

Submitted by **Auntie Janine and Craig Watson of the Latji Latji Mumthelang First Peoples**

Transcribed oral submission to: **Productivity Commission's 2023 Review of Murray Basin Plan Implementation**

Oral submission occurred 2:30pm-3:15pm 28<sup>th</sup> June 2023 in Mallee CMA offices, Irymple.

**Background:**

Auntie Janine is an Elder of the Latji Latji Mumthelang First Peoples.

Craig is a Latji Latji man, on the Board of Directors for the First Nations Legal & Research Services (FNLRS).

The FNLRS works for and supports groups pursuing land justice outcomes in Victoria through formal recognition. They provide legal advice to various groups pursuing these outcomes. They also conduct research to establish a basis for native title claims in Victoria and interstate.

**Transcription**

Speaking for our country, Latji Latji Mumthelang First Peoples consider that lack of water on floodplains and in our waterways is detrimental to our country. Water energises our country. Water is our driver for bringing everything together to preserve and sustain our country, our Elders, our children and our habitat.

Latji Latji Mumthelang First Peoples understand a holistic view of Basin water and hold a position of getting water back on country by any means and in as natural a pattern as possible. We believe the support to do this starts with the Basin Plan. We are fully behind the Basin Plan being delivered, including the provision for First Nations water, which is yet to be delivered properly. If First Nation's water cannot be delivered in full within the Basin Plan, then we must do it in sections – whatever will let us get the water onto country.

Unfortunately, the Basin Plan has not delivered what is important to us, namely: land and water back to First Nations people, putting water into billabongs, lakes, wetlands and the ecosystem to deliver back our culture and heritage for future generations. Our jobs, self-determination, fishing and food sources, our culture and protection of burials and artefacts are all dependent on water being delivered which has not happened. More than this, we want to deliver not just for us, but for the land and the community.

If the Basin Plan continues to not go ahead, what exactly is the access point for First Nations to get water promised to us?

**What has gone wrong:**

It is extremely disappointing that a key Victorian water project (the Victorian Murray Floodplain Restoration Projects /VMFRP) was suddenly 'hard stopped' in 2023 with no reason given as to why.

Before it was halted, we were starting to see major positive impacts the project could offer: bringing life back to billabongs, lakes and wetlands in the Mallee River area, rejuvenating the ecosystem and culturally significant sites and helping to protect our large burial sites near Mildura.

However, we were only starting to understand the benefits. The recent 2022 floods showed the green undergrowth had started, and life and habitat were re-emerging, but not yet in a sustainable way – without more water provided to our floodplains it will not be sustained. This is a shame because if we can get the water delivered properly for a period of time, then we can get the ecosystem and habitat to become self-sustaining – we potentially wouldn't even need the same volume of water in 20-30 years if we start doing it the right way, now.

But every step of water delivery has been wrong which is particularly related to our lack of connection to decision-makers. The water never gets delivered at the right time. We as elders know the right time for water to be delivered and the right amount, but instead it is delivered whenever it suits government departments, which can make the water less efficient or even useless.

We as First Peoples have not been properly connected to decision makers. There is disconnect between our interests on country and these reaching and being considered by the eventual decision makers above Local Government departments and Authorities. A recent example of this relates to repairing massive blowouts which had occurred at a burial site area near Mildura, where a consistent lack of water in the right places, at the right times has made the soil structures in the area very susceptible to wind-driven dispersal and the resulting exposure of the remains of our ancestors. We had to rebury these remains; but the risk of it happening again remains strong, without getting allocations of water on country at the right time and place.

We know that our concerns over these blowouts did not go above the Catchment Management Authority (CMA); they got lost in the government bureaucracy. We need to cut out that middle section and directly connect our cultural interests with the actual decision-makers at DEECA.

Also separate to this, when the Victoria Government halted the VMFRP in 2023, we couldn't get this burial site 'heritage listed' because the cancellation meant that the required Cultural Heritage Management Plan could not be completed (even though it was only a month shy of being finished). The consequence of this is that we cannot get government funding to undertake other requirements to achieve heritage listing of this site and secure its future.

We have a desire for opportunities to work with Parks Victoria and CMA to manage the land and waterways with them and bring back habitat and life. Partnerships like this stopped in 2023 when the VMFRP was halted. Before this, the partnership was beautiful as it gave us a voice with all decision makers in the same room. We are open to partnerships with anyone going forward, whether it's government, irrigators or otherwise to ensure irrigation modernisation works in harmony with cultural watering. One idea with irrigators as part of modernisation efforts is to reduce intake pumps on the Murray and share the remaining pumps across farms using pipes so that country is less affected.

'All water we get is tentative, so we have plan b, c, d, e'. Instead, let's get the Basin Plan right with the ultimate outcome of getting our habitats back.