



**SUBMISSION**

TO: COMMITTEE SECRETARY  
HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON  
REGIONAL AUSTRALIA  
PO BOX 6021  
PARLIAMENT HOUSE  
CANBERRA ACT 2600  
AUSTRALIA

FROM: NGARRINDJERI REGIONAL AUTHORITY INC

RE: SUBMISSION BY NGARRINDJERI REGIONAL AUTHORITY INC FOR AND ON  
BEHALF OF THE NGARRINDJERI PEOPLE

DATE: 20 DECEMBER 2010

- A. The Ngarrindjeri People as descendents of the original indigenous inhabitants of the lands and waters of the Murray River, Lower Lakes and Coorong and adjacent areas assert control over these lands and waters by the continuation of their culture upon their traditional lands to pursue their economic, social and cultural development of the land and waters located within the boundary of Claim SC 98/4 being the Ngarrindjeri Native Title Claim as described therein ('the Native Title Claim').
- B. The Ngarrindjeri People are the traditional owners (as that term is defined in the Aboriginal Heritage Act, 1988 (SA)) within the area of the Native Title Claim. The Ngarrindjeri People act through their representative bodies being Ngarrindjeri Tendi Incorporated, Ngarrindjeri Heritage Committee Incorporated and Ngarrindjeri Native Title Management Committee. These bodies, with other representative bodies within the Ngarrindjeri community have formed a peak body called the Ngarrindjeri Regional Authority Inc for the purpose of coordinating activities and resources of the Ngarrindjeri community and high level interactions with Governments.
- C. Ngarrindjeri state:

*'The Meeting of the Waters is a fundamental aspect of the Ngarrindjeri world where all things are connected, whether they are living, from the past and/or for future generations. The Meeting of the Waters makes manifest core concepts of Ngarrindjeri culture that bind land, body, spirit, and story in an integrated, interfunctional world. The principles that flow from this cultural system are based upon respect for story, country, the old people, elders and family. The pursuit of these principles is contingent upon maintaining a relationship with country. The violation of these respect principles is manifest through the destruction of Ngarrindjeri yarluwar ruwe (a concept that embodies the connectedness and interfunctionality of their culture) and their effect upon the behaviours and survival of ngatji (the animals, birds and fish). According to these principles and contingent beliefs the "environment" cannot be compartmentalised: the land is Ngarrindjeri and Ngarrindjeri are the land. All things are connected and interconnected. Ngarrindjeri philosophy is based on maintaining the integrity of the relationship between place and person. It is the responsibility of the living to maintain this continuity. The past is not and cannot be separated from the here and now or the future. To break connections between person and place is to violate Ngarrindjeri culture. The objective in undertaking activities upon Ngarrindjeri country should be to not cause violence to Ngarrindjeri culture.'*

- D. Ngarrindjeri consider that all things are connected, including the land, water and sky. It is Ngarrindjeri cultural principle that nothing can separate or should separate these things from each other. These are the laws of that creation ancestor Ngurunderi used to create order and unity for the Ngarrindjeri People. This includes the creation of the flow of water from up river and into Ngarrindjeri country.
- E. Ngarrindjeri are part of the water. It is life, gives life and is living. The cultural and spiritual relevance for Ngarrindjeri of water as a source of life and as part of the living body is that it flows, within, around and, through Ngarrindjeri country. The exercise of Ngarrindjeri culture rights and the fulfillment of Ngarrindjeri responsibilities include being interconnected with and being part of the living water. The flow of water forms part of the interconnectedness of Ngarrindjeri to their country and the failure of water to flow into their country impacts upon their exercise of rights and their fulfillment of responsibilities as custodians of the land, water and sky.
- F. In accordance with Indigenous Law each and every Indigenous community along the river to the Murray Darling junction has a responsibility to ensure that the waters flow through to Ngarrindjeri lands and water. Each group is interconnected in its responsibility and right to ensure that its care and responsibility of country is fulfilled by the flow of water through its country.
- G. Ngarrindjeri consider they have the first right, a right attached to the exercise of their cultural rights, interests and responsibilities, that precedes all other rights including but not limited to the responsibility of the MDBA to allocate water to users. The rights and interests of the Ngarrindjeri require that water flows into their country from up river. This is a right *a priori* to all others and the MDBA should commence their consideration of allocations without interference or diminishment of this rights.
- H. Notwithstanding the above right, Ngarrindjeri consider that the management of water by the MDBA within the scope of the MDBA can include uses which result in allocation and priority being given to specific places which support the cultural spaces such as wetlands where birds, fish plants and animals live, and for the allocation of use of water by Ngarrindjeri People for the purpose of cultural and other activities.
- I. Ngarrindjeri are the traditional owners of Registered Site No. 6626-4727 'Meeting of the Waters'. This Aboriginal Site is registered under the Aboriginal Heritage Act 1988 (SA). It includes the Goolwa Channel, the Murray Mouth and the Currency and Finnis Rivers. The natural state of this area requires adequate fresh water flows from up river to flush out the Murray Mouth and ensure that the Ngarrindjeri are able to continue to exercise their cultural rights in this area, including the flushing of the Murray Mouth.
- J. Due to the conditions of colonization of Australia the Ngarrindjeri People have had great difficulty in asserting these important cultural issues. These are key planks upon which consideration of the operation of the rivers and lakes should occur.