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Thursday, April 1, 2021

Hon Keith Pitt MP, Minister for Water
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

CC: Sir Angus Houston, Chair - Murray Darling Basin Authority,
Rene Woods, First Nations Authority member - Murray Darling Basin
Authority,
Rachel Connell, First Assistant Secretary, Water Division - Department of
Agriculture, Water and the Environment,
Hon Ken Wyatt, AM, MP – Minister for Indigenous Australians,

Dear Minister,

We are deeply concerned by the recent media reports indicating that the Australian Government may fail to honor its historic commitment to support acquisition of water entitlements for First Nations in the Murray Darling Basin.

We are writing to highlight our willingness to work with you and ensure that the intended outcomes of this important funding can be realized.

The allocation of \$40M for an Aboriginal Water Entitlements Program (AWEP) in 2018 was a significant step towards a more equitable and inclusive water market in the Murray Darling Basin. Across the Murray-Darling Basin, Aboriginal people own less than 0.2% of all water access entitlements. The Australian Government commitment helped to generate hope, enthusiasm and confidence amongst our member Nations about the future of Aboriginal water ownership. While all Nations understood that the funds allocated were not sufficient to address the scale of First Nations water interests in the Basin, they represent a crucial foothold, providing a platform for our members to participate in the water economy and derive benefits from water ownership.

Since 2018, this commitment has also been identified as a key Australian Government response to many inquiries and reports such as the Australian Government response to the *Independent assessment of social and economic conditions in the Basin*, the ACCC report on water markets in the Murray-Darling Basin (2021), and the Productivity Commission review of the National Water Initiative (draft report 2021).

Comments attributed to you in recent media reports, and from Departmental staff in a Senate Estimates hearing, suggest that the \$40M could be re-purposed for spending on other non-related water-related NRM activities. We note that there are a number of existing funding sources to support First Nations involvement in land and water management, but that no alternative funding sources exist to acquire water entitlements. It would be deeply regressive to divert the *sole* source of funds available in the Basin to support First Nations substantive water access into other activities.

With effort and attention focused on a refreshed National Water Initiative and development of a Closing the Gap target on inland water access, we want to work with you to capitalize on the AWEP commitment to secure meaningful and enduring benefits for our members. These benefits can include economic development, business development, employment and wealth creation founded on water access.

Our organizations are working with First Nations across the Basin to document their objectives and aspirations for water use, including economic development. We have also conducted important new research on water access pathways, optimum water governance models and approaches to participation in water markets and trade. This work provides a solid foundation for developing an equitable and effective model for delivery of the AWEP funds.

MLDRIN has recently completed a groundbreaking, 2-year research project, in partnership with the University of Melbourne, which has identified pathways to water access for First Nations in Victoria. The final report from this project, *Cultural Water for Cultural Economies* (enclosed), confirms the importance of the \$40M AWEP funding as a vital step to advancing wellbeing, livelihoods and economic development for Basin First Nations. In particular, this report highlights that:

- First Nations are ready, willing, and able to own and access water to develop economies and communities.
- Water access for Nations in the Murray Darling Basin requires funding and a political commitment to enable water purchase via the water market or other agreement-making. There are no other pathways for substantive water access for First Nations in fully allocated water systems.

- Collective water governance models (such as a Water Trust) enable maximum benefits to be shared across multiple Nations, while minimizing costs and risks.

NBAN is nearing completion of 21 First Nation Plans which identify tangible economic objectives and targets for supporting wellbeing through water access at five sites within each Nation. All the plans are developed based on the National Cultural Flows Research Project methodology, which is a 10 step, three-stage process. Within the Nation Plans, each of the First Nation have outlined the objectives they have for specific sites of importance and outlined how water entitlements to be purchased with the \$40M will help in achieving those objectives. Some of the economic objectives relate to economic development programs within the Nations such as a Native Plants Research Centre, growing Native bush-foods for the commercial market and cultural tourism. We can provide copies of the Nation Plans to your office and can discuss the economic objectives and the plans in further detail.

We are ready and willing to work with your office and the Department to develop a robust model that will deliver tangible and enduring benefits for First Nations communities from the \$40M. We believe that the funding can work best for all Basin First Nations by being consolidated, held and grown in a Trust. We understand the importance of ensuring equitability, effective governance, risk mitigation and probity in the development and operation of a trust model.

We request an urgent audience with you to discuss how we can work together to safeguard this historic commitment and achieve real progress in water access for First Nations.

Grant Rigney , Chair
Murray Lower Darling Rivers
Indigenous Nations

Fred Hooper
Chair, Northern Basin Aboriginal
Nations