

NSW Aboriginal Land Council

Answer to written Question on Notice

The NSW Aboriginal Land Council agrees, in principle, that there is merit in *establishing a new Basin-wide body to represent Aboriginal and Torres Strait Islander people's water interest in Basin Plan decision-making.*

NSWALC reiterates that:

- Relevant Local Aboriginal Land Councils and Basin Nations must be consulted on the establishment of any proposed governance structures and must be involved in every stage of decision-making regarding this recommendation – including determining the structure and purpose of the new ‘body’, the scope and terms of reference, and the selection of representatives from across the Basin.
- Consultation and engagement with Aboriginal peoples must provide adequate notice, incorporate the principles of ‘free, prior and informed consent’ (**FPIC**), and actively seek Aboriginal people’s views. Initiatives to engage and partner with Aboriginal peoples in the management of land, waters and climate must not be undertaken in isolation or on a ‘one off’ basis.
- Governments, including the Commonwealth, must also meet their commitments outlined in the National Agreement on Closing the Gap (the National Agreement), the Priority Reforms and socio-economic targets.
- A lack of genuine consultation and disregard for the principles of FPIC continues to perpetuate a history of marginalisation of Aboriginal people regarding water legislation and will result in further mistrust of the government.
- Existing consultations, committees and governance structures in NSW must be taken into account and duplication avoided where possible.