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**Murray Lower Darling Rivers Indigenous Nations (MLDRIN)
Submission on the Draft Wimmera-Mallee Water Resource Plan (WRP)
18th August 2017**

Thank you for the opportunity to provide comment on the Draft Wimmera-Mallee Water Resource Plan. This submission should be read in-light of feedback and comments previously provided to DELWP staff working on Murray Darling Basin Water Resource Plans.

MLDRIN has a formal role to provide assessment of WRPs for the purposes of paragraph 63(3)(b) of the *Water Act 2007 Cth*.

MLDRIN recognizes and applauds the considerable work that the Victorian Government has undertaken to support and advance Aboriginal participation in water planning. However, we wish to stress that establishing a positive policy framework and *commitments* does not equate to fulfilling the requirements stipulated in Chapter 10 Part 14 of the Basin Plan.

We note that the Draft WRP states that the document does not propose any text for accreditation under Chapter 10, Part 14 of the Basin Plan. The current draft text is reflective of Government policy, but does not necessarily reflect consultation taken in accordance with Chapter 10, Part 14.

The Draft WRP also states that 'it is anticipated the final comprehensive report will reflect the voices of Traditional Owners and Aboriginal communities in the Wimmera-Mallee in identifying their objectives and outcomes.' We understand this clarification to mean that appropriate consultation to meet the relevant requirements of the Plan has not yet been undertaken or completed. In this context, it is difficult for MLDRIN to provide substantive feedback on the Draft.

It is critical that thorough and meaningful consultation be completed so as to inform the *development* of WRPs, which are important statutory planning instruments. Consultation must be undertaken, prior to finalization of the Plan so, as to allow for the identification of objectives and outcomes articulated by Traditional Owners, as well as to seek the views of Traditional Owners on the range of matters enumerated in Chapter 10, Part 14.

In providing advice on the accreditation of WRPs, the Murray Darling Basin Authority will consider whether appropriate consultation processes have been followed. Matters to be considered in the assessment are spelt out in MDBA's Position Statement 14A, which in turn refers to the Convention on Biological

Diversity's Akwe:Kon guidelines. MDBA has also prepared 'Guidelines for meeting Basin Plan requirements for Chapter 10 Part 14'. These documents provide practical direction on Aboriginal consultation activities appropriate to the development of WRPs.

Key requirements specified in the Position Statement include:

- A planned approach to properly engaging Traditional Owners (e.g. adequate time, appropriate venues and resources) that results in an Indigenous Engagement Strategy that *guides preparation* of the water resource plan
- Identification and involvement of appropriate Traditional Owners throughout *all stages of the water planning process*
- Traditional Owners are properly notified of the opportunity to be involved in the water resource planning process, (e.g. print, phone, electronic and personal media and town meetings)
- Information about water resource planning processes and content provided is clear to Traditional Owners
- Use of appropriate tools and mechanisms for recording, understanding and incorporating Aboriginal objectives and outcomes.

In 2016, MLDRIN also provided a discussion paper on the 'Ensuring equity in the development and assessment of water resource plans'. This document details MLDRIN's preferred approach to the development and assessment of water resource plans.

We recommend that the Department take immediate action to plan and develop consultation activities that meet Basin Plan requirements and guidance. Activities should be responsive to the views and preferred engagement approaches identified by Traditional Owners and could include:

- inclusive community workshops that allow for direct input from and discussion amongst Traditional Owners
- targeted consultation with Traditional Owner Organisations and Prescribed Body Corporates
- ongoing support for tools and mechanisms for recording and understanding Traditional Owners objectives and outcomes
- support for Traditional Owners to formulate strategic objectives that address key water planning and allocation instruments

MLDRIN looks forward to ongoing constructive engagement with DELWP and the Victorian Government to advance our member Nations' rights and interests in water resource planning.