

Cultural Values Engagement Report

Stage 1A of the Victorian Constraints Measures Program

FINAL REPORT

October 2023

alluvium

Acknowledgement of the Traditional Owners of Australia

Alluvium recognises and acknowledges the unique relationship and deep connection to Country shared by the Traditional Owners as First Peoples of Australia. We are committed to supporting close involvement and participation of Traditional Owners in aquatic research and management.

Traditional Owners attach enormous cultural and spiritual significance to landscapes. In the First Peoples' world view, people and Country (including lands, waterways and seas) are interdependent entities that are intrinsically linked in the landscape. This means that there is no separation of nature and culture. The health and wellbeing of First Peoples is directly influenced by both the health of the environment and the degree to which First Peoples can be actively involved in caring for it.

As First Peoples of Australia, Traditional Owners have inherent rights that were never traded or given away. These inherent rights are recognised in a wide range of International, Federal, State and Territory Government instruments that afford First People ownership and custodial interests in Country and recognises their unique responsibility to care for their communities, cultural landscapes, biodiversity and places of particular cultural significance.

Ongoing access to Country and its resources is essential so Traditional Owners can continue cultural practices, maintain links with the land and care for and be intricately involved in repairing Country. Traditional Owner individuals and communities can retain and obtain valuable knowledge and skills through being proactively involved in environmental management and conservation opportunities.

Australian society can benefit from First Peoples' knowledge, relationships and cultural and environmental practices and protocols that are alive and vibrant in these communities. This engagement will provide society with a foundation to establish meaningful and sustainable relationships and sound working partnerships.



Indigenous artwork by Melissa Barton, commissioned as part of Alluvium's Reconciliation Action Plan

This report has been prepared by Alluvium Consulting Australia Pty Ltd for Sequana Pty Ltd under the contract titled 'Cultural Benefits and Risks Feasibility Assessment' as part of Stage 1A of the Victorian Constraints Measures Program.

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Version: 4 – Final Report
Date issued: 7th October 2023
Issued to: Hannah Walmsley, Sequana Pty Ltd
Citation: Alluvium, 2023, Cultural Values Engagement Report

Cover image: abstract river image, Shutterstock

1 Executive Summary

Introduction

Traditional Owners have an enduring connection to Country and a crucial interest in water resource management. The Victorian Constraints Measures Program (CMP) recognises the essential need for Traditional Owner involvement in planning of the Victorian CMP including the identification and articulation of the cultural, environmental, and social benefits and risks that may arise from relaxed constraints.

The project team have worked closely with Traditional Owners, Catchment Management Authorities (CMAs) and representatives from the Department of Environment, Land, Water and Planning (DELWP) throughout Stage 1A of the Victorian CMP to deliver the Cultural Benefits and Risks Workstream. The workstream was structured to support meaningful and authentic conversations with Traditional Owner groups.

Purpose

The purpose of the Cultural Benefits and Risks Assessment workstream for Stage 1A of the Victorian CMP was to understand Traditional Owner perspectives of the benefits and risks of relaxing constraints for the project area (Murray River from Hume Dam to the Wakool River Junction; Goulburn River from Lake Eildon to the Murray River Junction) and downstream to the Victoria/South Australia border across the Mallee floodplains.

The Constraints Measures Program

River regulation and climate change have interrupted many of the natural river and wetland processes needed by native plants and animals to survive. The Murray-Darling Basin Plan (the Basin Plan) was developed to improve the health of the river and its floodplains.

River flow constraints (maximum water flow rates at given points along rivers due to physical or operational barriers) are set to protect private and public property from inundation. Increasing the maximum flow rates (i.e., relaxing constraints) would allow more water to enter floodplains and wetlands, as well as providing higher in-channel river flows. This may positively and negatively impact communities and the environment.

The CMP is a component of the Murray Darling Basin Plan being delivered by the State of Victoria. Stage 1A of the Victorian CMP, aims to assess the feasibility of relaxing flow constraints, taking into consideration the associated benefits and risks.

Traditional Owner Engagement Approach

The engagement team identified 21 individual Traditional Owner groups (Table 1) to consult with, consisting of Registered Aboriginal Parties (RAP) and Non-RAP groups, across the project area and downstream to the Victoria/South Australia border. The desire for dedicated engagement with individual group was confirmed with each group throughout the project.

The team engaged with individual Traditional Owner groups, in accordance with their preferences, to discuss the CMP, including introducing the program, the rationale, the proposed changes to flows, and the predicted changes to inundation of the river and floodplains. The perspectives of fifteen Traditional Owner groups were documented in 7 'What we have heard' reports. 5 of these reports have been reviewed and approved as the groups' submissions to the Minister for Water on the feasibility study. Two more submissions on behalf of 3 groups may be provided to the Minister in the future.

Key Themes & Recommendations

The engagement resulted in five submissions on behalf of 12 groups, with two more submissions that may be provided to the Minister in the future. **The Traditional Owner groups were asked for permission to include their statements in the feasibility study reports for the Minister. Statement content must not be used in other contexts without permission of the owners.**

No single summary view on the project has been agreed to by all Traditional Owner groups.

From the perspective of the consultant (Alluvium), the majority of the representatives from Traditional Owner groups engaged:

- Identified potential benefits of relaxing constraints including: benefits for flora, fauna, and wellbeing benefits to individuals and community of healthy Country.
- Identified potential impacts of relaxing constraints on Country and cultural heritage assets from inappropriate timing of water releases, poor water quality and erosion.
- Identified that the true benefits and risks cannot be assessed without both detailed mapping of cultural assets and detailed knowledge of the flow regimes and implications.
- Emphasised the importance of detailed investigation into the cultural, environmental, and broader community benefits and impact associated with the project.
- Supported further exploration of relaxing constraints to achieve the broader environmental and cultural outcomes and gave in principle support to see the project go forward to the next stage of investigation, although some groups require further information to have a better understanding of the project before they determine their level of support.

Furthermore, the majority of the representatives from Traditional Owner groups engaged expressed the desire to see:

- Significant collaboration with Traditional Owner groups in the next stages, including in decision making over water use.
- Holistic management of land and water, considering the interconnectedness and interdependence of these resources.
- Improved information and engagement if the project continues, to ensure that the information about the project can be understood by the broader community.
- Improved integration between government departments and programs to ensure consistency and continuity in government knowledge.

From the consultant's (Alluvium) perspective, to inform planning for future stages, the key recommendations for future stages include:

- There is a need to support Traditional Owners to undertake mapping of cultural values for Country and the many wetlands that would be engaged under relaxed constraints. Traditional Owners want to ensure the protection of current values from any potential negative impacts from relaxing constraints.
- There is a need to improve the integration of planning complementary works for land and water. Relaxing constraints alone will not deliver the full potential for Country. Land and water need to be managed holistically to achieve the full range of potential benefits.
- There is a need to increase the role of Traditional Owners in governance and decision-making regarding water allocation, use and management as per the Water is Life policy. Traditional Owners expressed the need for improved Traditional Owner involvement in future Constraints program governance. Traditional Owners identified the need for actions in relation to many of the wetlands identified, such as the development of cultural management plans and cultural flow requirements to inform and guide planning.
- Future waterways work should be increasingly led and undertaken by Traditional Owner groups. This will help to address the loss of knowledge about Country due to the dislocation of Traditional Owners from Country, and to provide opportunities for employment and knowledge transfer to future generations.

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2 Introduction

Traditional Owners have an enduring connection to Country and a crucial interest in water resource management. Everything on Country - the land, water, life, culture, and resources - is connected. Traditional Owners have moral and cultural obligations to care for, protect and heal Country, and have done so holistically and sustainably for tens of thousands of years. Country connects Traditional Owners to their past, present and future, and is foundational for identity.

Water is an integral part of Country. The management of water by Traditional Owners brings health, wellbeing and economic benefits to individuals and communities, with flow-on benefits to the environment and other water users. The Victorian Constraints Measures Program (CMP) recognises the essential need for Traditional Owner involvement in planning of the Victorian CMP, including the identification and articulation of the cultural, environmental, economic and social benefits and risks that may arise from relaxing constraints.

Traditional Owner involvement in Stage 1A of the Victorian CMP was completed under Workstream 2(iv). The workstream was structured to support meaningful and authentic conversations with Traditional Owner groups. The advice received from Traditional Owner groups helped to guide and shape the approach to conversations and how their views on benefits and risks were captured and used to inform the feasibility of the Victorian CMP.

The project team have worked closely with Traditional Owners, Catchment Management Authorities (CMAs) and representatives from the Department of Energy, Environment and Climate Action (DEECA) throughout Stage 1A of the Victorian CMP to deliver the Cultural Benefits and Risks Workstream.

2.1 Purpose

The purpose of the Constraints Measures Cultural Benefits and Risks Assessment workstream was to understand Traditional Owner perspectives of the types of benefits and risks expected to arise from relaxing constraints within designated reaches of the Goulburn and Murray Rivers, while also taking into account potential higher flows downstream of the project area (from the Wakool River Junction to South Australia).

This project was designed to support genuine and meaningful conversations with Traditional Owners and empower groups to participate in, and contribute to, current and any potential future stages of the project. It was anticipated that the conversations would inform the feasibility study through the inclusion of Traditional Owner perspectives and help establish what further information or steps may be required (from a Traditional Owner viewpoint), should the project proceed to a business case.

This project supported Traditional Owner self-determination, enabling Traditional Owners to decide if and how they participated in the project, by allowing them to guide the engagement process, including the place and style of the consultations. It was intended that participation in the consultations would provide opportunities for Traditional Owners to strengthen partnerships with water/land management agencies, and for Traditional ecological science and approaches to be valued, protected, and integrated with 'western' approaches to water management.

This report outlines the process that was taken to engage with Traditional Owner groups whose Country may or may not be directly impacted by relaxing constraints, and the key messages that we heard during these engagements.

This report has been structured into the following sections:

Section 1: Executive summary

Section 2: Introduction and background for the study and an overview of the study areas

Section 3: Engagement Values and Principles

Section 4: Engagement Planning

Section 5: Engagement

Section 6: Key themes and recommendations

2.2 Background

2.2.1 Constraints and the Constraints Measures Program

River regulation and climate change have interrupted many of the natural river and wetland processes needed by native plants and animals to survive. The Murray-Darling Basin Plan (the Basin Plan) was developed as a 'whole-of-system' plan to improve the health of the basin, regulating the amount of water that can be taken for human needs while delivering enough water for rivers, lakes, wetlands, plants, and animals.

River flow constraints (maximum permitted water flow rates at given points along rivers due to physical or operational barriers) are set to protect private and public property from inundation. Increasing the maximum flow rates (i.e., relaxing constraints) would allow more water to enter floodplains and wetlands, as well as providing higher in-channel river flows. This may positively and negatively impact communities and the environment.

The Victorian CMP is a component of the Murray Darling Basin Plan being delivered by the State of Victoria. Stage 1A of the Victorian CMP aims to identify the benefits and risks, and the feasibility, of relaxing constraints in Goulburn River and the River Murray. Such benefits/risks may occur within the study area, and or within the broader Basin system.

2.2.2 Traditional Owners and the CMP

The Victorian CMP recognises the deep and enduring connection that Traditional Owners have to Country and appreciates that relaxation of constraints may impact (positively and negatively) on the management, healing, and care of Country. Consequently, the CMP has engaged with Traditional Owners whose Country may be affected by constraint relaxation to understand real or perceived impacts to Country and Culture. Such engagement also enables Traditional Owners and the Victorian Government to develop a shared understanding of what the Victorian CMP aims to achieve, to strengthen relationships and embed Traditional Owner perspectives in water management and decision-making.

As a feasibility study, Stage 1A of the CMP does not provide water management responsibilities or cultural water allocations to Traditional Owners. The project does, however, provide an opportunity for Traditional Owners to state concerns and aspirations for the program, and to advise on that nature of future Traditional Owner involvement, roles and responsibilities, should the project proceed to a business case.

The Victorian CMP team recognises that Traditional Owners downstream of the study area would experience inundation impacts, and as such they have an interest in activities on the Goulburn and Murray Rivers and their tributaries. Such Traditional Owner groups were also engaged under the Victorian CMP.

The Victorian CMP team recognises that Traditional Owners within the broader Murray Darlin Basin, who wouldn't have land directly impacted through relaxing constraints may have an interest in activities on the Goulburn and Murray Rivers and their tributaries. Such Traditional Owner groups were also engaged under the Victorian CMP.

2.3 Study Area

Stage 1A of the Victorian CMP assesses the impacts of relaxing constraints in three river reaches. The river reaches within the project study area are shown in Figure 1 below.

2.3.1 River Murray between Hume Dam and Yarrowonga

The Hume to Yarrowonga Constraints Measure Program is a joint proposal between the Victorian and New South Wales Governments. This reach of the River Murray is located close to the Murray headwaters. Unregulated major flows are generated in the Kiewa and Ovens Rivers.

2.3.2 River Murray between Yarrowonga and Wakool Junction:

The Yarrowonga to Wakool Constraints Measure Program is led by the New South Wales Government, with potentially affected Victorian Communities.

2.3.3 Goulburn River

The 'New Goulburn' Constraints Measures Program is a Victorian Government proposal. The study area consists of Goulburn River reaches between Lake Eildon and the River Murray. It is broken into two sub-reaches: a) Mid-Goulburn River, from Lake Eildon to Goulburn Weir and b) Lower Goulburn River from Goulburn Weir to the River Murray

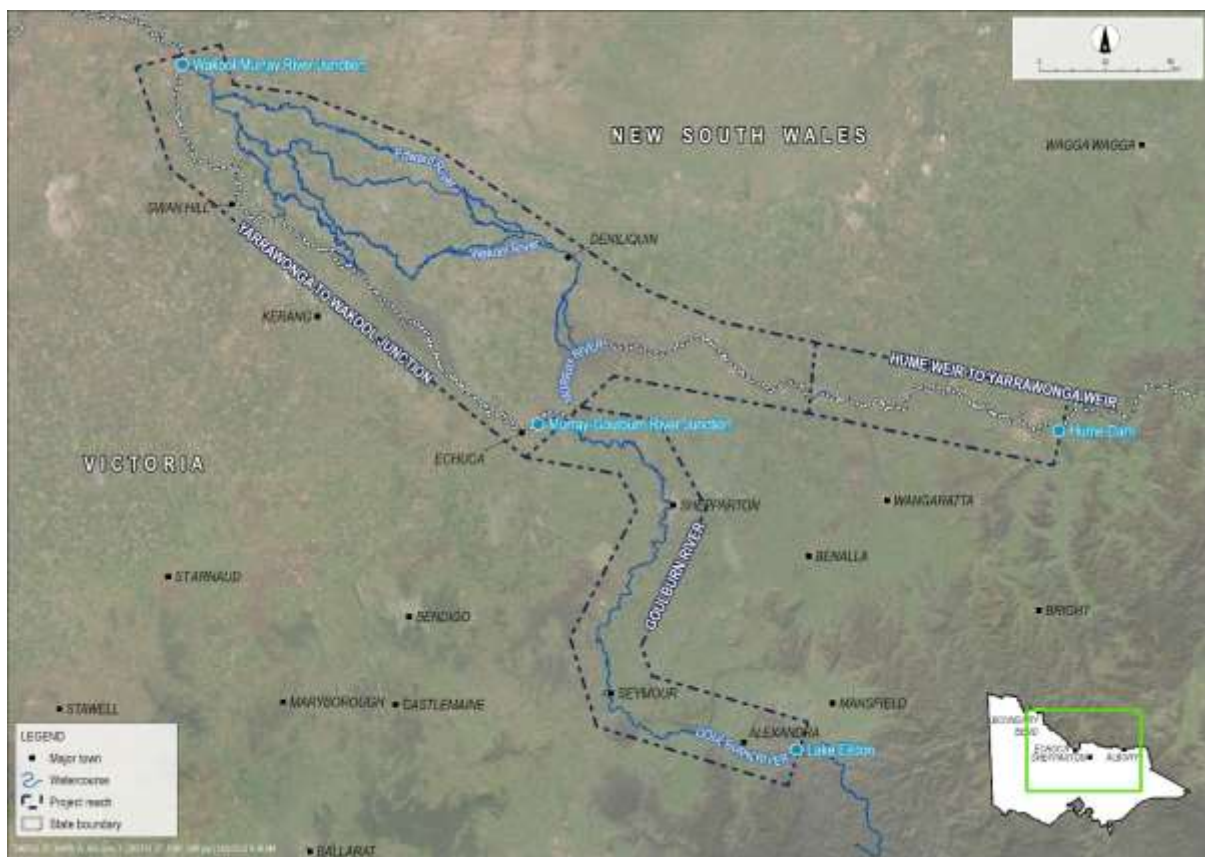


Figure 1. Project Study Area

Subject to timing, the combination of relaxed constraint flows along the River Murray with tributary inflows could result in floodplain inundation downstream of the study area i.e., below the Wakool River junction. This potential inundation was considered within this workstream to ensure conversations with Traditional Owner groups whose Country is downstream of the study area to the Victoria/South Australia border.

3 Engagement Approach and Principles

3.1 Approach

Stage 1A identified 21 individual Traditional Owner groups (Table 1) to consult with, and drafted submissions on behalf of representatives of 15 individual Traditional Owner groups. The groups consisted of both Registered Aboriginal Party (RAP) and Non-RAP status groups with claims over unrecognised land.

The team engaged with individual Traditional Owner groups, in accordance with their preferences, to discuss the CMP, including introducing the program, the rationale, the proposed changes to flows, and the predicted changes to inundation of the rivers and floodplains. The team worked with all respective groups to appropriately capture their perspectives, preferences, concerns, and issues. The desire for dedicated engagement with individual group was confirmed with each group throughout the project.

The engagement team met on Country with representatives from 15 interested Traditional Owner groups across 7 separate workshops in late 2022. The perspectives of 12 Traditional Owner groups are captured in 5 submissions, which have been presented separately to the Minister for Water. Two more submissions (on behalf of separate Traditional Owner groups) may be provided to the Minister in the future.

3.2 Principles

Meaningful consultation with Traditional Owners relied upon demonstrating a shared understanding of Traditional Owner culture and the wants, needs and aspirations of Traditional Owner communities.

Effective engagement with Traditional Owner communities and individuals afforded the opportunity for Traditional Owners to exercise their inherent rights to advance matters of cultural significance where there has been an ongoing connection since time immemorial.

‘Culturally appropriate consultation’ is an approach that conveys an understanding and respect for Traditional Owner peoples and communities. Traditional Owner people require that consultation be a process that provides for real influence in decision making. During engagement, we ensured that culturally appropriate communication, mechanisms, and good meeting procedures were adhered to. Culturally appropriate consultation with Traditional Owner communities and individuals was guided by a set of foundational principles to ensure effective recognition and implementation of Traditional Owner initiatives.

The foundational principles for effective Traditional Owner community consultation assisted in an approach that demonstrated respect, established sound working relationships based on transparency, honesty, and the improvement of working relationships with Traditional Owner people and communities. The principles that were adopted under the cultural values engagement for Stage 1A of the Victorian CMP are listed below.

Cultural values engagement principles under Stage 1A of the Victorian CMP

Respect
Acknowledgement that there were varying roles, responsibilities, obligations and rights of Traditional Owner peoples and communities. Being respectful of culture and people was the first step in the process of developing a working relationship.
All participants were treated with respect and dignity and the rights of participants to be heard and to speak was valued.
All views expressed in the consultation process have been considered and were guided by the Traditional Owners. Traditional Owners had the right to choose the appropriate people, place, and format for consultation.
Inclusiveness

All people had the right to be consulted with, if the issues affect the place that person or community lives in. We recognised the need to include the Traditional Owners and the Traditional Owner community in the process.

Accessibility

All documents were written in plain English.

Representatives who conducted the consultations were made accessible to Traditional Owner individuals and communities throughout the process, to providing information that assisted decision-making.

Accountability

Acknowledgement that there is the responsibility to adequately consider the rights and needs of Traditional Owner individuals and community groups.

Recognition of diversity

Traditional Owner cultures are fluid, dynamic and unique. Consultation acknowledged the holistic nature of issues that affect Traditional Owner peoples and places and facilitated discussion of issues broader than the CMP.

Consultation sought consensus from all parties. Where there was no consensus, all views were put forward and appropriately recognised.

Open and sustained dialogue

The full purpose and process for the consultation was articulated to participants prior to undertaking consultation.

The Traditional Owner community received feedback from the consultations in a timely manner.

4 Engagement Planning

4.1 Traditional Owner Group Identification

A considerable depth of engagement and relationships existed between agencies of the Victorian Government and Traditional Owners within and downstream of the project area prior to commencement of the Victorian CMP cultural assessment workstream. Catchment Management Authorities (Goulburn-Broken CMA, North Central CMA, Mallee CMA and North East CMA) regularly liaise with Traditional Owner groups as part of ongoing CMA activities.

The project team engaged with DEECA (then DELWP) and the CMAs to first identify the Traditional Owner groups within and downstream of the project area. The initial discussions confirmed the best approach through existing forums, where appropriate and preferred by Traditional Owner groups, to streamline parallel engagement activities during Stage 1A of the Victorian CMP.

The CMAs were instrumental in the identification of Traditional Owner groups for engagement. Representatives from the CMAs initiated contact with Traditional Owner groups (both RAP and non-RAP), to provide context for the project and how it related to other ongoing projects within their respective catchments. CMA representatives attended each of the significant workshops with the Traditional Owner groups.

DEECA provided the funds and support for engagement activities, and confirmed and endorsed the Traditional Owner groups.

Boundaries of lead CMAs and reaches of the River Murray and Goulburn River are shown in Figure 2. RAP Group boundaries relative to the Victorian CMP Study Area are shown in Figure 3. The lead CMAs for engagement in this project for each Traditional Owner group is included in Table 1. As the boundaries of Country for many Traditional Owner groups are unclear, we have not included Country maps for non-RAP groups.

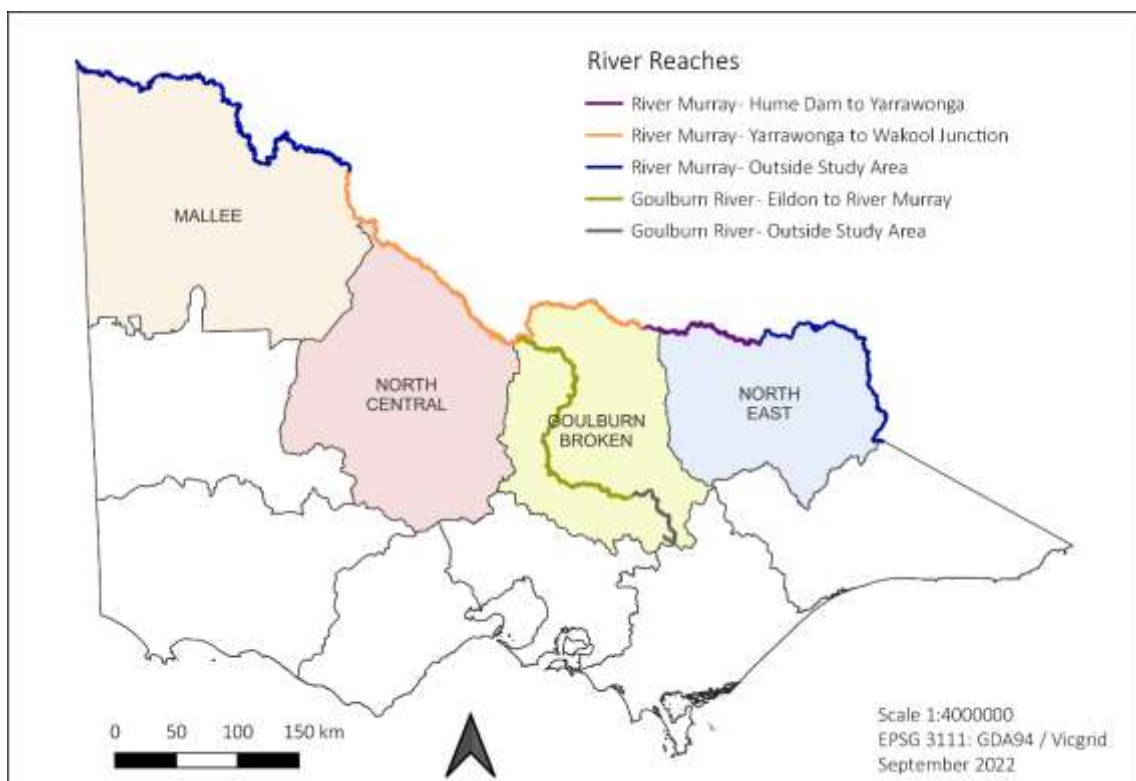


Figure 2. Boundaries of Lead CMAs and Key River Reaches of the Victorian CMP.

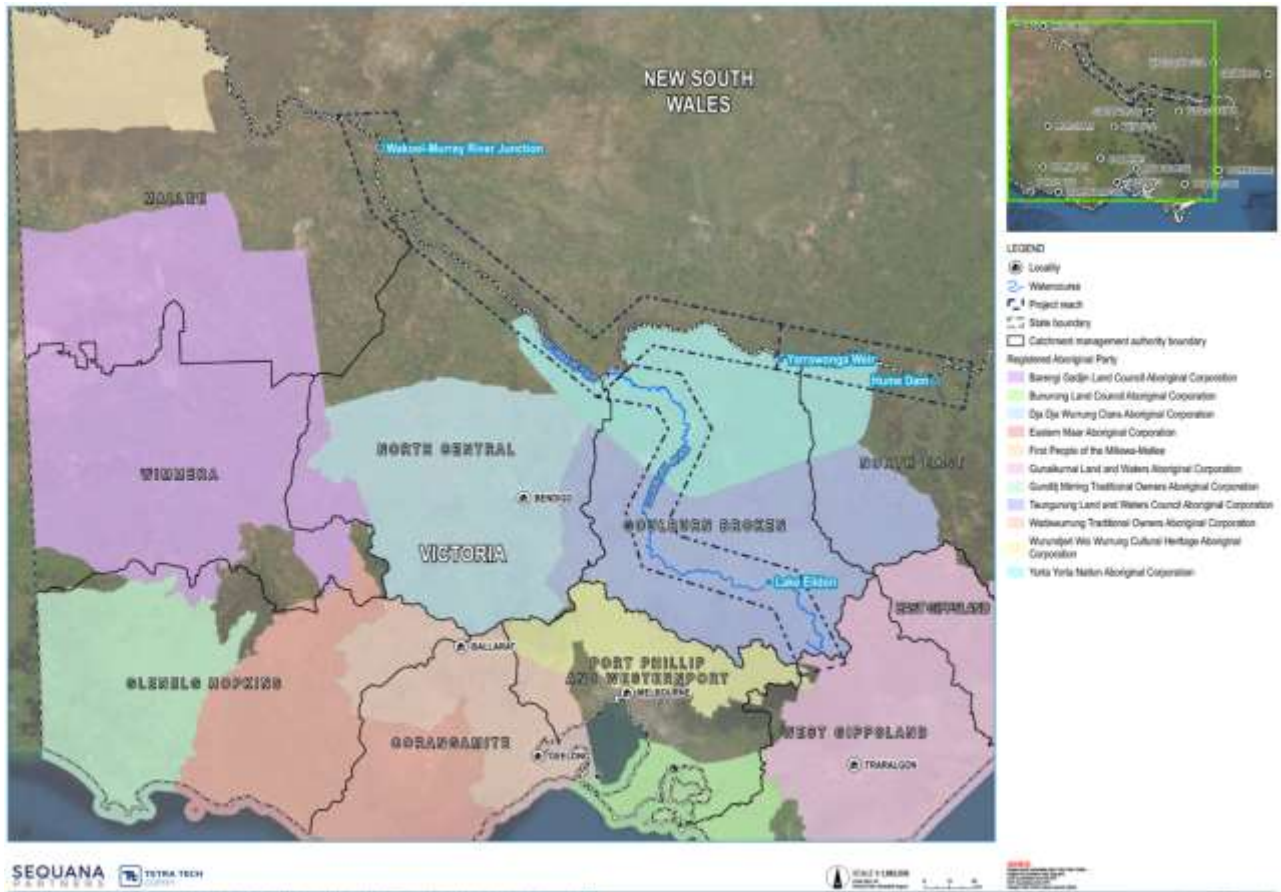


Figure 3. Victorian Registered Aboriginal Parties and Catchment Management Authority Boundaries

4.2 Streams

Following identification, Traditional Owner groups were allocated into engagement ‘streams’ based on proximity to the project area and possibility for their relevant country to be affected by potential inundation. Engagement streams and Traditional Owner groups within each stream are detailed below.

4.2.1 Stream 1a

Stream 1a included twelve Traditional Owner groups who were considered likely to have Country directly impacted by the proposed changes to river flows (Table 1).

4.2.2 Stream 1b

Stream 1b included eight Traditional Owner groups with Country directly impacted by the change in inundation regime resulting under relaxed constraints, but whose traditional lands lay outside the constraints project boundary (i.e., downstream of the River Murray and Wakool River junction (Table 1)).

4.2.3 Stream 2

Stream 2 included Traditional Owner groups within the Murray Darling Basin whose Country would not be directly impacted by the proposed changes (Table 1).

Table 1: Traditional Owner Group Engagement Streams

Stream	Description	Traditional Owner Group	Lead CMA
Stream 1a	Traditional Owner groups (RAP* and non-RAP) that may have Country directly impacted by the change in inundation regime resulting under relaxed constraints, and Country is inside the project study area	Taungurung Land and Waters Council Aboriginal Corporation*	GBCMA
		Yorta Yorta Nation Aboriginal Corporation*	GBCMA
		Barapa Barapa and Wamba Wemba Steering Committee	NCCMA
		Barapa Country Aboriginal Corporation	NCCMA
		Wiran/Wamba Wemba Aboriginal Corporation	NCCMA
		Wadi Wadi Wamba Wemba Barapa Barapa First Nations Aboriginal Corporation	MCMA
		Wadi Wadi Land and Water Indigenous Corporation	MCMA
		Wadi Wadi Nation	MCMA
		Bangerang Aboriginal Corporation	NECMA
		Dalka Warra Mittung Aboriginal Corporation	NECMA
		Duduroa Dhargal Aboriginal Corporation	NECMA
		Dhudhuroa Waywurru Nations Aboriginal Corporation	NECMA
Stream 1b	Traditional Owner groups (RAP* and non-RAP) that may have Country directly impacted by the change in inundation regime resulting under relaxed constraints, but Country is outside the project footprint	First People of Millewa Mallee Aboriginal Corporation*	MCMA
		Tati Tati Aboriginal Corporation	MCMA
		Tati Tati Land and Water Indigenous Corporation	MCMA
		Latji Latji Mumthelang Aboriginal Corporation	MCMA
		Gilbie Aboriginal Corporation	MCMA
		Munatunga Elders Aboriginal Corporation	MCMA
		Dadi Dadi Weki Weki Aboriginal Corporation	MCMA
		Murray Valley Aboriginal Corporation	MCMA
Stream 2	Traditional Owner groups that are part of the Murray Darling Basin, and whose land will not be directly impacted by the change in inundation regime	Dja Dja Wurrung Clans Aboriginal Corporation*	NCCMA

*Registered Aboriginal Party.

CMA Abbreviations:

GBCMA: Goulburn Broken Catchment Management Authority

NCCMA: North Central Catchment Management Authority

NECMA: North East Catchment Management Authority

MCMA: Mallee Catchment Management Authority

5 Engagement

5.1 Overview

As described above, a stream-based approach was taken to Traditional Owner group engagement.

Engagement with Stream 1a/b Traditional Owner groups occurred in three major stages.

- **Stage 1** involved virtual introductions and for the project team to develop an understanding of Traditional Owner group preferences for engagement across the lifetime of the project. Face-to-Face conversations were also held with some Traditional Owner groups to build relationships and understand potential items for discussion during Stage 2.
- **Stage 2** involved on Country meetings, to understand Traditional Owner perspectives of the potential benefits and risks of relaxing constraints. Findings from On Country engagement were assembled into 'what-we-have-heard' reports.
- **Stage 3** involved the review of the 'what-we-have-heard' reports by Traditional Owner groups. This ensured that Traditional Owner perspectives were accurately captured and would be appropriately conveyed in this report. Permission was obtained from each group for inclusion of the 'what we have heard' content in feasibility study reporting.

For the Stream 2 group an initial virtual conversation was held to introduce the project, discuss engagement options, and answer any questions. In the initial conversation the Traditional Owner group requested that they be provided with updates on the project as it progresses.

The Traditional Owner group engagement timeline is shown in Figure 4.

During engagement and co-ordination planning with Traditional Owner groups, the project team continued to work closely with the Department and CMA Traditional Owner engagement representatives. Traditional Owner groups were supported to guide and define their preference for the level, place, and style of engagement. Traditional Owner groups clearly stated a preference for end-to-end engagement, directly with the groups.

5.2 Key Activities

The key engagement activities that occurred over Stage 1A of the Victorian CMP are described below. An approximate engagement timeline is shown in Figure 4.

5.2.1 Stage 0: Traditional Owner group identification and planning

Traditional Owner groups were identified by working with CMAs and DEECA, who have developed long-standing relationships and partnerships with Traditional Owners as part of their water and land management activities.

5.2.2 Stage 1: Introductions

Initial engagement consisted of online meetings with Traditional Owner groups to ask to visit them on Country for the in-depth engagement. We discussed why Traditional Owner involvement is critical to the project's success, what was understood (from previous projects) about their engagement preferences, and asked how each group wanted to engage, who else each group would like to invite, and what we could do to make engagement smooth and easy for them.

5.2.3 Stage 1a: Early on Country conversations

We explained the Cultural Values Engagement and the Victorian CMP more broadly and explored the various engagement options with each group and worked with them to identify their engagement preference.

5.2.4 Regular communication with the Traditional Owner groups and CMAs:

We maintained regular contact with the Traditional Owner groups and CMAs to update them on the Victorian CMP progress and confirm planning for engagement in Stage 2.

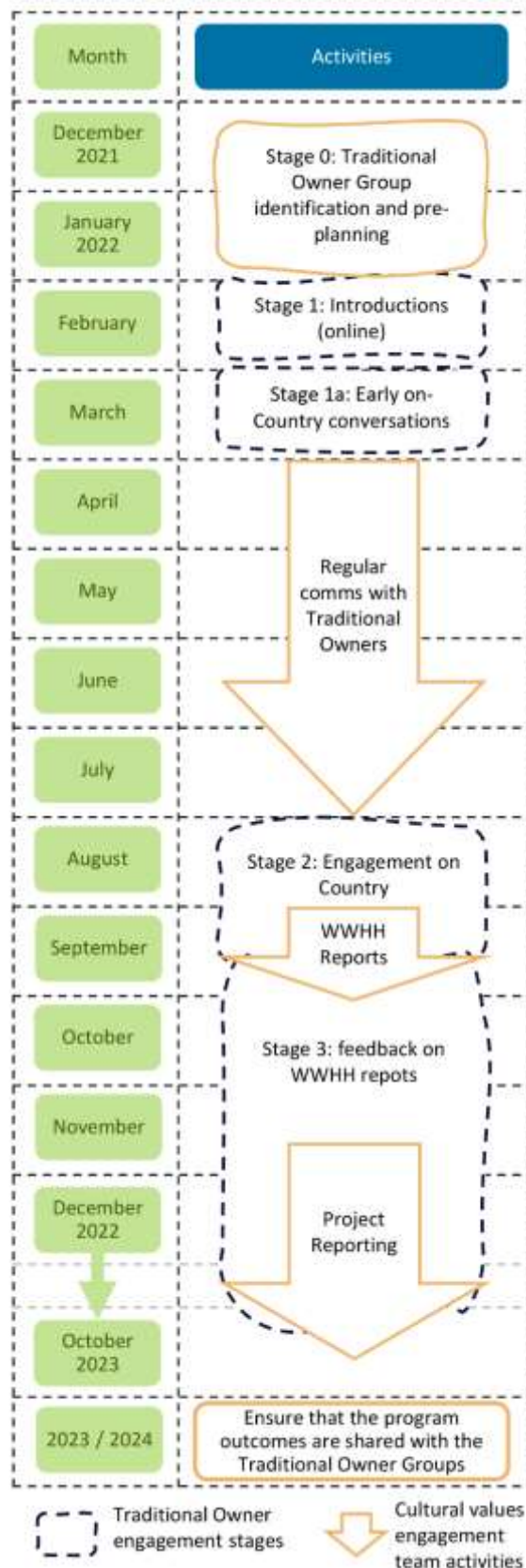


Figure 4. Traditional Owner Group Engagement Timeline

5.2.5 Stage 2: Engagement on Country

The formats of on Country sessions were planned in partnership with Traditional Owners in Stage 1. We proposed two sessions with each group, split over two days, and conducted on Country. The proposed structure that was discussed and developed as required with each Traditional Owner group is described below.

Session 1: Afternoon Day 1

- Welcome and introductions.
- Presentation of western science results, including where inundation will occur and what the modellers predict will be helped or hindered by inundation.
- Opportunity for dinner and informal discussions.

Session 2: Morning of Day 2

- Opportunity for Traditional Owners to lead discussion, where they see cultural overlaps and to visit locations if desired.

Of the 21 Traditional Owner groups invited to participate in the feasibility study we met with 15 groups to present the modelling and discuss the potential impacts and benefits of relaxing constraints. The approach to the Stage 2 engagement desired by each group varied. Engagement ranged from two-hour meetings to two-day meetings. Five meetings were held as one-on-one meetings, and two meetings were held with multiple groups.

5.2.6 Documentation of findings

A 'what-we-have-heard' report was generated for each Traditional Owner group following Stage 2 meetings. The meetings resulted in 7 'What-we-have-heard' reports being written, on the behalf of 15 groups.

5.2.7 Stage 3: Feedback on 'What-we-have-heard' reports

'What-we-have-heard' reports were submitted to each relevant Traditional Owner group for review to ensure that Traditional Owner views and cultural benefits and risks had been accurately captured and conveyed, and to seek formal permission from each group to include their submission in the final feasibility study report. **The Traditional Owner groups were asked for permission to include their 'what-we-have-heard' section of their report as their statement in the feasibility study.** The 'what-we-have-heard' reports were revised as required. Five reports have been approved for inclusion on behalf of twelve Traditional Owner groups. All five reports may be included in the versions of the information that goes to the Minister. The two remaining reports may be provided by the groups to the Minister in the future.

5.2.8 Final Report

This document constitutes the final feasibility study report under the Cultural Benefits and Risks Assessment workstream. Five of the 'What we heard' reports have been reviewed and approved by the groups for inclusion with the information for the Minister. Two more submissions may be provided to the Minister in the future.

Statement content must not be used in other contexts without permission of the owners.

The 5 approved submissions on behalf of the following 12 groups have been provided to the Minister (in alphabetical order):

- Bangerang Aboriginal Corporation
- Duduroa Dhargal Aboriginal Corporation
- First People of the Millewa-Mallee Aboriginal Corporation*
- Non-Registered Aboriginal Parties of the Mallee region:
 - Wadi Wadi Nation
 - Wadi Wadi Land & Water Indigenous Corporation
 - Tati Tati Land & Water Indigenous Corporation
 - Latji Latji Mumthelang Aboriginal Corporation
 - Murray Valley Aboriginal Co-operative
 - Gilbie Aboriginal Corporation

- Munatunga Elders Aboriginal Corporation
- Dadi Dadi Weki Weki Aboriginal Corporation
- Taungurung Land and Waters Council Aboriginal Corporation*

*Indicates RAP status

The permitted uses of the statements are outlined in the memo 'Permissions for use of Traditional Owner 'What we have heard' report content from the Victorian Constraints Measures Project cultural values engagements' dated 18th September 2023.

Key themes and recommendations, from the consultant's perspective, are included in Section 6.

6 Key themes and recommendations

6.1 Key themes

The engagement resulted in five submissions on behalf of twelve groups, with two more submissions that may be provided in the future. Each submission was presented above as separate, stand-alone information, as several groups stated it would be inappropriate to merge their statement with that of another group.

No single summary view on the project has been agreed to by all Traditional Owner groups.

From the perspective of the Stage 1A consultant (Alluvium), the majority of the representatives from Traditional Owner groups engaged:

- Identified potential benefits of relaxing constraints including: benefits for flora, fauna, and wellbeing benefits to individuals and community of healthy Country.
- Identified potential impacts of relaxing constraints on Country and cultural heritage assets from inappropriate timing of water releases, poor water quality and erosion.
- Identified that the true benefits and risks cannot be assessed without both detailed mapping of cultural assets and detailed knowledge of the flow regimes and implications.
- Emphasised the importance of detailed investigation into the cultural, environmental, and broader community benefits and impact associated with the project.
- Supported further exploration of relaxing constraints to achieve the broader environmental and cultural outcomes and gave in principle support to see the project go forward to the next stage of investigation, although some groups require further information to have a better understanding of the project before they determine their level of support.

Furthermore, the majority of the representatives from Traditional Owner groups engaged expressed the desire to see:

- Significant collaboration with Traditional Owner groups in the next stages, including in decision making over water use.
- Holistic management of land and water, considering the interconnectedness and interdependence of these resources.
- Improved information and engagement if the project continues, to ensure that the information about the project can be understood by the broader community.
- Improved integration between government departments and programs to ensure consistency and continuity in government knowledge.

6.2 Recommendations for future stages

From the consultant's (Alluvium) perspective, to inform planning for future stages, the summary of key recommendations for future stages include:

- There is a need to support Traditional Owners to undertake mapping of cultural values for Country and the many wetlands that would be engaged under relaxed constraints. Traditional Owners want to ensure the protection of current values from any potential negative impacts from relaxing constraints.
- There is a need to improve the integration of planning complementary works for land and water. Relaxing constraints alone will not deliver the full potential for Country. Land and water need to be managed holistically to achieve the full range of potential benefits.

- There is a need to increase the role of Traditional Owners in governance and decision-making regarding water allocation, use and management as per the Water is Life policy. Traditional Owners expressed the need for improved Traditional Owner involvement in future Constraints program governance. Traditional Owners identified the need for actions in relation to many of the wetlands identified, such as the development of cultural management plans and cultural flow requirements to inform and guide planning.
- Future waterways work should be increasingly led and undertaken by Traditional Owner groups. This will help to address the loss of knowledge about Country due to the dislocation of Traditional Owners from Country, and to provide opportunities for employment and knowledge transfer to future generations.

7 Glossary

CMP: Constraints Measures Program

Constraints: Maximum permitted water flow rates at given points along rivers

Country: A geographic area and its lands, waters, seas and living things to which Traditional Owners have a connection and are a part of. The term also carries with it concepts that include but are not exclusive to cultural practice, language, lore, family and identity

RAP: Registered Aboriginal Party. A corporate entity appointed by the Victorian Aboriginal Heritage Council that performs functions related to the protection and management of Aboriginal cultural heritage under the Aboriginal Heritage Act 2006 (Vic) and have access to the Victorian Aboriginal Heritage Register for their agreed RAP area²

Relaxation of constraints: Increasing the maximum flow rates allowed at given points along rivers

Traditional Owner: people who have cultural connections to country as First People and custodians of the land, who may or may not be members of formally recognised groups. This is in accordance with the “to be heard and for the words to have actions” Traditional Owner voices report¹

Traditional Owner Group: A group that represents the interests of Traditional Owners in a particular area. This includes Registered Aboriginal Parties (RAPs) and non-RAP groups²

¹ To be heard and for the words to have actions. Traditional Owner voices: improving government relationships and supporting strong foundations. Available at: <https://content.vic.gov.au/sites/default/files/2019-11/Traditional-owner-voices-improving-government-relationships-and-supporting-strong-foundations.pdf>

² DEECA's Traditional Owner and Aboriginal Community Engagement Framework, 2019. Available at: [Traditional-Owner-and-Aboriginal-Community-Engagement-Framework-compressed-2.pdf \(delwp.vic.gov.au\)](#)