas of Government.

With great sadness I also want to acknowledge and honour the contribution to the establishment and progress of the KNYA made by brothers George Trevorrow, Matt Rigney, and Robert Rigney, my nephew Steven Walker, and the many other Ngarrindjeri Elders, leaders and community members who have passed in recent times.

As a Ngarrindjeri Elder and on behalf of the NRA, I would like to sincerely thank all those who have contributed to the work of the Taskforce and the outcomes it has achieved so far. I look forward to continuing our work together in the coming year and to expanding and improving on our achievements for the benefit of all Ngarrindjeri people.

Tom Trevorrow

Chair of the Ngarrindjeri Regional Authority



Hindmarsh Island looking west towards Goolwa

Coorong, Lower Lakes and Murray Mouth (CLLMM) Program Director's Report

I am very proud to co-present the inaugural KNYA Taskforce Report.

As the lead South Australian Government agency on the Agreement, I would like to take this opportunity on behalf of the Department of Environment and Natural Resources to thank the Ngarrindjeri for their support and commitment to implementing the Agreement. They have been an inspirational partner in tackling the environmental issues that have recently faced the Coorong and Lower Lakes region.

For the first part of 2010, the KNYA Taskforce focussed on emergency actions aimed at addressing the environmental effects of record low water availability. It provided the ideal forum to discuss and negotiate our way through some difficult issues. This dialogue is central to ensuring Ngarrindjeri voices are heard and that their cultural values and perspectives are integrated into future arrangements for the site.

The return of water has seen a dramatic improvement in the ecological condition of the Coorong and Lower Lakes region. The water brought with it new challenges and opportunities for 2011 and a change in focus for the CLLMM Program.

What will not change is our commitment to the Agreement and to supporting Ngarrindjeri in working towards the long-term goal of cooperative management of the CLLMM site.

I look forward to continuing to work closely with the Ngarrindjeri during 2012 to achieve progress towards this shared objective.

Janice Goodwins

Director

Coorong, Lower Lakes and Murray Mouth Program
Department of Environment and Natural Resources

KNYA purpose

Kungun Ngarrindjeri Yunnan Agreement (KNYA) translates to 'Listening to Ngarrindjeri people talking agreement'. The KNYA is a consultation and negotiation agreement between the South Australian Government and the Ngarrindjeri Regional Authority (NRA). The full agreement can be viewed at www.environment.sa.gov.au/cllmm

The Agreement seeks to enable Ngarrindjeri cultural values to become integral to all planning and future management arrangements for the land and water – assuring active Ngarrindjeri participation in caring for the region. It also seeks to support Ngarrindjeri gaining economic benefit and employment from the management of parks and reserves in their region. The agreement was signed in 2009 on behalf of the South Australian Government by:

Hon. Jay Weatherill	Minister for Environment and Conservation Minister for Aboriginal Affairs and Reconciliation
Hon. Karlene Maywald	Minister for the River Murray
Hon. Paul Caica	Minister for Agriculture, Food and Fisheries and on behalf of the Ngarrindjeri people and representing the NRA by:
Mr George Trevorrow	Chair, Ngarrindjeri Tendi Inc. (deceased)
Mr Tom Trevorrow	Chair, Ngarrindjeri Heritage Committee Inc.
Mr Matt Rigney	Chair, Ngarrindjeri Native Title Management Committee (deceased)

KNYA – A Ngarrindjeri perspective

The KNYA is a Ngarrindjeri Elders and Leaders initiative that came after the events of the Kumarangk (Hindmarsh Island) Royal Commission. Ngarrindjeri wanted to build a new relationship with government based on respect and recognition of Ngarrindjeri as the Traditional Owners of their country.

The KNYA was also a key initiative to further progress the aspirations of the Ngarrindjeri as documented in the Ngarrindjeri Yarlumar-Ruwe Plan. It also builds upon the objectives and intent of the Ngarrindjeri Regional Partnership Agreement, 2008, between the NRA, South Australian and Australian Governments. The Ngarrindjeri Regional Authority (NRA) has reviewed and developed a report on the great successes it has achieved under the Ngarrindjeri Regional Partnership Agreement.

Tom Trevorrow spoke about how the KNYA creates a corporate memory in government about their commitments and a stepping stone for future working relationships with Ngarrindjeri. Mr Trevorrow said:

“Government people come and go but we are Ngarrindjeri and we will always be here because this is where we live, this KNYA is written in black and white on paper so it will outlast changes in government.”

Ngarrindjeri see the KNYA as pivotal to securing support for their community after the loss of the Aboriginal and Torres Strait Islander Commission and then the Community Development Employment Project. The Natural Resource Management (NRM) Industry objectives are similar to Ngarrindjeri aspirations to care for country and the investment in NRM in the Ngarrindjeri region is seen as an opportunity for community development.

Ngarrindjeri see the KNYA Taskforce as the forum to imbed Ngarrindjeri values, interests and long-term objectives into government policy and planning relating to the Ngarrindjeri homelands. Matt Rigney said it also allows for one government (Ngarrindjeri Elders) to consult and negotiate with another government (Ministers). The South Australian Government confirms that the taskforce provides an interface between Ngarrindjeri and the government to discuss policy and planning matters relevant to the KNYA.



(left to right) Cyril Trevorow, Minister for Sustainability, Environment and Conservation, the Hon. Paul Caica and Tim Hartman inspecting restoration activities at Warrangie Farm, Lake Albert

The Ngarrindjeri Regional Authority



The Ngarrindjeri Regional Authority (NRA) represents the communities and organisations that currently make up the Ngarrindjeri Nation and the current individual Native Title claimants of the Ngarrindjeri and Others Native Title Claim. The NRA was established in 2007 and the structure is based on the traditional governance of the Ngarrindjeri Tendi.

The NRA's charter is to achieve better economic outcomes and development for the communities and individuals it represents by developing initiatives to achieve these results. This is being done whilst still maintaining the unique Ngarrindjeri culture, cultural knowledge and materials. The NRA represents the Ngarrindjeri people in implementing the KNYA.

The NRA has established Ngarrindjeri Enterprises Pty Ltd (NEPL) and Ngarrindjeri Ruwe Contracting Pty Ltd (NRC) as economic development and service delivery arms of the organisation. The NRA has also established the Research, Policy and Planning Unit (NRA RPPU) based at Flinders University.



KNYA Taskforce

A KNYA Taskforce of Ngarindjeri and State Government representatives under the portfolio's of the signatory Ministers has been meeting regularly since the Agreement was signed. Equitable engagement is a key objective of the KNYA.

The Taskforce was established to address this, and to enable structured meetings, capacity building and practical achievement towards the commitments made under the Agreement. The Taskforce has also been crucial in building the relationship and understanding between government and Ngarindjeri.

Where we operate

The KNYA applies over all land and water in the Ngarindjeri and Others Native Title Claim Area (6027/98). The Native Title claim was lodged in 1998 and covers an area of 10,353 square kilometres in the Lower Murray, Lakes, Coorong, eastern Fleurieu Peninsula and Encounter Bay region. The claim area extends up to 2.7 kilometres out to sea.

The KNYA Taskforce Report 2010-11

Throughout 2010 and 2011, the KNYA Taskforce has sought to improve communication about achievements against the Agreement. The Taskforce agreed that a Report reviewing the yearly highlights and priorities for future years would increase awareness of the KNYA throughout the SA Government and the Ngarindjeri community.

Our performance - KNYA Taskforce review of 2010-11

Following the KNYA Taskforce's decision to develop an Annual Report, a workshop was held in February 2011 to review the progress of the KNYA and determine the report's content.

The Department of Environment and Natural Resources (DENR) provides secretariat support to the KNYA Taskforce. As part of this role, DENR presented a summary of 2010 business to the workshop including statistics, engagement, related research, publications, conference presentations, and information relevant to the commitments under the KNYA. DENR has undertaken the same summary of 2011 business. This information was used to develop the annual report on the agreements progress.

The KNYA commits the South Australian Government to a range of one off commitments as well as numerous ongoing matters for good faith consultation and negotiation. The commitments outlined in the KNYA are presented in Table 1, with summaries of their progress and an indication of performance.



Table 1: Summary of performance in delivering against the KNYA commitments.

KNYA Clause	Commitment	Progress summary	Performance score
General KNYA commitments			
3.1.1	Secure \$2.5M of Ngarrindjeri involvement in Lower Lakes Bioremediation and Revegetation Project	<ul style="list-style-type: none"> Funding agreement signed in August 2010 Project completed 	Achieved
3.2.1	Consultation regarding cultural water requirements and flows		Limited progress
3.2.2	Public acknowledgement of Federal Court Decision on Hindmarsh Island	<ul style="list-style-type: none"> Hon. Paul Caica MP made the acknowledgement at NAIDOC Week event in July 2010 	Achieved
4.3	Commit \$600K over three years to support NRA development and participation	<ul style="list-style-type: none"> The 3rd and final instalment of funds was delivered in June 2011 	Achieved
KNYA matters for consultation			
5.1.1	Gaining economic benefit from management of parks and reserves	<ul style="list-style-type: none"> NRA aspirations raised through KNYA Taskforce NRA commenced training pathway plan for rangers 	Limited progress
5.1.2	Management planning for protected areas, water resources and water	Key consultation topics: <ul style="list-style-type: none"> Marine Parks planning updates SA response to the Guide and Proposed Basin Plan Response on SEDSOM Bill CLLMM Icon Site Environmental Watering Plan Ramsar Directions Document CLLMM Vegetation Management Planning Statement of Commitment CLLMM Research and Monitoring Program Statement of Commitment 	On track
5.1.3	Ngarrindjeri interests built into CLLMM Long-Term Plan and Business Case	<ul style="list-style-type: none"> Ngarrindjeri Partnerships Project early works phase complete Long-term Ngarrindjeri Partnerships Project agreement in negotiation Statement of Commitment process and working groups established 	Achieved
5.2	Quarterly Leader (Elders) to Leader (Ministers) Meetings	<ul style="list-style-type: none"> Three meetings occurred in 2010 19 Oct 2011 	On track
5.3	Leader to Leader Meeting Reports	<ul style="list-style-type: none"> Chief Executives attending meetings in 2011 and supporting reporting to agencies 	On track
KNYA matters for negotiation			
6.1.1	Hand-back and co-management of national parks and conservation parks in the context of native title claim resolution	<ul style="list-style-type: none"> Preliminary negotiations commenced in 2011 Relevant agencies committed 2 years funding to support negotiation process 	On track
6.1.3	Agreement regarding Ngarrindjeri ownership and management of cultural knowledge	Cultural knowledge and Intellectual Property clause in Lower Lakes Bioremediation and Revegetation Project but removed from Ngarrindjeri Partnerships early works agreement	Limited progress
6.1.4	Good faith negotiations regarding other matters relating to the KNYA	<ul style="list-style-type: none"> Key Matters for 2010/11 South Lagoon Pumping project feasibility Goolwa Channel regulators removal The Living Murray Indigenous Facilitators contract Murray Mouth cultural rangers contract Extension to Ngarrindjeri Regional Partnership Agreement Heritage approvals data sharing agreement Rural Solutions SA partnership agreement 	On track
6.2	Negotiation process	<ul style="list-style-type: none"> Taskforce follows principles of negotiation process set out in Schedule 1 of the KNYA. Co-management negotiations will utilise this process as guide. 	On track
Performance Score			
Achieved	Commitment met		
Ahead	Progress ahead of what was expected		
On track	Progress as expected		
Limited progress	Some progress but commitment not likely to be met with current trend		
No progress	No progress		
Unclear	Insufficient information		

Improving the way we work

The KNYA Taskforce agreed in December 2010 to undertake a review of the performance of the KNYA Taskforce. A KNYA Taskforce Planning Workshop was coordinated by a working group of DENR and NRA representatives.

The Planning Workshop was held at the NRA Business Centre in Murray Bridge on 24 February 2011 and was facilitated by Dermot Smyth of Smyth and Bahrdt Consultants. A total of 38 people attended the meeting representing the Ngarrindjeri Regional Authority (NRA), six State Government agencies, two Australian Government agencies and two research organisations. The workshop proposed the following:

- review 2010 business
- review the structure, operation and role of the Taskforce
- identify Ngarrindjeri and government long-term objectives for the KNYA
- identify priority activities and focus for the KNYA Taskforce for 2011
- develop strategies to address matters raised.

Outcomes

A number of reoccurring topics emerged from the 2010 business review that could guide improvement in the KNYA Taskforce's effectiveness:

Improving communication and celebrating success

- wider dissemination of KNYA Taskforce meeting notes and outcomes
- prepare KNYA Taskforce Annual Reports
- utilise joint media options
- Chief Executives accompany Ministers to Leader to Leader meetings.

Broadening and improving engagement

- invite MDBA and DSEWPac to regularly participate in KNYA Taskforce
- engage Department of Premier and Cabinet Policy in KNYA Taskforce regarding Council of Australian Governments reforms
- develop framework to assist Departments integrating KNYA into program plans
- imbed KNYA objectives into Departmental Strategic Performance Measures and Executive Director Performance Agreements
- review membership and formally invite appropriate officers to engage

Review of taskforce structure and operations

- develop Terms of Reference to define roles, structure and operation
- focus Taskforce on proactive development/initiation of policy and planning
- establish an annual program based on government led policy and planning
- establish project working groups and use existing committees

Coordinating NRA support

- investigate Australian Government programs to support KNYA (Working on Country (WoC), Indigenous Heritage Program (IHP), Caring for our Country (CfoC) and Indigenous Protected Areas (IPA))
- align the KNYA and Ngarrindjeri Regional Partnership Agreement to more effectively support NRA
- develop Regional Strategy regarding Ngarrindjeri Caring for Country and Economic Development as part of the Ngarrindjeri Regional Partnership Agreement
- Statement of Commitment process utilised for specific projects
- develop working agreement between NRA and Rural Solutions SA.

Our Engagement for 2010-11

The KNYA commits the South Australian Government to consult and negotiate with the Ngarrindjeri over a number of matters. The engagement process occurs at four levels:

- Leader to Leader
- KNYA Taskforce
- KNYA Taskforce Working Group
- Project Working Group.

Leader to leader meetings

Ngarrindjeri Elders and Ministers met on three occasions in 2010-11. The meeting dates and key matters for discussion are presented below:

24 May 2010	KNYA handover to new Ministers
21 September 2010	Goolwa Channel temporary flow regulator removal
1 October 2010	South Lagoon Pumping Project Aboriginal heritage
19 October 2011	Coorong Projects, Goolwa Channel regulators, Aboriginal Heritage Act processes

Taskforce meetings

The KNYA Taskforce has met on 32 occasions since the Agreement was signed: 15 meetings were held during 2010; 6 meetings were held in 2011. Meeting frequency has reduced from weekly to monthly weeks over this period.

A total of 390 attendees (190 SA Government and 200 NRA) participated in over 1200 meeting hours over 2010-11.

South Australian Government Department engagement in the KNYA Taskforce has been variable and is presented in Table 2.

KNYA Taskforce Working Group

Follow on from the 2011 KNYA Taskforce Planning Workshop the Taskforce established a joint Working Group to progress the key proposals. The Working Group commenced discussions in late 2011 and has identified two key deliverables by June 2012:

- development of a Terms of Reference for the KNYA Taskforce
- development of a Strategic Activity Plan for the KNYA Taskforce.

Project working group meetings

A range of government-led environmental management programs operate in the CLLMM region. The KNYA Taskforce acts as a review process for these programs, enabling Ngarrindjeri input and advice, particularly around culture and heritage matters. The Taskforce has established two project working groups to progress matters, report back and make recommendations to the Taskforce.

The project working groups are guided by Statement of Commitment documents developed between the NRA and DENR. This provides a practical way to negotiate Ngarrindjeri involvement in planning activities, enabling appropriate Ngarrindjeri engagement, incorporating cultural values into planning and management whilst protecting cultural knowledge.

Year	DENR	DfW	PIRSA	SARDI	RSSA	AARD DPC	SA Water	EPA	CSO	AMLR NRM	SE NRM	MDB NRM
2010	F	F	N	N	N	F	P	N	F	N	N	F
2011	F	F	P	N	P	F	P	N	F	N	P	P

Participation levels

F = Full time; P = Part time; N = Nil

A number of Australian Government agencies (Adelaide Office of Indigenous Coordination Centre (ICC), Department for Sustainability, Environment, Water Population and Communities (DSEWPoC), Murray-Darling Basin Authority (MDBA), research organisations (Universities: Flinders, Adelaide, Technology Sydney, Arizona State, South Australia) and local governments have also participated at KNYA Taskforce meetings.



Our highlights of 2011-2012

The KNYA is receiving national and international exposure and recognition as a best practice model for Aboriginal engagement with government, and is a case study in two Australian Research Council (ARC) Discovery Projects.

The Agreement and the KNYA Taskforce established to coordinate its implementation have been highly successful in building a new relationship between Ngarrindjeri and the South Australian Government, and delivering on ground benefits to the Ngarrindjeri community.

Research

The NRA has commenced a range of activities to analyse and publicise the effectiveness of the KNYA in 2010-11. Significantly the NRA, through their Research, Policy and Planning Unit based at Flinders University, has secured partnerships in two ARC Discovery Projects.

ARC Discovery Projects

- Negotiating a space in the nation: the case of the Ngarrindjeri. Collaboration between Flinders and South Australia Universities, Cambridge University and NRA.
- Harvard Project on American Indian Economic Development: Reclaiming Indigenous Governance. Collaboration between Arizona State University, University of Technology Sydney and NRA.

Conference Presentations

- Australian Archaeological Association Conference, Challenges to understanding cultural and natural landscapes: local, national and global perspectives, 'Ngarrindjeri Heritage Management: The Indigenous Heritage Programme (IHP) and Murray Futures' (Poster) by Chris Wilson, Steve Hemming, Tom Trevorrow, Daryle Rigney, Kelly Wiltshire 9-13 December, Australian National University, Batemans Bay New South Wales.

- Indigenous Wellbeing Seminar Series, 'The Contribution of Water-based Ecosystems to Ngarrindjeri Wellbeing' by Romy Greiner, Steve Hemming and Daryle Rigney, Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), 7 June, Canberra.
- Hemming,S., Rigney,D. and Rigney,G. (2010). The Inaugural National Indigenous Policy and Dialogue Conference. Canberra 18-19 November 2010.
- Knowledge / Culture / Social Change; International Conference, Centre for Cultural research, University of Western Sydney, 7-9th November, Panel with members of ARC Discovery team, 'Negotiating a Nation within the Nation, the case of the Ngarrindjeri'.
- 'Researching on Ngarrindjeri Ruwe/Ruwar: Methodologies for positive transformation', 2nd International Huion Research by Indigenous People, Daryle Rigney, Steve Hemming and Shaun Berg, University of Alaska Fairbanks, USA, 22-25 May.
- CEESP Sharing Power Conference organised by the International Union for the Conservation of Nature (IUCN), IUCN Commission on Environmental, Economic & Social Policy (CEESP), TeRūnangao Ngāti Awa (a tribal authority) and Te Whare Wānangao Awanuiāraangi (a tribal university). 'Sharing Power: A New Vision for Development' by Steve Hemming, 11-15 January, Whakatāne, New Zealand. Power Sharing and Shared Governance in Practice, Panel Proposal: Challenges, Promises and Experiences of Indigenous People in CoManagement. Makere Stewart-Harawira (Aotearoa), Daryle Rigney and Steve Hemming (Ngarrindjeri and Flinders University), John Barkley (CTUIR USA), Alan Parker (ULIN USA). Rigney,D. & Hemming,S. 'Ngarrindjeri engagement with cultural and natural resource management – Development of a Post-Apology Indigenous Affairs policy in south-east Australia'.



Publications completed or in preparation

- Hemming,S., Rigney,D. & Berg,S. 2010 'Researching on Ngarrindjeri Ruwe/Ruwar: methodologies for positive transformation' in Australian Aboriginal Studies 2: 92-106.
- Hemming,S., Rigney,D. & Berg,S. (2011) 'Ngarrindjeri futures: negotiation, governance and environmental management', in Unsettling the Settler State: Creativity and Resistance in Indigenous Settler-State Governance, S.Maddison & M.Brigg (eds) Federations Press, Sydney, pp. 98-113.
- Hemming,S. & Wilson,C. 2010 'The First "Stolen Generations": Repatriation and Reburial in Ngarrindjeri Ruwe (Country)', in Turnbull,P. & Pickering,M. (eds) The Long Way Home: the Meaning and Values of Repatriation, Berghahn Books, Oxford, pp. 183-198.
- Hemming,S. & Rigney,D. 2011 'Ngarrindjeri Ruwe/ Ruwar: Wellbeing through Caring for Country' in Shute,R. (ed) International perspectives on mental health and wellbeing in education, Shannon Research Press: Adelaide, pp. 351-356.

State Government funding secured during 2010-11

A total of \$3.583 million in funding from the State Government has been secured by the NRA through the KNYA. Delivery of the funding has been achieved through the following funding and service agreements and commercial contracts:

\$400K	KNYA implementation and NRA support
\$1.875M	Bioremediation and Revegetation Project funding agreement
\$1.02M	Ngarrindjeri Partnerships Project funding agreement
\$225K	DFW contract to NRA for The Living Murray Program
\$50K	Cultural heritage assessments (2010 only)
\$13K	Meningie Lakefront Habitat Project – Interpretation Work

Awards

The KNYA and the activity of the Taskforce have been integral in the success of both the Ngarrindjeri and DENR in receiving the following awards:

Banksia Award - Land and Biodiversity - Preserving our Ecosystems, 2010

South Australian of the Year - Environmental Award, 2010

Graduation - 12 Ngarrindjeri graduates from Certificate 3, Conservation and Land Management, 2011

Full-time employment secured

The KNYA has facilitated the full-time employment of Ngarrindjeri through the NRA, and this has in turn supported these Ngarrindjeri securing full-time employment outside of the organisation. Fifteen Ngarrindjeri have been employed through the NRA during 2010 and 2011. Three former NRA employees have secured full-time employment outside of the organisation in 2011 (employed through DENR, Kanmantoo Mine and Prominent Hill Mine, Coober Pedy).



Ngarrindjeri graduation ceremony (left to right): John Shaw, Joe Koolmatie, Raymond Rigney, Anthony Camilleri, Ron Clarke, Aaron Long, Laura Long, Craig Sumner, Russell Rigney, Daryl Long, Arnold Love, Simon Wanganeen.

Case study project – CLLMM research and monitoring program

Background

Through the CLLMM Program, DENR is responsible for coordinating a range of environmental monitoring and research activities in the CLLMM region as part of the South Australian Government's Murray Futures program. The CLLMM Research and monitoring program builds on historic monitoring activities, establishes new activities, and compliments existing activities such as The Living Murray Icon Site monitoring.

DENR prepared a monitoring framework and plan to underpin the CLLMM Monitoring Program for 2010/11. The program also incorporated a range of research activities.

Engagement

DENR presented the Monitoring Framework and Plan to the KNYA Taskforce in April 2010. The NRA raised the importance of Ngarrindjeri being involved in monitoring activities for a number of reasons:

- creating a space for Ngarrindjeri interests in monitoring programs
- providing training opportunities for the Ngarrindjeri community
- increasing opportunities for Ngarrindjeri to gain future economic benefit.

The KNYA Taskforce requested that a working group of NRA and DENR representatives be formed to progress Ngarrindjeri involvement and participation in the program.

Working group

The working group enabled increased information sharing and discussion regarding the monitoring program. The working group also enabled both parties to gain a better understanding of the interests and aspirations of the other. It was agreed that a document was required to capture parties aspirations and to guide the way both parties worked together. A Statement of Commitment¹ was developed with an accompanying work plan.

Outcomes

The working group has achieved a number of outcomes as listed below. The implementation of the Statement of Commitment is 'On Track'.

- Statement of Commitment finalised
- developed heritage assessment process for the program
- matrix of monitoring activities developed and shared with NRA
- matrix assisted CLLMM Program coordination of the monitoring program and tracking heritage assessments
- facilitated Ngarrindjeri on ground involvement in monitoring activities
- facilitated new working relationships between NRA and monitoring services providers
- conducted Monitoring Information Day with Ngarrindjeri workers, 2011.

¹ Statement of Commitment process has been developed between DENR and NRA to progress specific CLLMM Program activities. The Statement of Commitment enables Ngarrindjeri to be involved in planning processes and appropriately integrating cultural values, interests and perspectives into plans and management.

Opportunities and challenges for the future

Assisting Government to implement the KNYA and improve performance

The review of KNYA Taskforce business highlighted that government-led policy and planning was entering the Taskforce in a drafted form for consultation. This approach significantly limits Ngarrindjeri opportunities to input and integrate their interests and cultural values. A more pro-active approach to government-led policy and planning development has been requested by the KNYA Taskforce. A tool that provides direction and ideas to Departments for achieving KNYA objectives is recommended.

Outcomes of the tool may include:

- greater awareness across government of KNYA objectives
- improved KNYA implementation
- more effective use of the KNYA Taskforce to inform policy and planning
- departmental reporting of progress towards KNYA objectives.

Aligning the KNYA and Ngarrindjeri Regional Partnership Agreement

The objectives and intent of the KNYA are closely aligned with the Ngarrindjeri Regional Partnership Agreement: both focus upon Ngarrindjeri Caring for Country and economic development.

There is great sense in ensuring the work undertaken as part of the two agreements is complimentary and efficient. Creating synergies between the Agreements are likely to improve the long-term benefits to the Ngarrindjeri community and support greater Australian Government involvement in KNYA matters. Linking the KNYA implementation to the Council of Australian Governments Closing the Gap reform is essential.

Strategies to support alignment:

- engage Department of Premier and Cabinet Policy in KNYA Taskforce
- maintain relationship with Adelaide Office of the Indigenous Coordination Centre through KNYA Taskforce
- identify and build upon synergies between each Agreement
- NRA to improve liaison with Commonwealth parties to the Ngarrindjeri Regional Partnership Agreement parties.

Supporting Ngarrindjeri long-term objectives

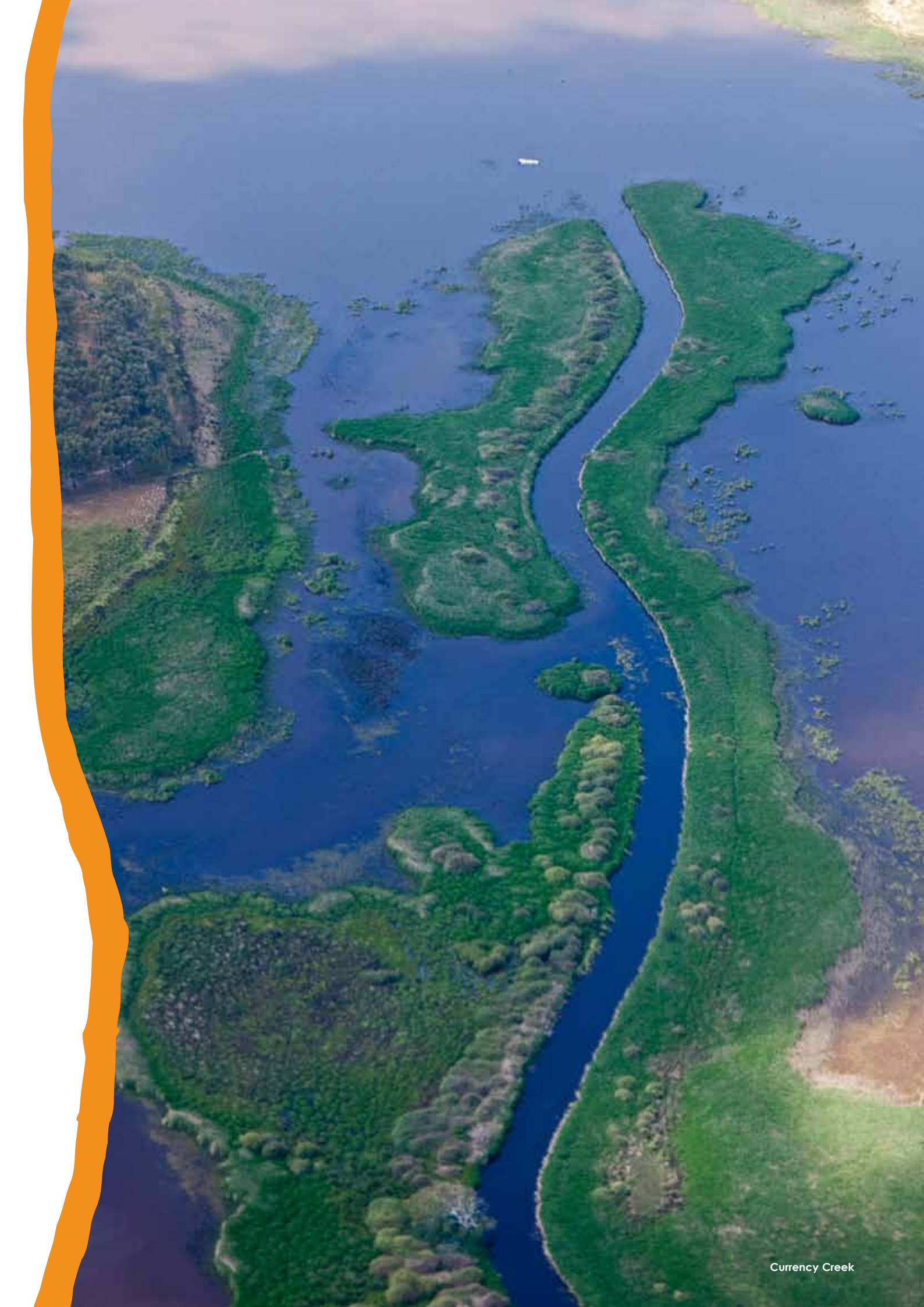
Ngarrindjeri have raised a number of long-term objectives that they see as priority areas under the KNYA. These objectives were raised at the KNYA Taskforce Planning Workshop and a number of strategies and actions to progress were documented. Implementing the outcomes of the Planning Workshop over 2011 in a staged approach will be essential. Priority areas include:

- fee for service and employment opportunities
- co-management negotiation
- reburials of repatriated Ngarrindjeri old people
- Sir Richard Peninsula management arrangements
- heritage management
- economic development opportunities
- implementing Ngarrindjeri priority research projects
- water management and protected area planning.



Acronyms/abbreviations/terms

AARD	Aboriginal Affairs and Reconciliation Division of DPC (SA)
AGD	Attorney General's Department (SA)
ARC	Australian Research Council
Caring for Country	Aboriginal English term regarding Aboriginal peoples relationships to, and their rights and responsibilities to look after, their country
CfoC	Australian Government's Caring for our Country Program
CLLMM	Coorong, Lower Lakes and Murray Mouth
CoAG	Council of Australian Governments
Closing the Gap	Closing the Gap on Indigenous Disadvantage Statement, CoAG, 2008
CS	Crown Solicitor's Office of AGD (SA)
DENR	Department for Environment and Natural Resources (SA)
DFW	Department for Water (SA)
DPC	Department of Premier and Cabinet (SA)
DSEWPaC	Department for Sustainability, Environment, Water, Population and Communities (Aus)
DTEI	Department of Transport, Energy and Infrastructure (SA)
ICC	Adelaide, Indigenous Coordination Centre (Aus)
IHP	Australian Government's Indigenous Heritage Program
IPA	Australian Government's Indigenous Protected Areas Program
KNYA	Kungun Ngarrindjeri Yunnan Agreement (listening to Ngarrindjeri people speaking)
MDB	Murray Darling Basin
MDBA	Murray Darling Basin Authority (Aus)
NP	National Park
NRA	Ngarrindjeri Regional Authority
NRA RPPU	NRA Research, Policy and Planning Unit
NRM	Natural Resource Management
PIRSA	Department of Primary Industries and Resources (SA)
RSSA	Rural Solutions South Australia of PIRSA (SA)
Rupelle	Elected head of the Ngarrindjeri Tendi
Ruwe	Ngarrindjeri word for country
SA MDB NRM Board	South Australian Murray Darling Basin NRM Board of DENR (SA)
SARDI	South Australian Research and Development Institute
SA Water	Water utility owned by the SA Government
SE NRM Board	South East NRM Board of DENR (SA)
Tendi	Ngarrindjeri traditional governing council
Uni SA	University of South Australia
WoC	Australian Government's Working on Country Program
Yarluwar Ruwe	Ngarrindjeri term meaning <i>Sea Country</i>





For further information please contact:

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