



## Meeting Update

### Murray Lower Darling Rivers Indigenous Nations

<b>Meeting Details:</b> MLDRIN Board Meeting and MLDRIN Full Gathering
<b>Date:</b> 10 <sup>th</sup> , 11 <sup>th</sup> and 12 <sup>th</sup> March 2021
<b>Venue:</b> Barham Services Club, Barham NSW – Barapa Barapa Country

<b>Attendance</b>
<b>Board Meeting</b> MLDRIN: Brendan Kennedy, Kingsley Abdulla, Grant Rigney (Chair), Stewart Taylor, Melissa Jones, Alice Williams, Peter Ingram, Will Mooney (Executive Officer) <u>Agency Staff:</u> Rene Woods, Mark Foreman and Paul Calvert (MDBA)
<b>Full Gathering</b> <u>MLDRIN Delegates:</u> Melissa Jones (Latji Latji), Alice Williams and Janice Williams (Wolgalu), Stewart Taylor and Bella Kennedy (Wemba Wemba), Kingsley Abdulla (Maraura), Christine Abdulla (Ngaywang/RMMAC), Peter Ingram, Ramsay Freeman & Jenny Munro (Wiradjuri), Jamie Woods and Ian Woods (Nari Nari), Ron Galway-observer (Barapa Barapa), Neville Whyman and Wayne Webster (Barapa Barapa), Deb and Hannah Dunolly (Dja Dja Wurrung), Richie Kennedy and Brendan Kennedy (Tati Tati), Judy Baxter (Wadi Wadi), Brad Bell (Ngunnawal), Clare Kennedy (Weki Weki), Grant Rigney (Ngarrindjeri) <u>MLDRIN Staff:</u> Will Mooney, Joseph Barnes-Hill, Likarra Morgan, Lana Hartwig & Kaleana Reyland. <u>Agency Staff and other guests:</u> Mark Foreman, Paul Calvert Rene Woods, Darren Sharp, Olivia Williams, Andrew Lowes, Jen Robertson (MDBA), Kirsty Savage (DELWP AWU), Darren Murray and Ria Price - online (DPIE Water), Josephine Wilson and Maydina Penrith (NSW DPIE EES), Erin O'Donnell (University of Melbourne)

<b>Key issues discussed:</b>
<b>Board Meeting:</b> <ul style="list-style-type: none"><li>• Directors reviewed incoming and outgoing correspondence, including key items relating to: the Sea-Lake Mallee Rally, establishment of a Barka Water Commission, updated terms of reference for the <a href="#">Southern Connected Basin Environmental Watering Committee (SCBEWC)</a> and NSW Floodplain Management Plans.</li><li>• Directors provided feedback to MDBA staff on approaches to assessment of any amended Water Resource Plans prepared by NSW. All amended plans will need to be assessed using the existing rigorous method developed by MLDRIN, including engagement with Nation delegates.</li></ul>

- Directors undertook a detailed review of a draft MDBA Funding Agreement for core funding support from 2021-25. This will replace the current funding agreement with MDBA. Directors and MDBA staff worked through a range of issues and questions regarding the scope of funded activities, appropriate payment for services provided outside the agreement and requirements for financial reporting. MDBA staff agreed to update the draft agreement based on feedback and recirculate.
- Directors received a presentation from Rene Woods, First Nations Board Member of the MDBA. Rene outlined his role and highlighted opportunities for influence and reform through review and implementation of the Basin Plan.
- MDBA staff advised Directors about the development of approaches to First Nations engagement for the 2026 [review of the Basin Plan](#). MDBA has initiated planning for how to support this engagement.
- Executive Officer Will Mooney noted his advance notice of resignation and plans for departure as of 30<sup>th</sup> June 2021. Will presented options for recruitment and transition to a new Executive Officer.
- Directors review the procedure for partial re-election of the MLDRIN Board as outlined in the updated Constitution of MLDRIN. Peter Ingram and Stewart Taylor agreed to step down from their positions to provide the required four Board vacancies.

#### Full Gathering

- Delegates discussed a Code of Conduct issue that occurred at the MLDRIN 2019 AGM in Mildura and shared suggestions for addressing risks to cultural safety and wellbeing.
- Delegates broke into state-based discussion groups to workshop three questions: 1) What are the biggest threats (or risks) to rivers and First Nations water rights in your region? 2) What opportunities can you see on the horizon to strengthen water rights in your region? 3) How do you want MLDRIN to help you combat these risks and achieve the opportunities? Feedback from each group's discussion was shared with the Delegation.
- Joe Barnes-Hill (MLDRIN Policy and Project Officer) provided an update on reforms underway in NSW. Joe is working to ensure MLDRIN member Nations within NSW can influence development of a new [State Water Strategy](#), Aboriginal Water Strategy and [Regional Water Strategies](#). Joe tabled a draft proposed Collaborative Decision Making Partnership Agreement between the NSW Aboriginal Water Coalition (MLDRIN, NBAN, NTSCorp and NSWALC) and NSW Government water management agencies. The agreement would commit NSW Government to following best practice for the development of new First Nations water policy. Delegates expressed the need for more time to review these documents, especially the draft Partnership Agreement. Delegates proposed convening a focussed workshop to review the Partnership Agreement in more detail.
- Dr Lana Hartwig (MLDRIN Roadmap Project Officer) provided an update on the project to develop a Roadmap to First Nations water access in Victoria. The 'roadmap' will pick up on water access research just completed by MLDRIN, in partnership with the University of MLDRIN. Lana will be engaging

directly with all Victorian member Nations of MLDRIN in coming months to identify their preferences for participation.

- Will Mooney, MLDRIN Executive Officer, provided an update on the Aboriginal Waterways Assessment (AWA) and [Cultural Flows](#) programs. There are significant opportunities for Nations to tap into funding to run AWAs and conduct Cultural Flows assessment activities.
- Will Mooney provided an update on the [Water and Environment Research Program \(WERP\)](#). MLDRIN is part of a consortium with Latrobe and Griffith Universities and NBAN, which was successful in receiving funding to deliver themes 3 and 4 of the research. This is a major four-year program which will seek to answer questions about the benefits of environmental watering for First Nations and pathways to deliver water access for Nations.
- Delegates discussed the progress of delivery of the \$40M allocated for First Nations water acquisition in 2018. Grant Rigney advised the Delegation of recent updates. Progress has been very poor and there appears to be no direction from the Ministers Office. MLDRIN needs to put pressure on through political and media channels to make sure this funding is delivered.
- The [Cultural Water for Cultural Economies](#) report was formally launched to MLDRIN Delegates and participants. Erin O'Donnell (University of Melbourne) presented the report, which is the final deliverable of the Water Access for Victorian Traditional Owner Economic Development project, run over three years, involving over 40 workshops with 20 Nations. The report maps out tangible pathways for water access, key barriers, options for governance and key steps for reform.
- Kirsty Savage, Senior Manager, [DELWP Aboriginal Water Unit](#), outlined the commitment of \$18M over three years for First Nations-led water projects and Aboriginal Water Officers (AWOs). Existing AWO roles will be extended and Nations can also submit expression interest for new projects. Kirsty tabled additional information to the delegation on some key policy and management issues.
  - An Inquiry into management of Ramsar wetlands found that there needs to be meaningful engagement of First Nations in management of Ramsar sites.
  - DELPW is developing a framework for Management of Unregulated rivers and TO engagement.
  - The [Victorian Waterway Management Strategy](#) is being reviewed. The current strategy lapses in 2021. DELWP is contacting TOs to ask how they want to engage with development of the Strategy
  - There are also Regional Water Strategies: CMAs will commence developing RWSs from 2023.
- Rene Woods (First nations Board Member, Murray Darling Basin Authority) and Mark Foreman (Director, Aboriginal Partnerships, MDBA) updated the Delegation on a range of matters related to implementation and review of the Murray Darling Basin Plan including:
  - Role of the First Nations Authority Member
  - Development of a discussion paper regarding First Nations' interests and engagement for the 2025 review of the Basin Plan

- Development of a formal agreement of treaty between First Nations organisations and MDBA
- Development of a revised [Reconciliation Action Plan for MDBA](#)
- MDBA's compliance role and stronger penalties for water theft
- Southern Basin-scale environmental water planning and a proposed Forum in April 2021. System scale e-water planning occurs through the [Southern Connected basin Environmental Watering Committee \(SCBEWC\)](#).
- NSW DPIE staff presented on Regional Water Strategies (RWSs), the draft NSW State Water Strategy and proposed Aboriginal Water Strategy. Public submission on the draft State Water Strategy has closed, but MLDRIN has an extension till May 12021. Priority 2 in the Strategy covers recognition of First Nations' rights to water. An Aboriginal Water Strategy will address relevant policy issues to support First Nations access to water. Consultation for the Murray, Murrumbidgee and Western RWSs is happening in April/May/June.
- NSW DPIE presented on a proposed Constraints Management Program. DPIE staff outlined a proposed methodology for First Nations involvement in developing case studies to support removing constraints to higher flows and better connectivity across the Murray and Murrumbidgee. Delegates discussed potential risks and benefits for participation and noted the importance of centring First Nations in the approach and ensuring recognition of traditional law/lore in these projects.

### **Key resolutions and decisions:**

#### Board Meeting

- Directors reviewed and adopted Minutes of the Board Meeting held 27<sup>th</sup> January 2021, via video link.
- Directors expressed their support for MLDRIN to join as a supporting organisation for a 'Listen to the Lachlan' conference planned in June 2021. The conference will highlight community views and concerns about management of the Lachlan River.
- Directors agreed to proceed with tabling a resolution seeking the removal of a Delegate for Wadi Wadi Nation, due to range of code of conduct breaches and member offences as defined under the Constitution of MLDRIN
- The Board reviewed and approved notices of appointment of proxies for the upcoming Full Gathering
- Directors authorised the Executive Officer to seek candidates who do not identify as First Nations for the Victorian Aboriginal Waterways Assessment (AWA) Project officer role, due to challenges with recruiting a First Nations person for the role.

#### Full Delegation

- Delegates reviewed and approved an application from Shaun Berryman to be a Delegate member for Barapa Barapa Nation.
- Delegates voted to uphold a Draft Resolution tabled by the Board to remove Lavinus Ingram as a member Delegate for the Wadi Wadi Nation

- Delegates voted to adopt a new Member Application Policy and Nation Application Policy, as developed by the Board and tabled. The policies detail the processes to be followed by individuals applying to be Delegate of MLDRIN and Nations seeking membership of MLDRIN. They also spell out the steps to be followed by the Board and Full Delegation in reviewing and ratifying applications.
- MLDRIN's Executive Officer, Will Mooney, announced his resignation, to be effective 1<sup>st</sup> July 2021. Will advised delegates he has informed the Board of his intention to move on from the role since late 2020. Will noted he plans to take some time travelling around Australia with his family before deciding on what path to take, but he hopes to continue to work with Nations and the water rights movement.
- A partial election of the MLDRIN Board was held. Partial elections have been instituted to ensure continuity in governance and management of the organisation. Delegates elected three Directors to fill vacant positions: Stewart Taylor, Jenny Munro and Neville Whyman.
- Grant Rigney was re-elected unopposed, as Chairperson
- Brendan Kennedy was appointed as Deputy Chair, with Kingsley Abdulla stepping into the Treasurers role and Melissa Jones appointed as Secretary.

#### Key upcoming dates

- **21<sup>st</sup> - 22<sup>nd</sup> April 2021:** Southern Basin First nations Environmental Watering Forum, Mildura VIC
- **18<sup>th</sup> – 20<sup>th</sup> May:** The Living Murray (TLM) program forums, Barham and Koondrook Perricoota, NSW.
- **18<sup>th</sup> May 2021:** Round 1 consultation for the NSW Murray Regional Water Strategy commences. Workshops to be held across the region. For details and updates visit: <https://www.industry.nsw.gov.au/water/plans-programs/regional-water-strategies>
- **24<sup>th</sup> May 2021:** Round 1 consultation for the NSW Murrumbidgee Regional Water Strategy commences. Workshops to be held across the region. For details and updates visit: <https://www.industry.nsw.gov.au/water/plans-programs/regional-water-strategies>
- **Early June 2021:** Assessment of the NSW Murray Darling Basin Fractured Rock WRP (all MLDRIN NSW Delegates will be invited to attend)

If you have any questions about anything raised in this update please feel free to contact Will Mooney on **0404 163 700** or Likarra Morgan on **0436036396** or email: **eo@mldr.org.au**