



Birrarung Council  
Annual Report to  
Parliament on the  
implementation of

## BURNDAP BIRRARUNG BURNDAP UMARKOO Yarra Strategic Plan 2022



Environment,  
Land, Water  
and Planning



This report by the Birrarung Council is to be read in conjunction with *Burndap Birrarung Burndap Umarkoo/Yarra Strategic Plan First Annual Report 2021–22*, which has been prepared by Melbourne Water as Lead Agency for the Plan using input from Responsible Public Entities and Traditional Owners.

*Burndap Birrarung Burndap Umarkoo* means “what is good for the Yarra is good for all” in Wurundjeri Woi-Wurrung language.

## Acknowledgment

The Birrarung Council acknowledges the Wurundjeri Woi-Wurrung and Bunurong Peoples as the Traditional Owners of the land through which the Birrarung flows. We pay our respects to their Elders both past and present, and we acknowledge that they have never ceded their sovereign rights to lands and waters. We recognise their unbroken connection to Country, we celebrate their culture and history, and we honour their rights as custodians for the River and its lands.

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Cover image: Warrantdyte 2021.

Photo credit: Dr Erin O’Donnell, Alexandra Lee, Kristin Olds, Tobias Titz, Professor Chris Chesterfield and Melbourne Water.

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## Aunty Margaret Gardiner



The Council also wants to acknowledge the significant and inspiring contribution of Aunty Margaret Gardiner, Wurundjeri Woi-Wurrung Elder and member of the Birrarung Council, who passed away on 20 August 2022. Aunty Margaret was an inaugural member of the Council and a staunch leader who strongly advocated for the River and its lands with great integrity and passion.

Aunty Margaret was instrumental in shaping how the Birrarung Council now acts as the ‘voice for the River’ and was actively involved in the Council’s work to ensure the River and its lands are protected as ‘one living and integrated natural entity’.

Aunty Margaret powerfully stated “The River needs its lands”. These words have become the underpinning statement that continues to drive the Council’s work to explore the concept of the ‘Great Birrarung Parkland’, through which all Birrarung land and water will be recognised as one connected cultural landscape from its source to the sea.

We are all deeply saddened by the loss of Aunty Margaret but her legacy will continue to shine through the work of the Birrarung Council.



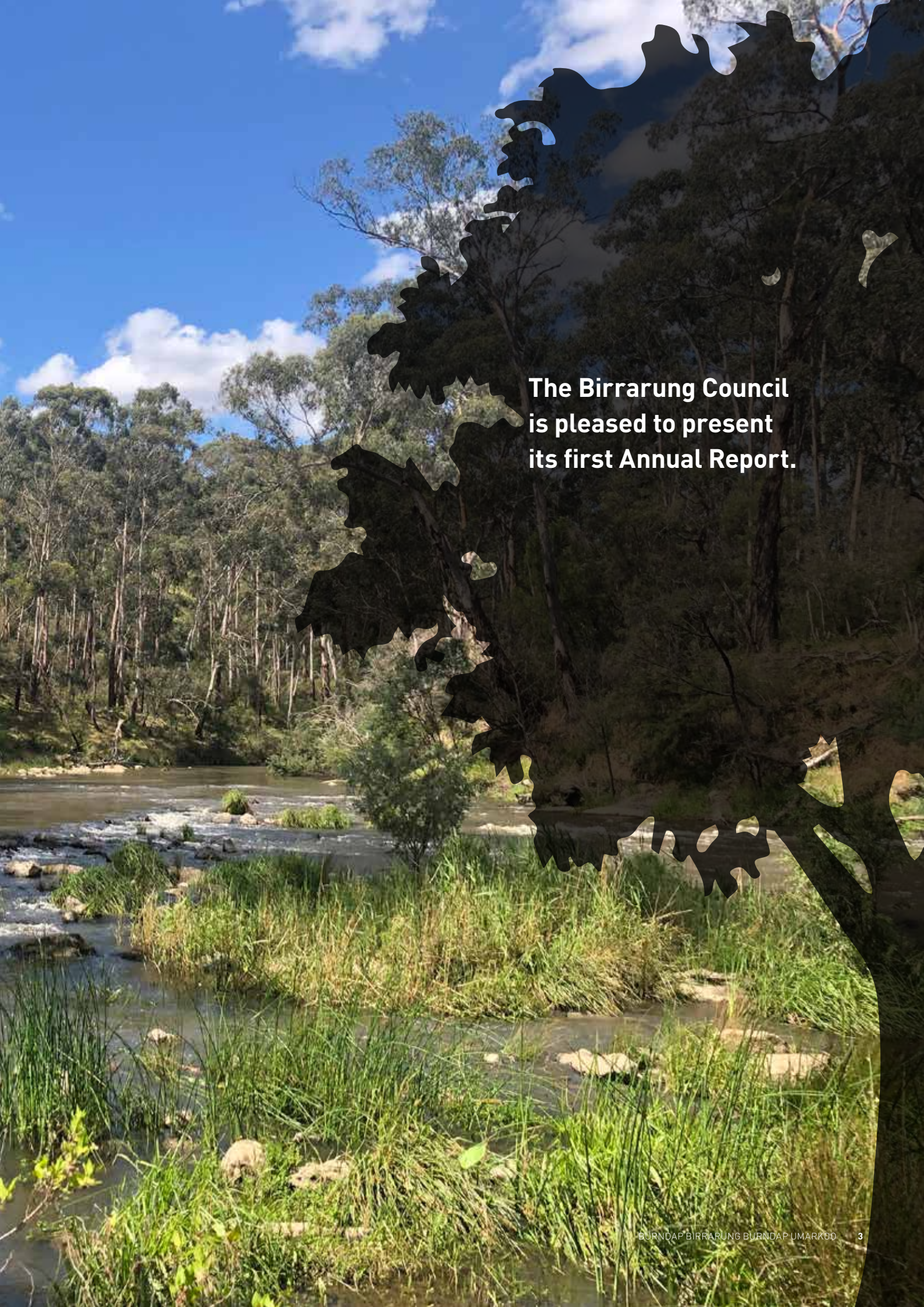
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# FOREWORD

Laughing Waters 2019



**The Birrarung Council  
is pleased to present  
its first Annual Report.**

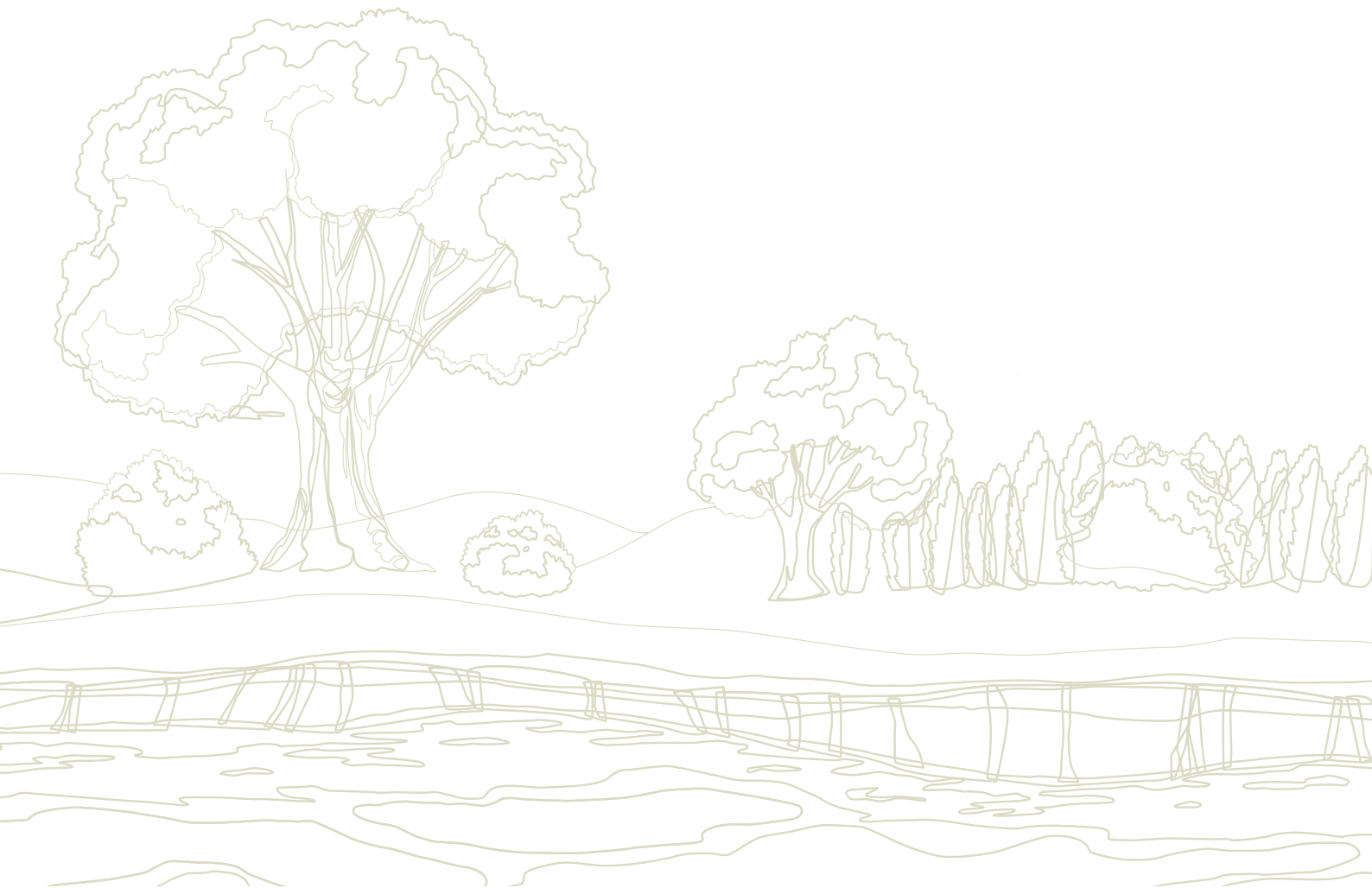
## Foreword

The Birrarung Council is pleased to present its first Annual Report on the implementation of the Yarra Strategic Plan, *Burndap Birrarung Burndap Umarkoo*, to the Minister for Water, the Hon. Harriet Shing. The Council is required to prepare this report under the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017*.

Under the Act, the Birrarung Council is required to advise Government on the River's protection and also advocate for it. We serve as the Voice of the River.

In this capacity we have prepared our report on the roll-out of *Burndap Birrarung Burndap Umarkoo* since its commencement in February 2022. We have also developed directions for the future which are important to its success.

In serving as the Voice of the River, as a Council made up of both Traditional Owners and members from diverse backgrounds, we have developed the following statement to capture our responsibility to the River and how we will work together to protect it.



## Walking together with the Birrarung

The Birrarung Council recognises the unique relationship between the Birrarung and its people. The Wurundjeri Woi-Wurrung are the people of the River, and the Bunurong are the people of the mouth of the Birrarung. Their songs have been carried by the water from the mountains to the sea for tens of thousands of years.

The Birrarung is alive, has a heart, a spirit and is part of our Dreaming. We have lived with and known the Birrarung since the beginning. We will always know the Birrarung.

Since our beginning it has been known that we have an obligation to keep the Birrarung alive and healthy—for all generations to come.

The Birrarung Council is the voice of the Birrarung, the Yarra River. We advocate on behalf of the Birrarung, which means that **we speak for the River** in policy and planning contexts so that the River can be heard by all.

But we also have a more profound obligation. As the River's voice, our role is to enable and support others to **communicate with the River**, as a single, living, and integrated entity. Doing so requires us **to be in good relations** with the River, and with each other.

We commit to working together **to protect and care for the Birrarung**. We are a small part of the long story of the Birrarung, but our stewardship and our actions will shape the future of the River. We recognise that **water is a source of infinite healing**, and that in caring for the Birrarung, the River also cares for us in return.

We need to share, we need to listen and we need to find a way of coming together to do this.

The experience and expertise of each member of the Birrarung Council is different and valued.

Like the tributaries of the Birrarung, we join our varied experience and expertise together to form a single, integrated voice for the River.

We commit to ensuring that the Birrarung Council reflects the cultural diversity of the community of the Birrarung, and to creating a culturally safe place for us all to work together.

The strength of the Council is that it brings Indigenous and non-Indigenous people together.

The Birrarung Council recognises Wurundjeri Woi-Wurrung and Bunurong as sovereign peoples who have never ceded their rights to lands and waters. We will work together to strengthen their voices as custodians of the Birrarung.

We recognise that we have reciprocal and mutual obligations to each other, and to the Birrarung.

As Council members, we recognise that we are at the beginning of a journey, but we commit to walking that path together.

### Council members

Prof. Chris Chesterfield (Chair)  
Aunty Margaret Gardiner  
(who passed away on 20th August 2022)  
Aunty Diane Kerr OAM  
Uncle Dave Wandin  
Kirsten Bauer  
Prue Digby  
Andrew Kelly (until 5 April 2022)  
Alexandra Lee  
Warwick Leeson OAM  
Dr Erin O'Donnell  
Bronwyn South






# EXECUTIVE SUMMARY

Studley Park 2022



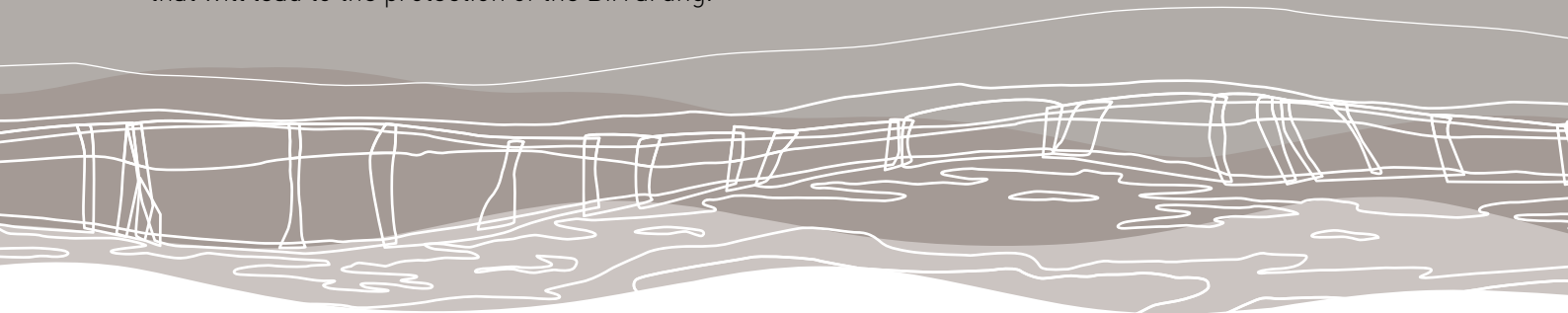


**This is the first Annual Report  
by the Birrarung Council on  
the implementation of *Burndap  
Birrarung Burndap Umarkoo*,  
the Yarra Strategic Plan.**

*Burdap Birrarung Burndap Umarkoo* is the key mechanism under the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* to align the activities of multiple local government and state agencies involved in managing the River and its lands, and work towards achieving the 50 Year community vision for the River.

*Burndap Birrarung Burndap Umarkoo* only commenced operation in February 2022. However, our first report is an important opportunity for the Birrarung Council to speak on how well state and local government organisations are progressing to achieve the goals and principles of the Act, including walking together with Traditional Owners. We have looked at early progress to assess whether all parties are on the pathway of change that will lead to the protection of the Birrarung.

Overall the Birrarung Council believes that there has been a strong start to *Burndap Birrarung Burndap Umarkoo* implementation. We see that actions are progressing, Traditional Owners are increasingly recognised as important custodians of the Birrarung and work is being done to build collaboration. The Council believes that there is support for *Burndap Birrarung Burndap Umarkoo* and that commitment will continue to build across agencies managing the River and its lands.



## Actions

We considered progress on the 40 actions that make up Part 1 of *Burndap Birrarung Burndap Umarkoo*.

Sixteen actions are underway and the Council is pleased to see work progressing on billabong restoration, habitat and fauna. We want to draw attention to some of the other actions in progress which will have a very significant impact on the Birrarung. These are commitments to:

- investigate improving and extending parkland and deliver on priorities for acquisition; and
- incorporate the *Burndap Birrarung Burndap Umarkoo* land use framework into local and state planning policy.

Extending parkland is critical to the River's health and is integral to efforts to create a Great Birrarung Parkland, a concept the Council has been developing for some time. Planning amendments will ensure future land use decisions will reflect River protection principles.

These two actions will be powerful and far reaching changes and must be priorities. The Birrarung Council will be looking to see progress on these actions over the next 12 months, given their significance.

Land use planning and decision making by State and local governments will also be a key focus of Birrarung Council reporting in the future.

We have also noted that actions around park management are still to progress. These actions capture the need for the new model of stewardship, which is a key theme of the Act, but four of the five actions are still in planning phase. There needs to be strong progress on these in the next 12 months.

We will also be looking to see a reframed approach to net gain embedded in the Decision Making Framework, the tool for state and local government agencies to use for activities or decisions that may affect Yarra River Land.

## New governance arrangements

New governance arrangements, as envisaged in the Act, will see:

- Traditional Owners as decision makers and delivery agents on their Country alongside state and local authorities
- sustained cross organisational collaborative planning and management
- commitment to implement *Burndap Birrarung Burndap Umarkoo* across all agencies involved in its delivery.

Entities involved in delivering *Burndap Birrarung Burndap Umarkoo* respect the role that Traditional Owners will play in implementation and want them to be supported to play that role. However, entities are at different stages in developing partnerships with Traditional Owners. We see that there is, however, good will and good intent from all to develop partnerships and are confident that the year ahead will see relationships mature and be used as a basis for action moving forward.

Expectations on Traditional Owners are significant and resourcing constraints will become an increasing issue as *Burndap Birrarung Burndap Umarkoo* activity increases. It is likely that the resourcing situation will see Traditional Owners continue to face challenges in playing their role in *Burndap Birrarung Burndap Umarkoo* as it continues to roll out, and the demands on them increase.

There is early progress on commencing *Burndap Birrarung Burndap Umarkoo* collaborative projects although the processes which underpin these projects, and which will make them successful as collaborations, are still being developed. We anticipate good progress in the year ahead as *Burndap Birrarung Burndap Umarkoo* projects accelerate. Across entities involved, there are good ideas for improving collaboration.

Similarly, entities have constructive ideas on how to improve commitment within their organisation. We would expect the energy and momentum to build.

## The next phase of *Burndap Birrarung Burndap Umarkoo*

The Birrarung Council has set out directions for the next phase of the *Burndap Birrarung Burndap Umarkoo* which will help it realise its potential. These relate to organisational commitment;

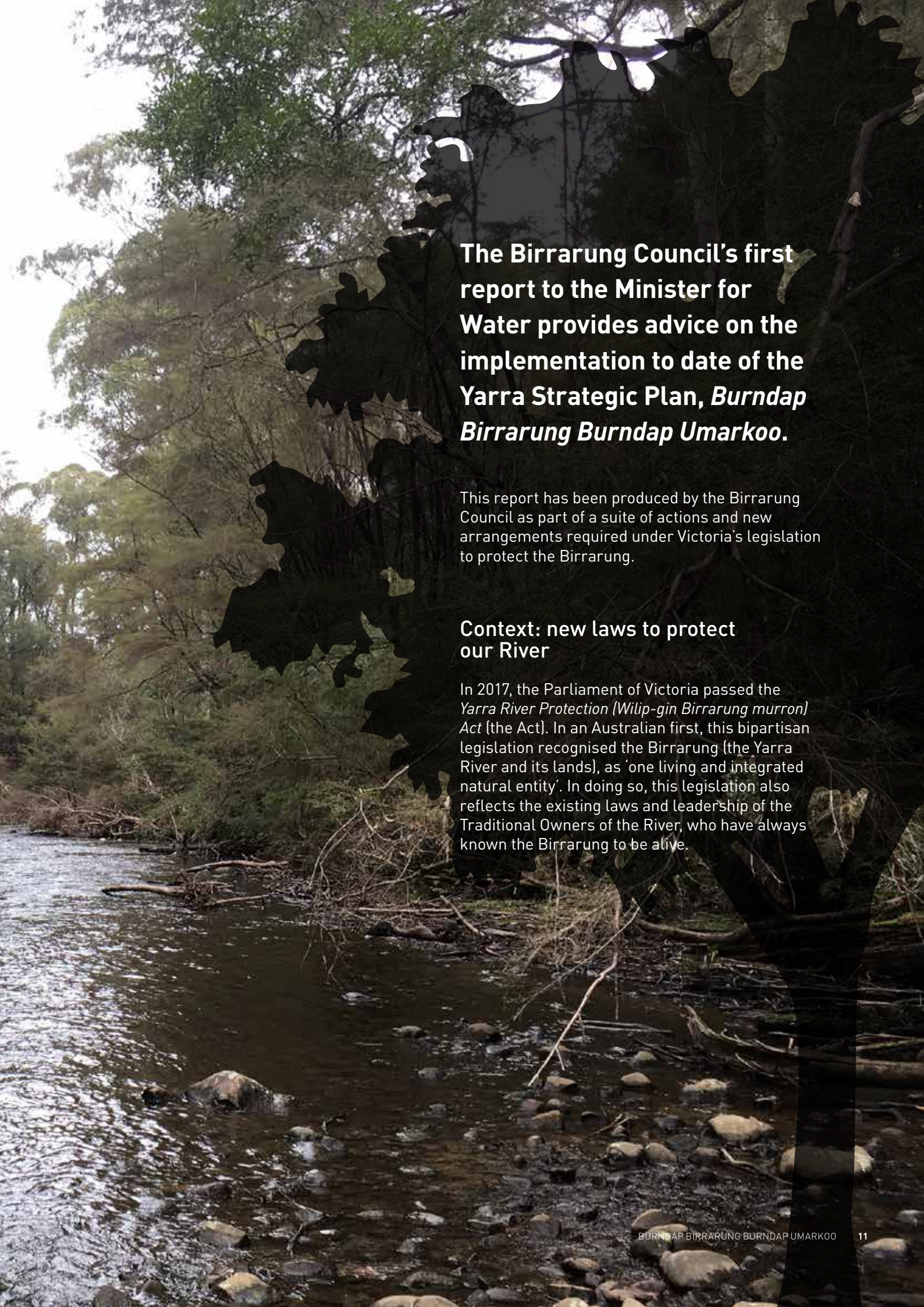
partnerships with Traditional Owners; collaboration; land use decision making and planning; the Decision Making Framework and net gain; and the Birrarung Parklands.

*The Council looks forward to seeing major gains for the Birrarung in the 2022-23 year.*



# SECTION 1. INTRODUCTION

East Warburton 2018



**The Birrarung Council's first report to the Minister for Water provides advice on the implementation to date of the Yarra Strategic Plan, *Burndap Birrarung Burndap Umarkoo*.**

This report has been produced by the Birrarung Council as part of a suite of actions and new arrangements required under Victoria's legislation to protect the Birrarung.

**Context: new laws to protect our River**

In 2017, the Parliament of Victoria passed the *Yarra River Protection (Wilip-gin Birrarung murrong) Act* (the Act). In an Australian first, this bipartisan legislation recognised the Birrarung (the Yarra River and its lands), as 'one living and integrated natural entity'. In doing so, this legislation also reflects the existing laws and leadership of the Traditional Owners of the River, who have always known the Birrarung to be alive.

## The Birrarung is a living river

The legislation was also Victoria's first bi-lingual legislation, with the title and the preamble written in both English and Woi-wurrung language. Wurundjeri Woi-Wurrung Elders spoke on the floor of the Victorian Parliament for the first time, during passage of the legislation.

The Birrarung is now Australia's only river landscape to be recognised in settler state law as a living entity. As a result of the leadership of the Victorian Parliament, the Birrarung takes its place among a growing global community of 'river persons', including rivers in Aotearoa New Zealand, Colombia, Ecuador, India, Bangladesh, and Canada.

In response, the relationship between people and the River has begun to change. Since colonisation, non-Indigenous people have been asking: what can we take from the River? What can the River do for us?

What the River has and continues to do for us is significant. The Birrarung supplies much of Melbourne's drinking water as well as supporting food production, lifestyle and industry. It has been straightened and channelized to convey flood flows through the city and to accommodate Australia's busiest port. The River provides unique places for passive and active recreation, for engaging with our natural environment, and for retreat and reflection. Its water is used so that our parks and gardens flourish, and it is a major reason for Melbourne being such a liveable city.

With the recognition of the River as a living entity, we are asking a different question: what do we want *for* our River?

BURNDAP BIRRARUNG BURNDAP UMARKOO

*- What is good for the Yarra is good for all*

Wurundjeri Woi-Wurrung Elders Uncle Allan Wandin, Aunty Alice Kolasa, Aunty Gail Smith, Uncle Ron Jones, Uncle Colin Hunter and Jacqui Wandin address the Legislative Assembly in language prior to the introduction of the Yarra River Protection (Wilip-gin Birrarung murron) Bill in 2017.

Source: Parliament of Victoria - Aboriginal elders address Legislative Assembly



## The Community Vision for the River

The Act required that there be a long-term community vision developed for the River which captures the unique characteristics of the Birrarung as well as community values, priorities and preferences for the next 50 years of its life.

In 2018, the wider community of the Birrarung came together to create the 50 Year Community Vision which was jointly launched with the Wurundjeri Woi-Wurrung's Birrarung Policy, *Nhanbu narrun ba ngargunin twarn Birrarung* (Ancient Spirit and Lore of the Yarra). Together, these two documents are a unique and powerful commitment from the people of the River to create a better future for ourselves and the Birrarung.

The Community Vision imagines a better future for the Birrarung and the better relationship that we can have with it. The Act and the Community Vision together offer a transformative opportunity to all of us: how do we achieve this Vision in partnership with the River?

The Act set out Yarra Protection Principles and also established the Yarra Strategic Plan, to implement the Vision and protect the River, and created the Birrarung Council, to advise the Government on how the River is being protected. The Yarra Strategic Plan is now also known as *Burndap Birrarung Burndap Umarkoo*, and we use the title in language throughout this report.

The Birrarung itself is now an active participant in the conversations about its health and its future, and in the policy making processes, through the Birrarung Council established under the Act.

As the Birrarung Council, we walk together and work together to care for the Birrarung and move towards achieving the Community Vision.

### The Yarra River 50 Year Community Vision

Our Yarra River, Birrarung, is recognised around the world as an iconic example of a nurturing relationship between a river and its community. Flowing from source to sea, it is the resilient lifeblood of past, present and future generations of Victorians. It connects and enriches our flourishing city, suburbs, regions and beyond.

Our Yarra River, Birrarung, its essential role in our lives and its rich history, are respected, understood and protected. It has cared for us for thousands of years and will for thousands to come. The vital and continued role of Traditional Owners as custodians of the River, and its role in their culture, is recognised and celebrated.

Our Yarra River, Birrarung, and its diverse surrounding landscapes provide a place of refuge, recreation, learning and livelihood. It brings communities together and supports sustainable local economies. Its clean waters and connected network of thriving green spaces nurture biodiversity, and deepen the relationship between people and nature.

Our Yarra River, Birrarung, is respected as a sacred natural living entity and everyone takes responsibility for its care. Its health and integrity are paramount and uncompromised.

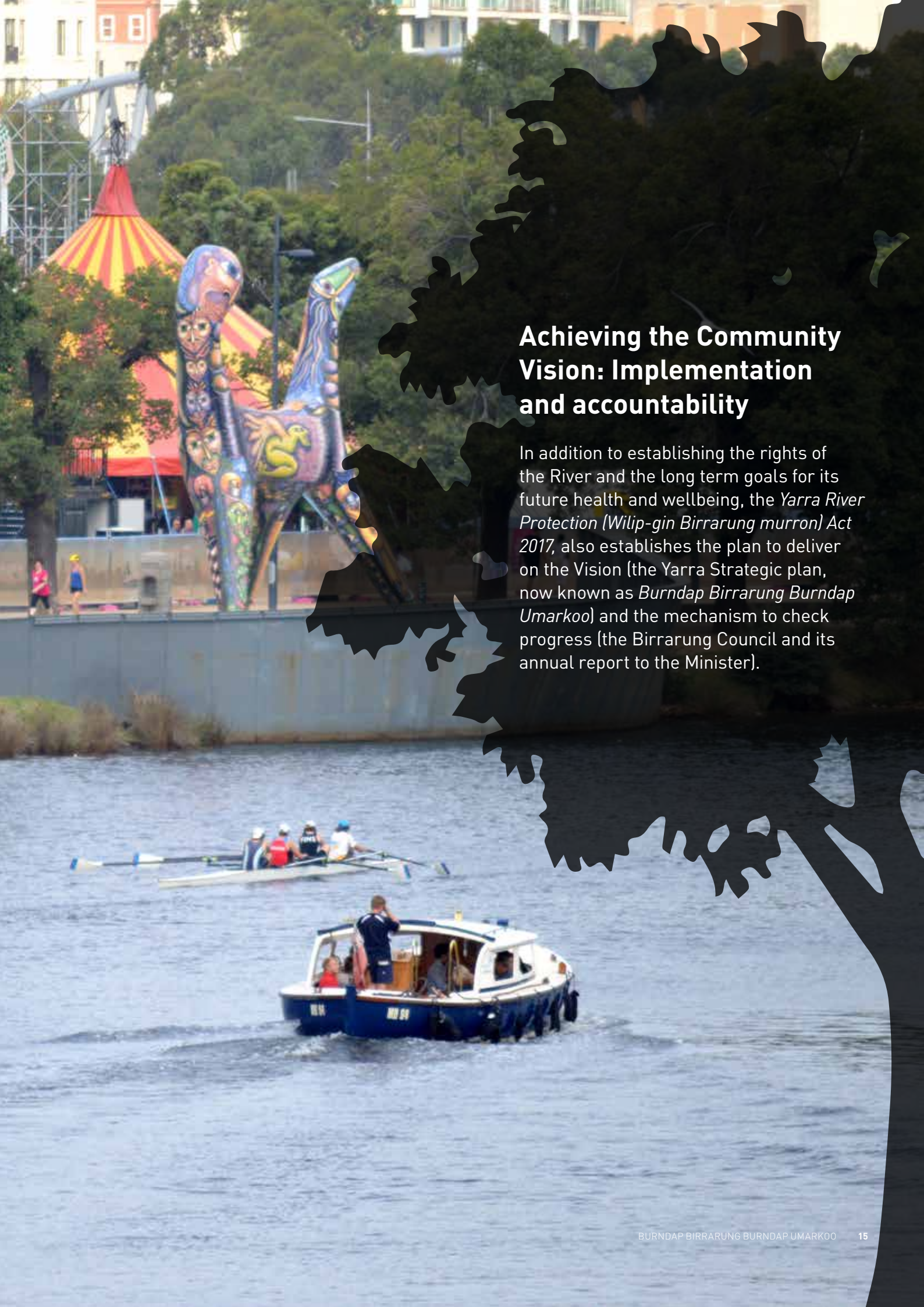
Warrandyte



## SECTION 2. VISION

Birrarung Marr





## Achieving the Community Vision: Implementation and accountability

In addition to establishing the rights of the River and the long term goals for its future health and wellbeing, the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017*, also establishes the plan to deliver on the Vision (the Yarra Strategic plan, now known as *Burndap Birrarung Burndap Umarkoo*) and the mechanism to check progress (the Birrarung Council and its annual report to the Minister).

## The Birrarung Council responsibilities

The Birrarung Council has been given a role under the Act to advise on and advocate for the River (see Appendix 1). Members of the Birrarung Council are appointed by the Minister for Water, and the Council must include Traditional Owner representatives.

Every year, the Act requires the Birrarung Council to report to the Minister for Water on the implementation of *Burndap Birrarung Burndap Umarkoo*. The Minister must then table the report in Parliament within seven sitting days. Those involved in managing the River and its lands - the Lead Agency for *Burndap Birrarung Burndap Umarkoo* (Melbourne Water) and Responsible Public Entities (RPEs) - also play a role in the reporting sequence (see Figure 1).

A list of RPEs, those agencies involved in management of the Birrarung, is at Appendix 2. The Birrarung Council report is one component of a broader system of reports pertaining to the River. This includes a requirement for the Office of the Commissioner for Environmental Sustainability to prepare a State of the Yarra Report every five years. Its next report is due in 2023. This broader reporting system is represented in Appendix 3.

## *Burndap Birrarung Burndap Umarkoo, the Yarra Strategic Plan*

The Act requires that all RPEs work together to achieve the Community Vision through the Yarra Strategic Plan. *Burndap Birrarung Burndap Umarkoo*, the Yarra Strategic Plan 2022-2032 was launched in February 2022. *Burndap Birrarung Burndap Umarkoo* is a detailed blueprint for change over the next 10 years, with a first part setting out actions for RPEs and Traditional Owners. A second part provides directions for planning and land use decisions. Together with the Implementation plan developed by the Lead Agency and other RPEs, *Burndap Birrarung Burndap Umarkoo* provides a framework of activity and progress measures (see Box 1).

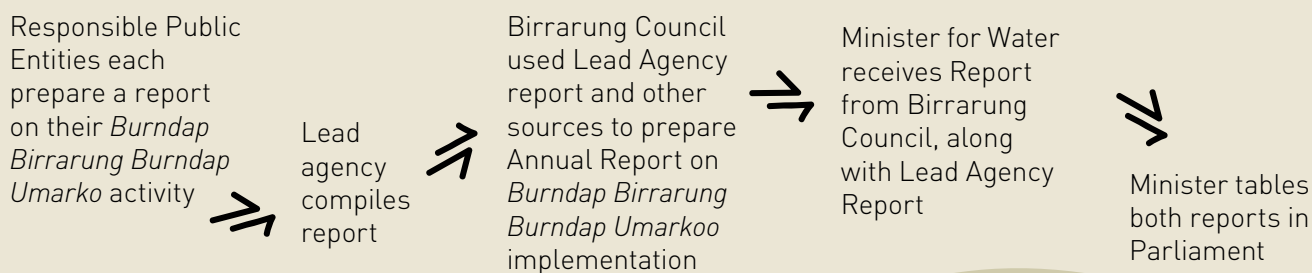


Figure 1 | *Burndap Birrarung Burndap Umarkoo* Reporting sequence

## Reporting on *Burndap Birrarung Burndap Umarkoo*

In preparing this report, the Birrarung Council has drawn on the report *Burndap Birrarung Burndap Umarkoo, the Yarra Strategic Plan First Annual Report 2021-22* prepared by Melbourne Water as Lead Agency in partnership with RPEs and Traditional Owners. (We refer to this hereafter as the First YSP Progress Report). The Council has also used data from an evaluation and monitoring survey developed jointly by the Lead Agency, Melbourne Water, and the Birrarung Council in collaboration with RPEs. This survey collected information from RPEs and Traditional Owners.

In our inaugural report to the Minister on the implementation of *Burndap Birrarung Burndap Umarkoo*, we report on progress of actions, identify high level trends and indicators of change, and provide directions that highlight areas of particular importance for the future. As *Burndap Birrarung Burndap Umarkoo* has only been in place for five months at the time of writing this report, the Council's first report will be less detailed than future reports.

The First YSP Progress Report is being presented to the Minister for Water along with this report of the Birrarung Council, as required by the Act.

## Structure of this report

The Birrarung Council is seeking to answer this key question:

### **How and to what extent is *Burndap Birrarung Burndap Umarkoo* beginning to achieve the Community Vision?**

In order to do this, the Birrarung Council must consider:

- **What** has been done so far to achieve the Community Vision, including what progress has been made on the *Burndap Birrarung Burndap Umarkoo* actions and priority projects?
- **How** these actions are being undertaken, through new governance arrangements.

Section 3 of this report considers what has been done, while Section 4 outlines how stakeholders who steward the Birrarung are working for the River.

In Section 5, we provide our conclusions about *Burndap Birrarung Burndap Umarkoo* efforts so far, set out directions for the future success of the Plan and outline what the Council expects to see in the year ahead.

### **BOX 1 | Framework for action**

Part 1 of *Burndap Birrarung Burndap Umarkoo* and the *Burndap Birrarung Burndap Umarkoo* Implementation Plan together set out:

- 4 performance objectives
- 40 actions
- 5 priority projects
- 89 current activities which underpin actions, and which will change as the Plan progresses
- 9 success measures
- 20 indicators of success

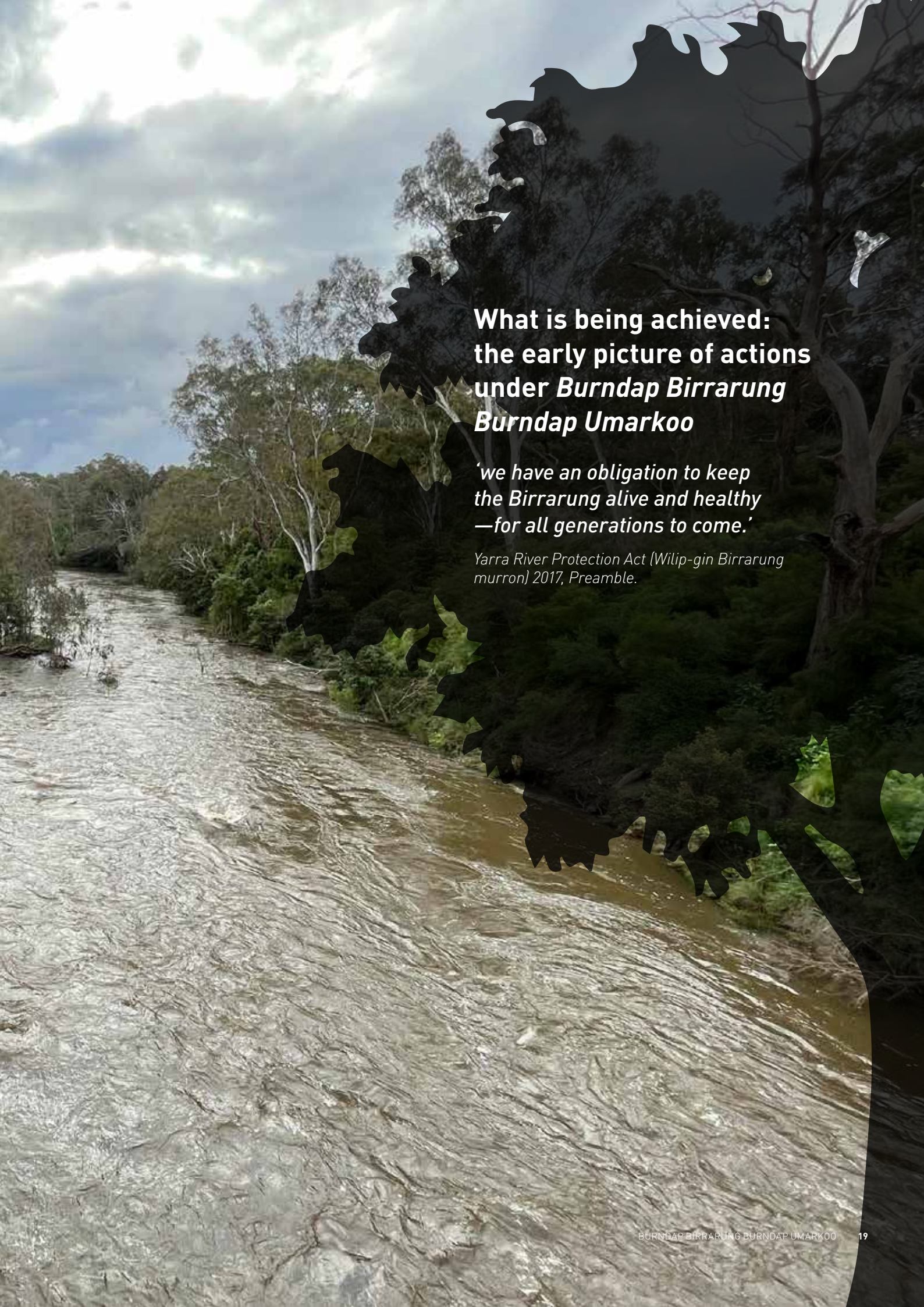
Part 2 of *Burndap Birrarung Burndap Umarkoo* provides:

- Broad directions for future land use and development



**SECTION 3.  
WHAT IS BEING  
ACHIEVED**

Fins Reserve 2021



**What is being achieved:  
the early picture of actions  
under *Burndap Birrarung  
Burndap Umarkoo***

*'we have an obligation to keep  
the Birrarung alive and healthy  
—for all generations to come.'*

*Yarra River Protection Act (Wilip-gin Birrarung  
murrn) 2017, Preamble.*

In the First YSP Progress Report on *Burndap Birrarung Burndap Umarkoo*, Melbourne Water collated reports from individual Responsible Public Entities (RPEs). The report covers the first five months of implementation, from 24 February 2022.

The Birrarung Council has drawn on the First YSP Progress report to answer the question of **what** has been done so far to achieve the Community Vision. We assess progress so far against the 40 actions and five priority projects which are included in Part 1 of *Burndap Birrarung Burndap Umarkoo*.

As part of *Burndap Birrarung Burndap Umarkoo* implementation planning, RPEs nominated 89 activities and projects that were either planned or being undertaken which contribute to *Burndap Birrarung Burndap Umarkoo* performance objectives. We have noted work across many of these activities which will support the 40 *Burndap Birrarung Burndap Umarkoo* actions, but have confined our observations to the actions and priority projects.

## Progress against *Burndap Birrarung Burndap Umarkoo* actions

The Birrarung Council is keenly aware, in making its assessment about actions, that there has been little time for implementation since the Plan was approved on 24 February 2022.

Actions under Part 1 of *Burndap Birrarung Burndap Umarkoo* have implementation timeframes which are either short (1-3 years), medium (4-7 years) or long term (8-10 years). The First YSP Progress Report presents projects as either completed, in progress or in the planning phase. We understand the categorisation 'planning phase' to mean that significant progress is still to occur. Of the 40 actions, three have been completed, 16 are in progress and 21 are in planning phase. (A full list of the 40 actions and their implementation status is contained in the First YSP Progress Report<sup>1</sup>).

### PROGRESS ACTIONS COMPLETED

Completed actions are:

- developing the integrated water management plan (including bicultural approaches) for the Yarra Catchment, an action for DELWP with a 1-3 year time frame<sup>2</sup>
- developing a 10-year berthing strategy for the Lower Yarra River, an action for Parks Victoria with a 1-3 year time frame. We note that this strategy is both developed and now being implemented<sup>3</sup>
- establishing a Lower Yarra River management committee to guide commercial berthing, events and activation, an action for Parks Victoria with a 1-3 year time frame<sup>4</sup>.

The 40 actions in *Burndap Birrarung Burndap Umarkoo* vary in ambition, complexity, the number of parties responsible for delivery, and impact on the Birrarung. We would expect straightforward actions to be more advanced and are keenly aware that more complex actions require more planning and more time to deliver.

### PROGRESS ACTIONS IN PROGRESS

Of the 16 actions where work has commenced, we note in particular:

- the suite of four actions around restoring billabongs and wetlands, many working with the Wurundjeri Woi-Wurrung Traditional Owners<sup>5</sup>
- four actions on habitat connectivity<sup>6</sup>
- two actions on restoring habitat for native fish<sup>7</sup>.

These projects reflect the pressing needs for Yarra protection and the Council is pleased to see work progressing on billabong restoration, habitat and fauna.

There are also a range of other individual actions in progress relating to: improving management of domestic wastewater in non-sewered areas<sup>8</sup>, programs for storytelling about the River's culture and heritage<sup>9</sup>, and dredging<sup>10</sup>.

Two further actions underway that we particularly want to highlight are the following commitments:

Over the next 10 years, the State Government ...(will) investigate opportunities to improve and extend the area of parklands and deliver on priorities for acquisition<sup>11</sup>

...(for) improved planning and management of the river corridor and incorporation of the Yarra Strategic Plan land use framework into local and state planning policy<sup>12</sup>

The first commitment is a very significant action, as acquisitions that may result will not only protect the new parcels' habitat but also improve connectivity and make major progress towards achieving an integrated parkland for the Birrarung. This is a long term action. Extending parkland is critical to the River's health and can be an integral part of efforts to create a Great Birrarung Parkland, a concept the Council has been developing for some time (see Box 2).

## BOX 2 | Birrarung Council's vision for a Great Birrarung Parkland

Under section 59(1) of the Act, the declaration of the Greater Yarra Urban Parklands enables parklands in the vicinity of the Yarra River to be given a common identity and to be treated as one living and integrated natural asset of state significance. An initial declaration of the Parklands was made in February 2018.

Within the River's landscapes, there are complex supporting ecosystems including wetlands, billabongs, floodplains, creeks, tributaries, treed gorges, woodlands, mountain ash trees, rainforests, coastal marshes and estuaries.

In addition to extending the area of parkland, there are complementary ways of working with these landscapes to increase both ecological and community benefit. The community and Traditional Owners desire a balance between community access to and use of the River and its lands, and the need for conservation. We can provide greater support for the natural value of our Birrarung, whilst maintaining a diversity of experiences that connect people to the River. Stronger nature- and culture-based infrastructure can strengthen our connection. Community infrastructure, such as education hubs and trails, can help create a broader identity for the parkland.

We can also see the parkland through a broader lens. Ultimately, the Great Birrarung Parkland should not be defined by the boundaries of land titles but encompass the ways of life and ways land is used consistent with its living entity status, including all land adjacent to the River. This may be bushland parks, agricultural land, industrial land, private property, public roads and public open spaces. Irrespective of its current land use, all land contributes to the River and to the Parkland. The River and its surroundings support a diverse range of attractions that bring enjoyment to millions and significant economic benefits to Victoria. They now reflect the layers of history and culture that are part of the River as a living entity.

A co-operative model of management is needed to realise this vision with a focus on creating a stronger identity for the Parkland locally, nationally and internationally, formalising a role for Traditional Owners and aligning investment and management to enhance the use and enjoyment of the Parkland and the conservation of the environment.

*'The River needs its lands'*

– Aunty Margaret Gardiner, Wurundjeri Woi-Wurrung Elder

Similarly, the second commitment is also critical as it will have a major and enduring impact on land use and other planning decisions. We discuss this in more detail later in this section under 'Part 2 of *Burndap Birrarung Burndap Umarkoo* – the Land Use Framework'.

It is also worth noting a further significant 'In progress' action which commits to:

Follow the goals and principles as set out in 'Protecting Victoria's Environmental Diversity 2037' for habitat and species conservation planning.....incorporating environmental net gain when planning for whole of river biodiversity outcomes<sup>13</sup>.

There is a further part to this action, that:

DELWP and Wurundjeri Woi-Wurrung Water Unit will work together to develop a bicultural approach to net gain on their Country, considering cultural values and practices.

Both components of this commitment are important, as net gain is a fundamental principle in the Act and recent thinking proposes a cultural as well as environmental dimension (see Box 3). The Birrarung Council will be looking to see progress on the action relating to net gain over the next 12 months with a reframed approach to net gain to be embedded in the Decision Making Framework.

### BOX 3 | Net gain

The concept of net gain underpins one of the Environmental Yarra Protection principles in the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* that "There should be a net gain for the environment in the area of Yarra River land arising out of any individual action or policy that has an environmental impact on Yarra River land" (Section 9 (4)).

Net gain was recommended by the former Yarra Protection Ministerial Advisory Committee as the only way to reverse the long history of decision making that has incrementally degraded the health and values of the River.

However, the current limited understanding of net gain, as a transactional arrangement to enable environmental offsets, means that the unique opportunity presented by the inclusion of a net gain principle in the Act could well be wasted.

The Birrarung Council has developed a discussion paper on the concept of net gain for the River which argues that net gain should apply to more than just the physical landscape if we are to achieve the Community Vision and Traditional Owner aspirations\*. This paper explores how a contemporary reframing of net gain, using restoration ecology principles, can also apply to the cultural landscape, as understood by the Traditional Owners. This broader understanding of net gain will focus on the health of Country plus the health of connection to Country.

\* <https://www.water.vic.gov.au/birrarung-council/current-projects>

*The Birrarung Council will be looking to see progress on the action relating to net gain over the next 12 months with a reframed approach to net gain to be embedded in the Decision Making Framework.*



## Actions still in the planning phase

A closer look at progress data shows that, of the 20 short term projects (those with a 1-3 year time frame), half are still in the planning phase with project commencement yet to occur. These are the set of projects that we would expect to see significant progress on in the next yearly report compiled by Melbourne Water as Lead Agency, if timelines are to be met.

Some of the actions still currently in the planning phase are of critical importance to achieving the goals of *Burndap Birrarung Burndap Umarkoo*. A number of these are also challenging because of their scale.

More significant is the lack of progress on actions around park management. Of the set of five actions around park management<sup>14</sup>, four are still in the planning phase (indicating no significant activity) despite three of them having short term timeframes. In particular, we note the lack of progress on the actions to:

Plan, design, and manage the river parklands as one living and integrated natural entity, ensuring that all parklands are managed to a consistently high standard and celebrate the relationship between the river and its parklands<sup>15</sup>

Establish formalised partnership agreements (including resourcing) with Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation and Bunurong Land Council Aboriginal Corporation to manage parklands on their Country, respectively<sup>16</sup>

These actions capture the need for a new model of stewardship which is a key theme of the Act.

The fifth action in this set, relating to investigating opportunities to improve and extend the area of parkland and deliver on priorities for acquisition<sup>17</sup> is in progress, as we have noted above, with a long term time frame of 8-10 years for completion.

Lack of progress on park management commitments is of concern. There is also no progress on the two Park Infrastructure actions<sup>18</sup> even though these both have short term timeframes.

The Birrarung Council believes that protecting the parkland, and realising its potential as an integrated whole, should be a priority yet this is one of the areas with the slowest start to activity.

Similarly, we have noted that there are other actions critical to water quality still in the Planning phase. These relate to stormwater<sup>19</sup> and to water contaminants from agriculture<sup>20</sup>.

## Priority projects

*Burndap Birrarung Burndap Umarkoo* also includes five priority projects. These priority projects are also at varying stages of implementation (see Box 4).

The projects range from being well progressed to still being in the preliminary planning and scoping stage. As these projects have been designated as priorities, we anticipate seeing further significant progress on each by our next report.

The Birrarung Council also notes that the Wurundjeri Woi-Wurrung lead one priority action and play a major role in two others. This raises the issue of Traditional Owner resourcing to deliver on the 39 of the 40 actions in which they play a role under *Burndap Birrarung Burndap Umarkoo*. We discuss this issue later in Section 4 of this report.

*Lack of progress on park management commitments is of concern.*

## BOX 4 | Progress on *Burndap Birrarung Burndap Umarkoo* priority projects

- Floatlands Project – trials of constructed floating wetlands and riparian habitat on the Birrarung in the CBD, led by the City of Melbourne. Work is well progressed with three trial sites due to be installed in late 2022.
- Birrarung Rangers Project – a program for Traditional Owners along the Yarra River led by the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation. The project is in the preliminary scoping stage.
- Polystyrene Pollution Program – building evidence to inform pollution reduction strategies and efforts, led by the Yarra Riverkeeper Association. The project released a Polystyrene pollution report prior to the commencement of *Burndap Birrarung Burndap Umarkoo* and further work is ongoing.
- Yering Billabongs Project – reconnection of wetlands and billabongs in the rural floodplain at Yering, led by Yarra Ranges Council in partnership with the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation. The project is in design phase with a Cultural Values Assessment due in June 2023.
- Yarra Flats Project – involves environmental watering and restoration of remnant billabongs in the Yarra Flats, led by Melbourne Water in partnership with the Wurundjeri Woi-Wurrung and others. The project has prepared designs and conducted a trial.

## Part 2 of *Burndap Birrarung Burndap Umarkoo* – the Land Use Framework

Underpinning the land use framework is the action underway from Part 1 of *Burndap Birrarung Burndap Umarkoo* for:

....improved planning and management of the river corridor and incorporation of the Yarra Strategic Plan land use framework into local and state planning policy<sup>21</sup>

We note that, in relation to the broad directions for future land use and development along the Birrarung in Part 2 of *Burndap Birrarung Burndap Umarkoo*, the planning scheme amendment that will give effect to this has been prepared by DELWP. The Minister will now consider the amendment.

Following the amendment of the planning scheme being approved, the Land Use Framework will be referenced in regional planning policy. With a short term timeframe for this action, we should be able to see the impact of these changes by three years into *Burndap Birrarung Burndap Umarkoo's* 10 year life. We are, however, extremely concerned about what planning decisions might be made before these changes come into place for local and state planning policy. The longer it takes for the amendment to be approved, the bigger the window is for poor planning decisions to occur.

The delays in approving and enacting the Bulleen Precinct Land Use Framework Plan are an important example that demonstrates what can happen when planning decisions continue to be made in advance of new planning rules being introduced (see Box 5).

### **BOX 5 | The Bulleen Precinct Land Use Framework Plan** - an example of planning delays and the consequences

In the Government's 2017 Yarra River Action Plan, a commitment was made to an 'early start' priority project - to develop an integrated precinct plan which would provide direction on future land use changes for the Yarra corridor between Bolin Bolin Billabong and the Yarra Valley Country Club. The plan would mean that any land use changes would have to recognise the internationally significant arts and culture precinct, Traditional Owner cultural values, and environmental values of the wetlands while also providing certainty to land owners and developers.

This precinct plan has not been completed and there have been a number of decisions made affecting Yarra River lands in this area, including a new sporting complex with car parking adjacent to the River. Meanwhile, opportunities to focus some of the significant infrastructure investment occurring in this precinct, and realise the draft Land Use Framework vision of an internationally significant cultural precinct centred on the relationship between the arts, nature and Traditional Owner heritage, have been missed.

The Birrarung Council believes this way of decision making on land use is not consistent with the goals and principles of the *Yarra River Protection (Wilip-gin Birrarung murrn) Act*, and continues the past practice of treating the River and its lands as a convenient space for infrastructure such as roads and freeways, car parks, transmission lines and sporting facilities. These are examples of development that continue to be proposed without engagement with Traditional Custodians or consideration of net gain or the River's status as a living and integrated natural entity.

It is disappointing that, five years after the passage of the Act, such decision making with significant implications for the long term well-being of the River and its Traditional Custodians is still occurring.



Yarra Bend 2021

The lessons from the Bulleen Precinct Land Use Framework Plan example illustrate the risk. We strongly urge that progressing the incorporation of the *Burndap Birrarung Burndap Umarkoo* Land Use Framework into local and state planning policy be a priority for the Department of Environment, Land, Water and Planning. Until these changes are in place, we urge all state and local government entities who will be affected by these planning policy changes to make decisions that are consistent with the Act, and its Yarra Protection Principles.

Land use planning and decision making by RPEs will be a key focus of Birrarung Council reporting in the future due to their importance and impact on the Birrarung.

The Birrarung Council will be considering how directions in the Land Use Framework have started to be applied.

*Land use planning and decision making by RPEs will be a key focus of Birrarung Council reporting in the future.*

## Assessing progress

Given the early stage of implementation, it is not possible to make a comprehensive assessment of *Burndap Birrarung Burndap Umarkoo*. However the Birrarung Council believes that early indications, in the form of three projects completed and 16 underway, are positive signals of progress to come.

Some actions will play a stronger role than others in protecting the Birrarung and achieving the Community Vision. Many of these more significant actions are still in the planning stage. The Birrarung Council will take a particular interest in actions around:

- extending parkland
- managing the River's parkland as one living, integrated natural entity
- formalised partnership agreements (including resourcing being established) between Parks Victoria and Traditional Owners to manage the parkland.


We are also aware that isolated actions will usually not have the impact of linked actions, where synergies can be achieved. This linking of actions, as with partnerships between organisations undertaking action, reflects the goal of integration for the Birrarung which is at the heart of the Community Vision, the Traditional Owners' aspirations for the River, and the Act.

*...isolated actions will usually not have the impact of linked actions, where synergies can be achieved.*



# SECTION 4. CHANGE

Garambi Baan Laughing Waters



## How we are implementing change: New collaborative governance arrangements

The Birrarung Council was concerned that monitoring and evaluation of *Burndap Birrarung Burndap Umarkoo* should include some measures of change in the governance arrangement by which the Birrarung is managed, protected and - where feasible - regenerated, in order to achieve the vision of the River as a living and integrated natural entity.

There need to be changes in the involvement and agency of Traditional Owners, in how agencies involved in management of the Birrarung collaborate, and in culture and practice within each of these agencies. The Birrarung Council is therefore observing progress towards three strategic outcomes which are central to the success of *Burndap Birrarung Burndap Umarkoo*:

1. Traditional Owners are decision makers and delivery agents on their Country alongside state and local authorities
2. There is **sustained** cross organisational collaborative planning and management
3. At the individual agency level, organisational practice reflects a **sustained** commitment to implement *Burndap Birrarung Burndap Umarkoo*.

These three strategic objectives relate to **how** parties work to manage, protect and restore the Birrarung and are just as important as **what** we do (the set of actions under *Burndap Birrarung Burndap Umarkoo* discussed in Section 3). If all parties can achieve the new way of working for and with the River, then we are on the right pathway to roll out the second *Burndap Birrarung Burndap Umarkoo* action agenda, and subsequent plans.

The Council knows that it will take time to achieve these three strategic outcomes. Our role in reporting annually to the Minister, and through the Minister to the Parliament, is therefore to look at how all those involved are moving along the pathway of change, as *Burndap Birrarung Burndap Umarkoo* rolls out.

Our approach and the changes we expect to see by the end of the *Burndap Birrarung Burndap Umarkoo* are set out in Appendix 4.

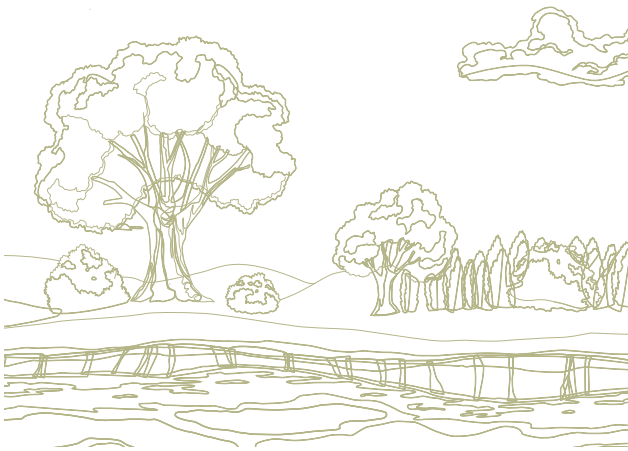
There are also **intermediate outcomes** we would expect to see along the way, if progress is being made. We have used data gathered from agencies and Traditional Owners to gain insight into the extent to which these intermediate outcomes are being met.

While acknowledging that *Burndap Birrarung Burndap Umarkoo* has only been implemented since February 2022, all those involved have been working on developing the Plan since 2018. This means that, while many of the concrete actions in *Burndap Birrarung Burndap Umarkoo* may only be starting to get underway, the changes in commitment, culture and practice required for the Plan to work are anticipated to be further progressed.



L-R: Wurundjeri Woi-wurrung Elder Aunty Margaret Gardiner (dec.), Rueben Berg, Dr. Erin O'Donnell, Neil McCarthy, Professor Wendy Steele. Image courtesy of Open House Melbourne. Envisioning the Great Birrarung Parkland as part of Open Nature 2021.





## STRATEGIC OUTCOME 1

### Traditional Owners are decision makers and delivery agents on their Country alongside state and local authorities

#### What we would expect to see

There are two intermediate outcomes we are using to assess progress against this strategic outcome:

- i. Partnership Agreements between Responsible Public Entities (RPEs) and Traditional Owners are established and embedded.
- ii. There is dedicated resourcing to support participation and capacity building of Traditional Owners.

### Partnership agreements with Traditional Owners

Having a Reconciliation Action Plan (RAP) in place is the foundation for listening to Traditional Owners but it is essentially an inward facing document that builds cultural awareness within RPEs. Having a Partnership Agreement in place is a sign of a more mature relationship, as the Agreement forms the real basis of working together and starting to walk together. Ideally RPEs should have both in place and refresh them regularly.

Traditional Owners have reiterated to the Council the point they have made through the *Burndap Birrarung Burndap Umarkoo* development process, that all RPEs should have a RAP in place.

Of the 14 RPEs charged with delivering *Burndap Birrarung Burndap Umarkoo*, most had either a RAP or a Partnership Agreement in place or were actively developing one. Only two agencies had no plan or agreement in place or in progress, with one aspiring to a Partnership Agreement and the second having no plans to do so.

As with other results, the data shows a great variation, from the agency on its third iteration of a RAP to the stakeholder with no stated plan to develop either a RAP or Agreement.

There are positive signals from a number of RPEs that they see these agreements as important to future relationships and work with Traditional Owners.

**TABLE 1 | Does your RPE have a RAP or Partnership Agreement with Traditional Owners?**

7	Reconciliation Action Plan is in place
4	Are actively developing a Reconciliation Action Plan
2	Partnership Agreement is in place
2	Are actively developing a Partnership Agreement
2	None of the above

The Birrarung Council expects that by its next report all agencies will have a RAP in place and all those who do not already have a Partnership Agreement in place will be actively working with Traditional Owners to develop one.

## Resourcing and support to participate

RPEs were clear that *Burndap Birrarung Burndap Umarkoo* needs empowered Traditional Owners collaborating and advising, in order to succeed. They were less clear on arrangements in place to support this happening.

Both RPEs and Traditional Owners were asked their views on resourcing supports provided to Traditional Owners to enable capacity building. RPEs do not have a clear picture of the supports given but believed that the best support had been in the form of social capital, the opportunities to learn and build networks/partnerships with agencies. But they were less certain whether more tangible capital benefits - in the form of financial support, human resources and facilities - had been achieved.

Local Government Authorities in particular felt they were not in a position to have a clear view.

Traditional Owners saw things quite differently. They agreed that there had been some access to funding, staff and facilities, networking and partnerships and that they had been involved in identifying concerns and problem-solving. However they disagreed that they had been given the opportunity to learn and develop new skills, and this had been disappointing.

Traditional Owners wanted RPEs, along with the many other parties they now deal with over on Country matters, to understand that genuine consultation was more than simply getting their written response on an issue. Consultation with Traditional Owners involved their working to get their Community view, and this was time consuming and costly. Those seeking Traditional Owner participation often did not understand the time and budget pressures, nor the many competing demands as Traditional Owner input is required on more and more policy and projects. They asked that RPEs, and others approaching them, respect this situation and the workload pressures as well as the inevitable delays that may result.

**TABLE 2 |** RPE views on support for Traditional Owner capacity development that has been available under *Burndap Birrarung Burndap Umarkoo* activities

	Disagree	Undecided	Agree	Strongly Agree
1. TOs have been given the opportunity to learn and develop new skills		5	6	1
2. TOs have been able to access funding, staff and facilities where required		7	4	1
3. TOs have been able to network and build partnerships with RPEs to work together on <i>Burndap Birrarung Burndap Umarkoo</i> initiatives		5	7	
4. TOs are able to mobilise their community participation, articulate a clear vision, and foster collaboration in <i>Burndap Birrarung Burndap Umarkoo</i> initiatives		8	4	
5. TOs have been actively involved in identifying concerns and problem-solving in <i>Burndap Birrarung Burndap Umarkoo</i> initiatives		7	4	2

Traditional Owners stressed that, when they highlighted the resourcing issue, they were talking about more than just funding. Resourcing might also mean:

- education and training opportunities to help with skill development
- providing specialist skills for a project, such as a hydrologist to help with a cultural values study
- secondments into Traditional Owner organisations
- information tools or data or access to specialised information or databases
- sharing project tools such as Geographic Information Systems to map and analyse data.

Traditional Owners also stressed that they wanted the opportunity for two way knowledge exchange, just as they wanted the opportunity to be involved in activities with RPEs to the extent that their resourcing permitted.

The Birrarung Council reads this difference of view, and RPEs' uncertainty about Traditional Owner supports, as arising from *Burndap Birrarung Burndap Umarkoo* being in its initial phase. Many RPEs are not yet working alongside Traditional Owners on projects, so haven't developed a clearer picture of support being provided to them. This is particularly the case for local government.

As RAPs and Partnership Agreements progress, and collaborative projects get underway, the Council hopes that all RPEs will take an active role in understanding the level and nature of support available and where gaps exist. They may be able to play a stronger role in filling gaps.

*RPEs were clear that Burndap Birrarung Burndap Umarkoo needs empowered traditional Owners collaborating and advising, in order to succeed.*

In ideas for the future, one agency is looking to transfer resources into the two Traditional Owner Corporations to support capacity and capability, to help address significant resourcing challenges being faced by the Wurundjeri Woi-Wurrung and Bunurong.

*Traditional Owners stressed that they wanted the opportunity for two way knowledge exchange*

An important unfolding issue for the future which will affect Traditional Owners' ability to be decision makers and delivery agents on their Country is their level of resourcing, broadly defined. This is directly linked to the capacity of Traditional Owners and is a priority issue for Traditional Owners.

Birrarung Council sees that there is considerable burden on Traditional Owners, with the Wurundjeri Woi-Wurrung listed as partners in 39 of the 40 actions in Part 1 of *Burndap Birrarung Burndap Umarkoo*. This burden will also fall on the Bunurong as their role in implementation becomes clearer.

Many RPEs were keenly aware that partnerships, although a positive and fundamental aspect of *Burndap Birrarung Burndap Umarkoo*, placed a burden on Traditional Owners who have struggled to meet the demands of the new collaborative model, given their resourcing.

There is an issue both about the quantum of Traditional Owner resourcing and also about the marked disparity between the capacity of RPEs and of Traditional Owners. This means that, when RPEs take the positive action of carving out specific roles for Traditional Owner engagement, optimal outcomes cannot be realised as Traditional Owners do not have matching levels of resourcing. This situation works against true partnership and against Traditional Owners being custodians for the River as envisioned in the Act.



Launch of Nhanbu narrun ba ngargunin twarn Birrarung, May 2018

## BOX 6 | RPEs' good practice in supporting Traditional Owners

There are many examples of good practice by RPEs in supporting and resourcing Traditional Owners to participate in *Burndap Birrarung Burndap Umarkoo* through partnerships.

These include:

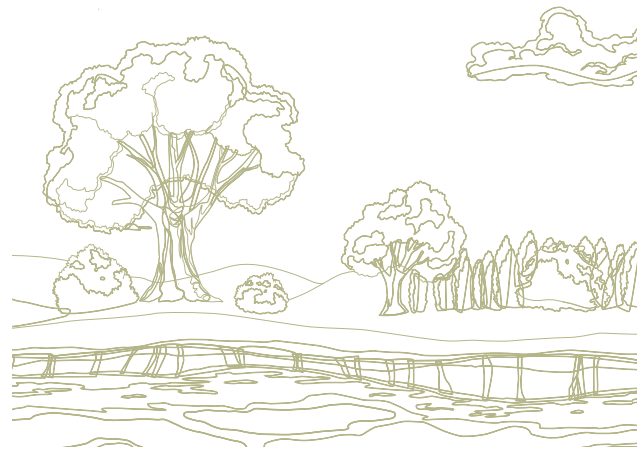
- developing a simplified funding agreements with both the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation and the Bunurong Land Council Aboriginal Corporation specifically to allow involvement in policy and strategic planning for *Burndap Birrarung Burndap Umarkoo*.
- funding a position in the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation's Water Unit.
- allocating a proportion of a grants program for Traditional Owners.
- providing in-kind support for a cultural values mapping project.
- establishing dedicated teams for engagement and partnership development with Traditional Owners.

... An issue for the future which will affect Traditional Owners' ability to be decision makers and delivery agents on their Country is their level of resourcing. ...resourcing is directly linked to capacity of Traditional Owners.

### Overall comments on Traditional Owners as decision makers and delivery agents

RPEs are at different points in the partnership journey, and are also moving at different speeds. Some RPEs need more help than others in growing mature partnerships with Traditional Owners. However, RPEs as a whole respect the role that Traditional Owners will play in *Burndap Birrarung Burndap Umarkoo* implementation and want them to be supported to play that role.

Expectations on Traditional Owners are significant and resourcing constraints will become an increasing issue as *Burndap Birrarung Burndap Umarkoo* activity accelerates. It is likely that Traditional Owners will continue to face challenges in playing their role in *Burndap Birrarung Burndap Umarkoo* as it continues to roll out, and the demands on them increase.



## STRATEGIC OUTCOME 2

### Sustained cross organisational collaborative planning and management

#### What we would expect to see

The intermediate outcomes we are looking to assess progress against are:

- i. An increased number of collaborative projects proposed and implemented.
- ii. Increased collaboration between YCC parties, both RPEs and Traditional Owners.

#### An increased number of collaborative projects proposed and implemented

The Birrarung Council expects to see a steady growth in collaborative projects proposed and implemented over time. At this early stage we are seeking to develop an indicative picture of progress, and are considering both the stage projects are at (ideation, planning and design, implementation or completion) as well as factors that underpin collaboration (the functioning of the Yarra Collaboration Committee (YCC), and the quality of engagement).

### The stage collaboration projects are at

The chart below indicates the pattern of progress on collaborations across *Burndap Birrarung Burndap Umarmoo* projects, as assessed by RPEs. The number of projects will be greater than the number of *Burndap Birrarung Burndap Umarmoo* Actions (40) as some actions involve multiple RPEs and it may include some of the 89 activities which support actions, and that were articulated in the *Burndap Birrarung Burndap Umarmoo* Implementation Plan. The significance is in the pattern across the various project stages, which shows that the majority of these projects are being implemented and a significant number are completed. This demonstrates good progress in the collaborative activity measured.

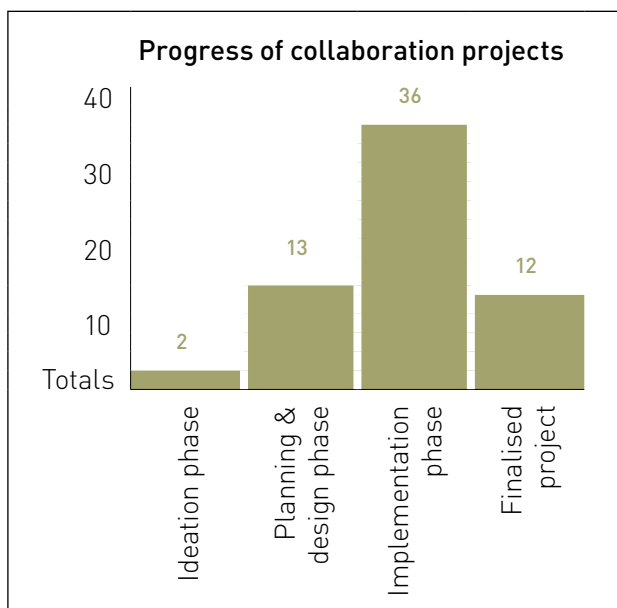


Figure 2 | Progress of collaboration projects

### Factors underpinning collaboration

#### Functioning of the YCC in the *Burndap Birrarung Burndap Umarmoo* implementation phase

The Birrarung Council notes the vital role of the YCC in developing *Burndap Birrarung Burndap Umarmoo* over a number of years, under the leadership of Melbourne Water. The resulting Plan is an important sign of good collaboration,

especially given the many agencies involved. We also note the Traditional Owner view that opportunities for them to participate more fully in the YCC had improved over time. However, for the purpose of this report, we are considering the functioning of the YCC in the most recent phase, post *Burndap Birrarung Burndap Umarmoo* approval, and specifically in terms of how it is supporting implementation of the Plan.

Both Traditional Owners and RPE members of the YCC think that the Committee's performance so far is meeting expectations in terms of collaboration, knowledge exchange, and sharing about work experiences and opportunities in order to implement *Burndap Birrarung Burndap Umarmoo*. RPEs see the knowledge and information sharing as the most valuable aspect to date. However, RPEs acknowledged that the YCC is still in early days of the *Burndap Birrarung Burndap Umarmoo* implementation phase and that opportunities to foster actual collaboration had therefore been limited.

RPEs suggested that, in future, a greater focus on lessons learnt from project development would help knowledge exchange and, in turn, identify new opportunities for collaboration. The general tenor of RPE views was positive about the potential for the YCC to be a platform for collaboration going forward.

*...if the YCC can serve as a learning exchange, with frank discussion by members about what has worked and what hasn't, this can accelerate progress to collaborative stewardship of the Birrarung.*

A further affirmation of the YCC's role in *Burndap Birrarung Burndap Umarmoo* implementation was the high level of involvement RPEs felt they had in the Committee. Traditional Owners felt that the opportunities for them to participate in the YCC have improved.

Among comments about the future YCC, RPEs said that barriers to Traditional Owners attendance and participation at YCC must be removed if Traditional Owners are truly to serve as delivery partners across activities, and meaningful partnerships and outcomes are to be achieved.

The Birrarung Council agrees with this view. The YCC will not fully serve as a collaborative platform unless Traditional Owners are fully engaged partners. We encourage Melbourne Water, as Lead Agency, to continue working to support Traditional Owner participation.

In addition, if the YCC can serve as a learning exchange, with frank discussion by members about what has worked and what hasn't, this can accelerate progress to collaborative stewardship of the Birrarung.

#### Engagement supporting collaboration

RPEs were asked their views on engagement, the precursor to collaboration (see Figure 3). They were divided in their assessments about whether there had been little or no engagement, or moderate to good engagement from all parties in *Burndap Birrarung Burndap Umarkoo* implementation. This may result from some projects (and therefore experience of engagement) getting underway early while others were slower to get off the ground.

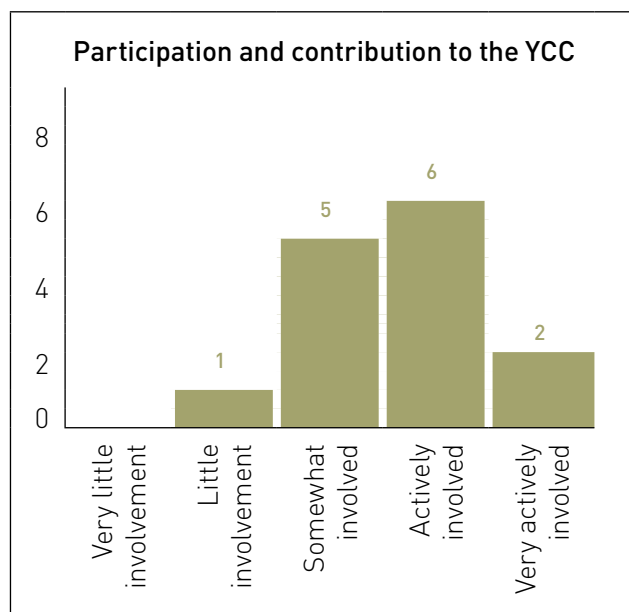


Figure 3 | RPEs' assessment of their involvement in the YCC

We also sought input about the quality of collaboration among RPEs and Traditional Owners, an outcome of strong engagement (see Figure 4).

RPEs' views were plotted to show where they believed the *Burndap Birrarung Burndap Umarkoo* parties were on a continuum from little collaboration (where RPEs and Traditional Owners were all operating independently of each other) through the successive stages of being networked, co-operating together, partnering and finally being unified as an entity. As with the views on engagement, there is a divided view. Traditional Owners thought that collaboration was still at the networking phase.

Those who have experienced poor engagement had commensurately negative views about the collaboration achieved, with the same correlation for positive experiences of engagement and assessment of collaboration. This suggests those who are engaged go on to be collaborative.

Box 7 sets out what strong collaboration could look like.

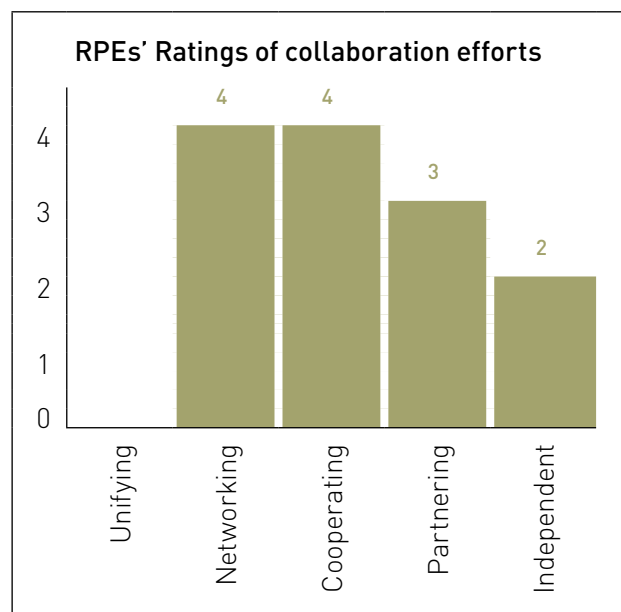


Figure 4 | RPEs' Ratings of collaboration efforts

### **BOX 7 | What strong collaboration for *Burndap Birrarung Burndap Umarkoo* implementation could look like:**

A unified and mature collaboration would:

- Merge resources to create something new
- Commit for a long period of time to achieve short- and long-term outcomes
- Identify specific short- and long term strategies and tasks
- Use formal structures to support strategies and tasks
- Have a shared organisational mission
- Show strong, visible leadership
- Have roles and responsibilities which are clear and designated
- Have a high degree of commitment and investment

is progressing as a strong collaboration between local government and Traditional Owners.

However the picture of collaboration is very varied with many RPEs, and particularly those who are LGAs, yet to embark on serious collaboration. This aligns with the Traditional Owner view that, overall, collaboration activity is still at the networking phase and that their engagement with RPEs can only be assessed as satisfactory. Traditional Owners stressed, however, that it is still early days in the life of *Burndap Birrarung Burndap Umarkoo*.

It was clear from the range of responses to our other questions about partnership with Traditional Owners that many RPEs are still working through the foundation arrangements for collaboration, rather than actually undertaking collaboration. Some RPEs spoke of their work on RAPs and some had allocated staff specifically to engage and liaise with Traditional Owners. Others spoke of naming projects or renaming facilities in language or of building cultural awareness through induction programs or broader staff training. Although these latter examples are not collaboration per se, they are part of the recognition and cultural understanding that is an important prerequisite.

## **Collaboration across YCC parties**

We sought information on all collaborations but examples given tended to be between RPEs and Traditional Owners, as these were the most common collaborations to date.

Although our focus is from February 2022, it should be acknowledged that there have been some significant examples of strong collaboration in the development phase of *Burndap Birrarung Burndap Umarkoo*. Staff from the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation's Water Management Unit had a strong involvement in development and review of the actions in *Burndap Birrarung Burndap Umarkoo*.

In the early days of *Burndap Birrarung Burndap Umarkoo* implementation, two agencies have engaged the Wurundjeri Woi-Wurrung's Narrap team on *Burndap Birrarung Burndap Umarkoo* projects. These collaborations have included waterways projects, weed management, cultural fire application, consideration of totem species habitat provision, and water quality testing training. One of the priority projects (discussed in Section 3)

*Many RPEs are still working through the foundation arrangements for collaboration with Traditional Owners.*

The mechanisms to support collaboration includes RAPS and Partnership Agreements (which are discussed under Partnership agreements with Traditional Owners earlier in this section). It also includes cultural training and cultural safety training for RPE staff; developing cultural heritage plans where needed; dedicated staff for engagement and collaboration with Traditional Owners, or these responsibilities built into job roles; and taking the time to meet and share information.

The Birrarung Council is keenly aware that we are in the very earliest days of *Burndap Birrarung Burndap Umarkoo* implementation. We would expect by our next report to see that the infrastructure for collaboration is in place and being used.



In order to build the basis for collaboration, RPEs also need to carve out time to talk with Traditional Owners and develop the relationships. The Traditional Owner view is that they want the opportunity to work with RPEs, which might be in small ways as well as on complex projects. They said, 'It is all about making the contact, then see where it goes from there'.

*Nearly all RPEs said they wanted to work more closely and constructively with Traditional Owners. This is a very positive sign*

Nearly all RPEs said they wanted to work more closely and constructively with Traditional Owners. This is a very positive sign for future collaboration. With maturing partnerships developing, we will see more projects designed and implemented to include culture based considerations in addition to the science based considerations that have informed projects to date.

We understand, though our work to create a 'walking together' approach for the Birrarung Council, that it takes time to build trusting and respectful relationships based on mutual understanding. One RPE spoke of its approach of "engaging and engaging often" while another spoke of its senior leadership meeting with Traditional Owners through regular forums.

Looking ahead, two RPEs suggested that the best way to improve collaboration in the coming year is through the planning of new projects. It was suggested that embedding the Decision Making Framework into activity planning would establish

Traditional Owners in activities and projects from the very early stages. The Birrarung Council agrees that this is fundamental to the success of *Burndap Birrarung Burndap Umarkoo*. Use of the Decision Making Framework is discussed later in this section.

## Overall comments on progress in collaboration

There is early progress on rolling out *Burndap Birrarung Burndap Umarkoo* collaborative projects but the processes which underpin these projects, and which make them successful as collaborations are still being developed. The year ahead needs to see a strong YCC, and that all RPEs make more progress in working in partnership on projects and initiatives which are in *Burndap Birrarung Burndap Umarkoo*, or which are in the spirit of the Act. There needs to be better engagement across all *Burndap Birrarung Burndap Umarkoo* stakeholders, if the potential for *Burndap Birrarung Burndap Umarkoo* to generate a new governance model of collaborative stewardship is to be realised.

RPEs' ideas for improving collaboration in 2022-23 are encouraging, in particular the desire to view activity through a more strategic lens rather than on a project by project basis, and local government's interest in working more across municipal boundaries.

These are also positive signs of a shift to see the relationship with Traditional Owners as more than just a step in a process to achieving a project or action but rather as part of a platform on which many collaborative projects will be built. We urge all RPEs to reflect on what "walking together" may mean for them.

*These are also positive signs of a shift to see the relationship with Traditional Owners as more than just a step in a process to achieving a project or action but rather as part of a platform on which many collaborative projects will be built. We urge all RPEs to reflect on what "walking together" may mean for them.*

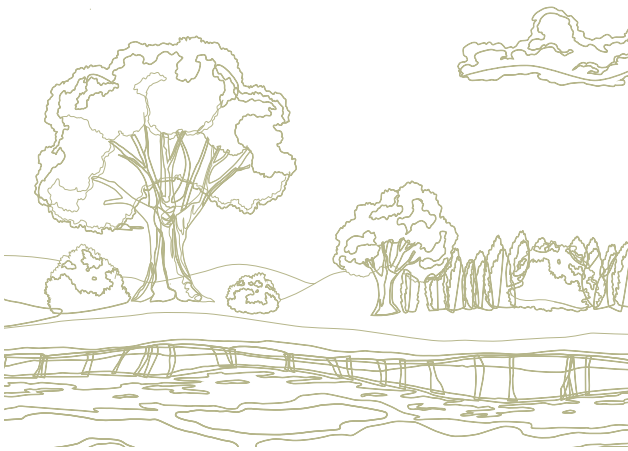


**Wurundjeri Woi-wurrung Elders Aunty Di Kerr OAM & Aunty Alice Kolasa at the Burndap Birrarung Burndap Umarkoo event in October 2022 about to lead a Water Ceremony with RPEs to seek their commitment to the Birrarung (Yarra River) and its lands.**

*RPEs' ideas for improving collaboration in 2022-23 are encouraging, in particular the desire to view activity through a more strategic lens rather than on a project by project basis.*

**Wurundjeri Woi-wurrung Elder & Birrarung Council member Aunty Di Kerr OAM delivering a Welcoming to Country at the Burndap Birrarung Burndap Umarkoo event, October 2022.**





## STRATEGIC OUTCOME 3

### Organisational practice reflects a sustained commitment to implement *Burndap Birrarung Burndap Umarkoo*

#### What we would expect to see

There are two intermediate outcomes we are looking to assess progress against:

- i. The organisation's role and progress in supporting *Burndap Birrarung Burndap Umarkoo* implementation is reported in formal and informal communications.
- ii. The *Burndap Birrarung Burndap Umarkoo* Decision Making Framework and other shared tools and protocols are actively used to guide planning and action.

In addition to survey data on communication and common tools, the Birrarung Council has also collected information on the processes, plans and systems in place within organisations and the staffing to support *Burndap Birrarung Burndap Umarkoo* implementation. This data provides a further important insight into RPEs' commitment to achieving *Burndap Birrarung Burndap Umarkoo* goals.

#### Formal and informal communications

References to *Burndap Birrarung Burndap Umarkoo* in an organisation's formal and informal communication reflect both commitment to the Plan's goals and implementation and the extent to which its activities are woven into the broader business of the agency.

In terms of internal communication, RPEs used methods including their Intranet and other social media platforms; staff emails, updates in newsletters; staff bulletins; presentations to staff and - in the case of local government - to councillor; and references to *Burndap Birrarung Burndap Umarkoo* commitments in annual plans. As is to be expected with the different scale of RPEs, internal communication methods varied as did the effort applied. Some agencies communicated about specific major *Burndap Birrarung Burndap Umarkoo* projects they were leading, rather than about the Plan as a whole. Overall, effort on internal communications was linked to the level of specific *Burndap Birrarung Burndap Umarkoo* project activity in an agency. We would expect internal communication to increase as more projects get off the ground.

Most of those RPEs who have been silent in internal communication are also yet to organise their external communication. A quarter of local government RPEs had no coverage of the *Burndap Birrarung Burndap Umarkoo* in their external-facing communication and this is a concerning indicator of the level of commitment. However others had made significant efforts, with strong use of websites to communicate. *Burndap Birrarung Burndap Umarkoo* had been included by some in public facing documents such as strategies and, in one case, the annual report. Given the broad accessibility and reach of web based content, this is an important signal of commitment by the majority of RPEs who use this mechanism. We are well aware that such content is constantly changing and being refreshed. This is an opportunity for RPEs to tell their story as it evolves, to celebrate projects and provide positive news of environmental and cultural progress.

We encourage those agencies who have not already done so to make clear their commitment to *Burndap Birrarung Burndap Umarkoo* through future internal and external communications.



Scarred trees Dights Falls 2018

## Use of the Decision Making Framework

*Burndap Birrarung Burndap Umarkoo* includes a Decision Making Framework (DMF) for RPEs to use for activities or decisions that may affect Yarra River Land. The Framework is designed to be used across routine business activities, local projects and the more significant, transformative projects.

Some RPEs are starting to apply aspects of the DMF for routine business activities, mostly by starting to take the Yarra Protection Principles in the Act into consideration. Others have yet to commence even this light touch version of the DMF for these routine activities. There is a similarly limited application for both local projects and transformative projects. However, one RPE which has commenced a major and transformative project is undertaking design in close consultation with Traditional Owners, in line with that aspect of the DMF, in order to recognise and celebrate Aboriginal culture and knowledge along the Birrarung.

Overall, the DMF is yet to be applied either as intended or consistently across all eligible projects and decision making. The Birrarung Council expects that, by our next report, the DMF will be being used as designed and intended. We anticipate that the concept of net gain, as discussed in section 3, will be embedded in the DMF in future and used in assessing transformative projects.

As *Burndap Birrarung Burndap Umarkoo* gains momentum, the Birrarung Council will look at how other shared tools and protocols are being used to guide planning and action, in addition to how the DMF is being applied.

## Other indicators: Processes, systems and staffing to support *Burndap Birrarung Burndap Umarkoo* implementation

### Plans, committees, staff training

There was an uneven picture of *Burndap Birrarung Burndap Umarkoo* values being reflected in organisational strategies and plans. This ranged from organisations' strategic plans which were in sympathy with the values of *Burndap Birrarung Burndap Umarkoo* - referring to collaboration, Aboriginal self-determination and climate change response - to *Burndap Birrarung Burndap Umarkoo* being reflected in precinct plans, or topic based environmental and water management plans or action plans.

In terms of committee structures, some RPEs had high level cross organisation committees which have or will have *Burndap Birrarung Burndap Umarkoo* as a standing agenda item, while others had working groups dedicated to *Burndap Birrarung Burndap Umarkoo* project roll out.

The strongest processes related to staff, either through induction education, training in the role and /or *Burndap Birrarung Burndap Umarkoo* relevant accountabilities built into job roles and performance plans. Staff education and accountability included cultural awareness and cultural safety training.

For some agencies, integrated water management policies and processes are still being developed, and will have flow on effects for creating a focus on *Burndap Birrarung Burndap Umarkoo*.

In future we would hope to see a more consistent focus on the *Burndap Birrarung Burndap Umarkoo* across RPEs through mechanisms such as inclusion in key planning, strategy and policy documents; as an agenda item for meetings of senior decision maker; and inclusion in reporting, action and risk registers.

The emphasis on staff training and accountability is positive and we look forward to further roll out across all RPEs. Work in this area is important as a foundation strategy to embed *Burndap Birrarung Burndap Umarkoo* values and support its implementation and is relatively easy to introduce.

### Staffing to support *Burndap Birrarung Burndap Umarkoo* implementation

The allocation of staff to *Burndap Birrarung Burndap Umarkoo* implementation is still underway for many, particularly those without a significant project involvement in this early phase. Most have at least a part time project officer assigned at this stage along with some management oversight. Many RPEs, particularly LGAs, did not have significant involvement at the Senior Executive level.

Where executives were involved, RPEs were using regular committee meetings and forums to report on *Burndap Birrarung Burndap Umarkoo*.

### Overall comments on building organisational commitment to *Burndap Birrarung Burndap Umarkoo*

RPEs have constructive ideas on how to improve organisational commitments and these ideas align with the Birrarung Council's assessment of where current weaknesses lie. RPEs' ideas include increasing executive level awareness and buy in; listing *Burndap Birrarung Burndap Umarkoo* as a standing item on high level committees (for those not already doing this); boosting staff awareness; using the DMF to assess projects; and using existing reporting arrangements to track progress of *Burndap Birrarung Burndap Umarkoo*.

These are sensible improvement strategies, which address the weaknesses in internal communications, processes and systems evident in the survey findings. If RPEs can action these ideas, they can bring staff with them on the change journey and the commitment to *Burndap Birrarung Burndap Umarkoo* will strengthen across organisations.



# SECTION 5. FUTURE

Birrarung Marr



## Our conclusions and directions for the future

In this section we provide our conclusions about the work undertaken to date to implement *Burndap Birrarung Burndap Umarkoo*. Using this as a basis we then outline the directions and areas of particular focus that are required in the coming year and beyond, if *Burndap Birrarung Burndap Umarkoo* is to realise its potential.

## Conclusions

Overall, the Birrarung Council believes that there has been a good start to *Burndap Birrarung Burndap Umarkoo* implementation. Many actions are progressing, Traditional Owners' central role is acknowledged and preparatory work is being done to build collaboration. The Council believes that there is support for *Burndap Birrarung Burndap Umarkoo* and that commitment will continue to build across Responsible Public Entities (RPEs).

We also make more detailed observations in relation to:

- actions achieved so far
- progress and commitment to partnership with Traditional Owners
- progress and commitment to collaborative governance of the River and its lands
- commitment to land use decision making consistent with the Land Use Framework Plan in *Burndap Birrarung Burndap Umarkoo*
- the Decision Making Framework (DMF) for planning and decision making affecting the River and its lands
- progress in implementing a vision for the Birrarung Parkland.

## Actions

There has been a good start in the first months of *Burndap Birrarung Burndap Umarkoo* implementation, with three actions completed and 16 in progress. It will be important that some of the more critical actions, which are often the most challenging, are progressed. Many of these more critical actions are still in the planning stage. In particular, there is still to be progress on most park management actions, and on actions affecting water quality.

It is important that actions not be undertaken in isolation, but are linked wherever possible to deliver greater impact. There is a risk that *Burndap Birrarung Burndap Umarkoo* is seen as a set of projects, rather than being understood through a more strategic lens.

## Partnerships with Traditional Owners

There is a major expectation on Traditional Owners through *Burndap Birrarung Burndap Umarkoo*. Although this is one of the strengths of the Plan, it also places significant responsibility and workload on Traditional Owners, who are involved in 39 of the 40 Actions and feature significantly in the five priority projects. Current resourcing of Traditional Owners is not adequate for the level of participation and partnership envisaged in *Burndap Birrarung Burndap Umarkoo*. This may mean that the pace of progress on some actions is slowed.

In many cases, Traditional Owner partnerships with RPEs are not yet mature. RPEs are at different points and moving at different speeds on the partnership journey. The Council hopes that, as more projects get underway and parties work together, that genuine partnerships will grow.

It is however promising that both RPEs and Traditional Owners believe that the groundwork for partnership has been laid. RPEs were clear that *Burndap Birrarung Burndap Umarkoo* needs empowered Traditional Owners, working as partners, in order to succeed. This is a good base on which to build.



## Collaboration

Collaboration – mostly between RPEs and Traditional Owners - is starting. There is joint decision making on the YCC as well as through some joint project activity. However, the picture is varied. There is still a risk that RPEs may just want to look after their patch and not share broader responsibilities. We hope to see the further development of collaborations in the year ahead.

In the case of collaboration with Traditional Owners specifically, many RPEs are still building the foundation arrangements for this and are yet to embark on serious collaboration. However, early signs are promising and RPEs and Traditional Owners had many ideas for improving collaboration over the next phase of *Burndap Birrarung Burndap Umarkoo*, including better use of the YCC.

## Land use decision making and planning

There is a risk for the River lands until such time as the *Burndap Birrarung Burndap Umarkoo* Land Use Framework is incorporated into local and state planning policy: planning and land use decisions could be made in the meantime which are inconsistent with Yarra Protection Principles and the Act as a whole. The Birrarung Council is concerned that decisions with serious impacts on the River may be made in the window before planning changes have come into effect.

These decisions are not easily undone, if at all, and we live with the consequences in the very long term.

It is positive that the time frame for the action to incorporate the *Burndap Birrarung Burndap Umarkoo* Land Use Framework into local and state planning policy is one to three years, and that work has been commenced with the preparation by DELWP of the amendment that will give effect to the Framework.

## Decision Making Framework

The DMF is a vital tool to help RPEs make good planning and land use decisions. However, in these early days, use of the DMF is just starting. For those who have started applying it, their application is typically for routine activities rather than for larger and more significant projects. As *Burndap Birrarung Burndap Umarkoo* rolls out, the DMF can test proposed activities and decisions to see if they are consistent with the Act, and if Traditional Owners are appropriately involved.

The Act's Yarra Protection Principles state that there should be a net gain for the environment in the area of Yarra River land arising from any individual action or policy that has an environmental impact on the Birrarung. The DMF is one vehicle to consider and deliver net gain for all projects and investments that may impact the River and its lands. Its use is especially important when 'transformative' projects are undertaken (that is, major projects aiming to deliver transformational change in the River's corridor, undertaken through the YCC with the support of the Lead Agency)<sup>22</sup>. This is yet to occur.

## Birrarung Parklands

It is four years since the initial declaration of the Parkland under the Act. In *Burndap Birrarung Burndap Umarkoo* there are actions that relate to developing a consistent conservation, cultural and visitation brand identity for the Yarra and its parkland; supporting national and international recognition of, and investment in, the Yarra's parkland; and investigating opportunities to extend the area of parkland. We would expect there to be rapid progress on these actions in the immediate future.

Other actions relating to park management capture the need for a new model of stewardship which is a key theme of the Act. However, these set of actions have not progressed, with most still in the planning phase. This lack of progress is concerning.

Protecting the parkland and realising its potential as an integrated whole should be a priority, yet this is one of the areas of action with the slowest start to activity.

## Directions for the future

From the data the Birrarung Council considered, there are a number of areas which warrant special focus and effort so that *Burndap Birrarung Burndap Umarkoo* really gathers momentum. We have therefore set out directions for the future.

### Commitment to *Burndap Birrarung Burndap Umarkoo*

We expect to see commitment to *Burndap Birrarung Burndap Umarkoo* building as it moves into its second year. As commitment varies across RPEs, there are some practical strategies that can be used to build that commitment within each agency.

We advocate the following actions for the future:

- Every RPE should make clear statements in their internal and outward facing communications about their role in *Burndap Birrarung Burndap Umarkoo*.
- RPEs should use mechanisms such as including *Burndap Birrarung Burndap Umarkoo* goals and activities in key planning, strategy and policy documents, in agendas for meetings of senior decision makers, and in reporting, action and risk registers.

### Partnerships with Traditional Owners

To accelerate the development of mature partnerships, we propose that:

- By June 30 2023 all agencies should have a Reconciliation Action Plan in place and be actively using this as a basis to work with Traditional Owners. All RPEs should also be actively working on a Partnership Agreement, if they do not already have one in place.
- RPEs should work towards real integration between plans with Traditional Owners and resulting actions, so that RAPs and Partnership Agreements serve as a genuine basis for change going forward.

To start to address the imbalance in resourcing between RPEs and Traditional Owners we propose that:

- All parties work together to identify possible ways that resourcing needs can be better met. This may include funding, in kind support, providing or sharing training opportunities, and providing data and information.



## Collaboration

In addition to the collaboration that will grow as projects progress, the YCC can play an important role in helping build collaboration:

- YCC members should develop that forum to serve as a learning exchange, with frank discussion by members about what has worked and what hasn't, in order to accelerate progress to collaborative stewardship of the Birrarung. YCC members should also share their ideas for growing organisational commitment to the *Burndap Birrarung Burndap Umarkoo*.
- Melbourne Water, as Lead Agency, should continue working to support Traditional Owner participation in the YCC.

## Land use decision making and planning

- The Department of Environment, Land, Water and Planning should make progress to incorporate the *Burndap Birrarung Burndap Umarkoo* Land Use Framework into local and state planning policy a priority.

## Decision Making Framework and net gain

The Birrarung Council will be looking to see progress on the action relating to net gain over the next 12 months and a reframed approach to net gain embedded in the DMF in the near future. Progress over the next 12 months on these fronts can be better achieved by the following:

- Melbourne Water, as Lead Agency working through the YCC, should remind RPEs about the need to embed the DMF into activity planning.
- All RPEs should start using the DMF across projects, as intended under *Burndap Birrarung Burndap Umarkoo*.
- The concept of net gain should be used in the DMF to be applied by RPEs undertaking all projects affecting the River, and particularly for transformational projects.

## Birrarung Parklands

*Burndap Birrarung Burndap Umarkoo* includes a vision developed by the YCC and 10 actions related to the Yarra parkland. Progressing these actions will be critical to realising the Community Vision and the goals of the Act. Our ideas represent a more ambitious agenda for the parkland, which we encourage all those involved in River management to consider, but in the near term the focus should be on:

- creating a stronger identity for the Parkland locally, nationally and internationally.
- formalising a role for Traditional Owners in the planning and management of the Parklands corridor.
- integrating and aligning investment and management of lands in the Parklands corridor to enhance the use and enjoyment of the Parkland and the conservation of the environment consistent with the status of the River as a 'living entity'.
- acquiring and reconnecting the existing nominated land parcels along the Birrarung River corridor and integrating place-based stories and culture into low-impact infrastructure and design that enables net gain for the River.
- creating ecological net gain for the Birrarung including a 'Special Landscape Overlay' within the state planning scheme.

*The Birrarung Council's ideas represent a more ambitious agenda for the Birrarung Parklands, which we encourage all those involved in River management to consider.*

## Our approach for future reporting

In our next year's report, with more progress and more data, we will consider the extent to which *Burndap Birrarung Burndap Umarkoo's* four performance objectives are being achieved and what other indicators of improvements in the River can be observed.

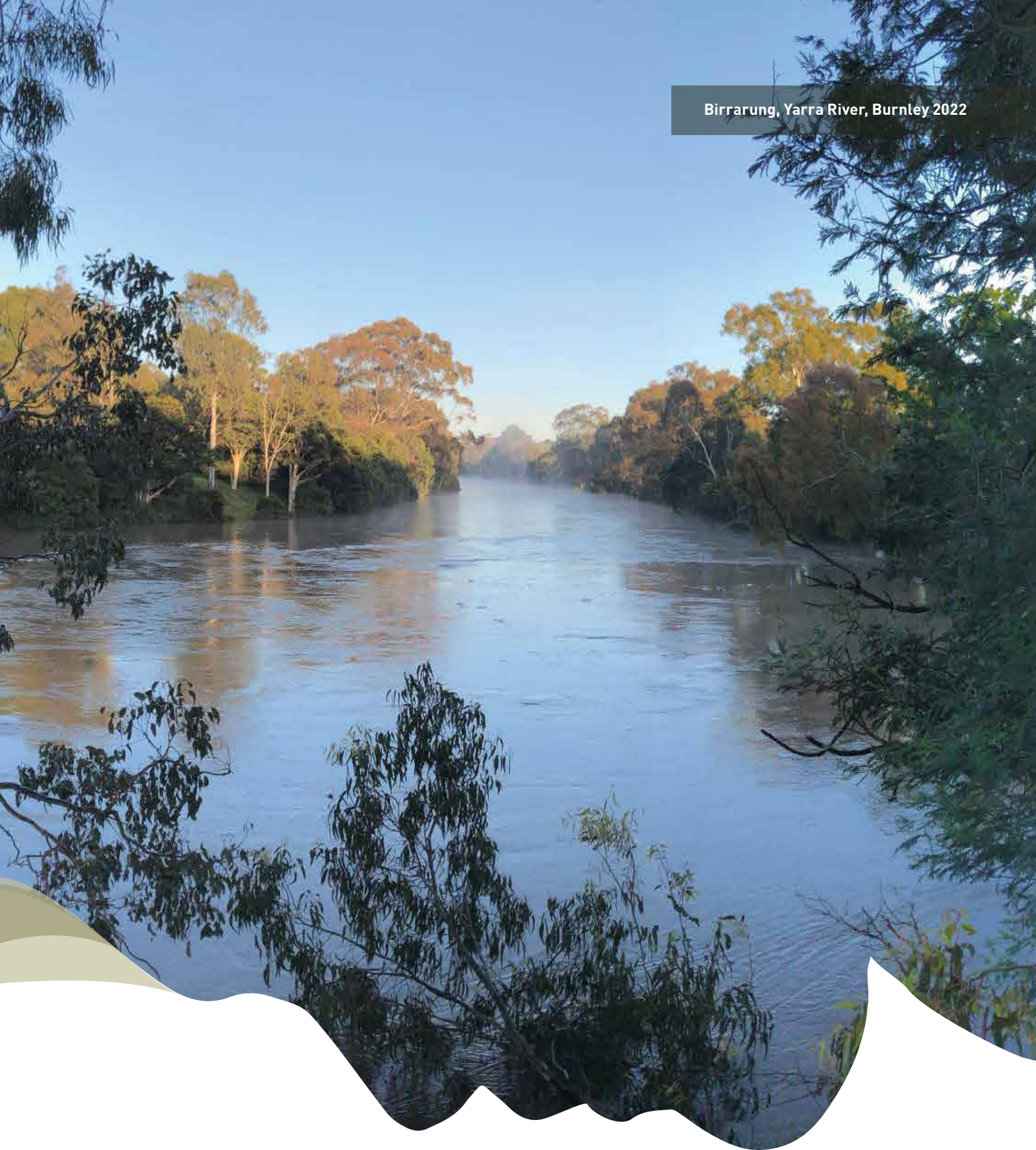
We will also be resuming our enquiry process with RPEs, to gather more information about how the Yarra Protection Principles from the Act are being observed and additional detail of their *Burndap Birrarung Burndap Umarkoo* implementation activity. We will continue to use the survey of RPEs and Traditional Owners to collect data on how the new *Burndap Birrarung Burndap Umarkoo* governance arrangements are being built and used.

In addition to general progress in implementing the projects and actions in *Burndap Birrarung Burndap Umarkoo* future monitoring and reporting by the Birrarung Council will have a particular focus on those actions we have flagged as critical, and on the areas in which we have drawn conclusions and suggested future directions.



*The Birrarung is alive, has a heart, a spirit and is part of our Dreaming.  
We have lived with and known the Birrarung since the beginning.  
We will always know the Birrarung.*

*Yarra River Protection Act (Wilip-gin Birrarung murron) 2017, Preamble*





# APPENDICES

Fins Reserve 2021



## APPENDIX 1

### Sections of the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* relevant to the reporting and other functions of the Birrarung Council

#### Section 48 Functions and powers of the Council

- (1) The main functions of the Council are—
- a) **to provide advice to the Minister—**
    - (i) generally in relation to the administration of this Act; and
    - (ii) on particular matters on which its advice is sought relating to the protection and improvement of Yarra River land; and
    - (iii) **on the development of a Yarra Strategic Plan**, including the scope and adequacy of public participation processes<sup>23</sup>; and
    - (iv) on the implementation of a Yarra Strategic Plan; and
    - (v) on the operation and effectiveness of a Yarra Strategic Plan and its contribution to the protection and improvement of Yarra River land, and the environmental, cultural and heritage values of Yarra River land, including the waterway health of the Yarra River; and
  - b) to advocate for protection and preservation of the Yarra River.

#### Section 57 Report of the Council

- (1) The Council must **report to the Minister on the implementation of a Yarra Strategic Plan** by responsible public entities
- (2) A report under subsection (1) must be made on or before 31 October each year after a Yarra Strategic Plan has come into operation under section 38.

#### Section 44 Lead agency to prepare annual report for Council

The lead agency must prepare an annual report from the information provided to the agency ... and give the report to the Council to assist it with its functions under section 57(1).

## APPENDIX 2

### Responsible Public Entities

Department of Environment, Land, Water and Planning

Department of Transport

Banyule City Council

Boroondara City Council

Manningham City Council

Melbourne City Council

Melbourne Water

Nillumbik Shire Council

Parks Victoria

Stonnington City Council

Victorian Planning Authority

VicTrack

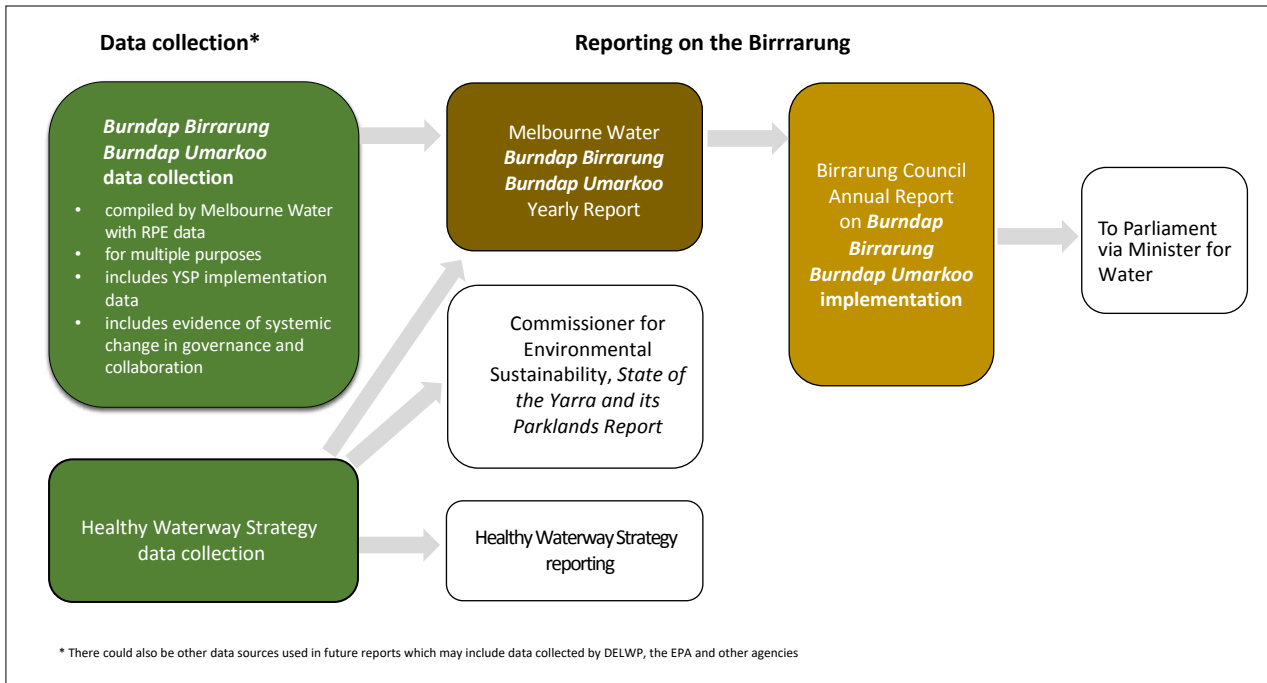
Yarra Ranges Council

Yarra City Council



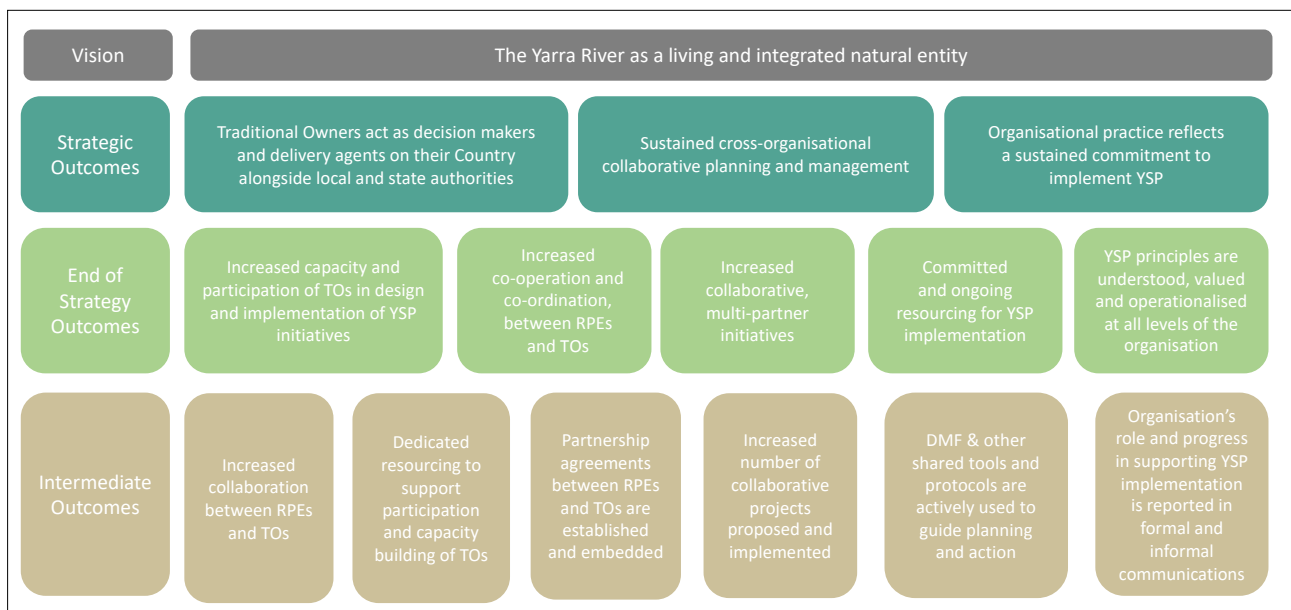
## APPENDIX 3

### Burndap Birrarung Burndap Umarkoo - data collection and reporting



## APPENDIX 4

### Monitoring and evaluation framework to assess new Burndap Birrarung Burndap Umarkoo governance arrangements



## ENDNOTES

1. *Burndap Birrarung Burndap Umarkoo*, Yarra Strategic Plan, First Annual Report 2021-22, Table 4, p.23.
2. Action 4 in *Burndap Birrarung Burndap Umarkoo*, , *Yarra Strategic Plan, A 10-year plan of the Yarra River Corridor, - 2022 to 2032*.
3. Action 36.
4. Action 38.
5. Actions 6, 7, 8 and 9.
6. Actions 10, 12, 13 and 15.
7. Actions 17 and 19.
8. Action 5.
9. Action 25.
10. Action 37.
11. Action 33.
12. Action 39.
13. Action 12.
14. Actions 29-33.
15. Action 29.
16. Action 31.
17. Action 33.
18. Actions 34 and 35.
19. Action 1: 'Develop a place-based pilot project... to explore innovative re-use of stormwater...'  
Action 2: 'Implement a Yarra-specific stormwater awareness and behaviour change campaign targeted at reducing litter and contamination entering the Yarra River'.  
Both have Melbourne Water as lead. Action 1 has a 4-7 year timeframe and action 2 has a 1-3 year timeframe.
20. Action 3: 'Action 3: 'Increase education, awareness and regulatory compliance to reduce pesticides and chemicals entering the river.... This action has Melbourne Water as lead with a 1-3 year timeframe'.
21. Action 39.
22. See *Burndap Birrarung Burndap Umarkoo*, Yarra Strategic Plan, A 10 Year Plan for the Yarra River corridor 202-2032 pp. 152-155.
23. The Birrarung Council reported to the Minister on *Burndap Birrarung Burndap Umarkoo* / YSP Public consultation processes in 2021.

## ABBREVIATIONS

<b>DELWP</b>	Department of Environment, Land, Water and Planning
<b>DMF</b>	Decision Making Framework
<b>EPA</b>	Environment Protection Authority
<b>LGA</b>	Local Government Authority
<b>RAP</b>	Reconciliation Action Plan
<b>RPE</b>	Responsible Public Entity
<b>The Bunurong</b>	Bunurong Land Council Aboriginal Corporation
<b>The Wurundjeri Woi-Wurrung</b>	Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation
<b>TOs</b>	Traditional Owners
<b>YCC</b>	Yarra Collaboration Committee
<b>YSP</b>	Yarra Strategic Plan

## GLOSSARY

**Greater Yarra Urban Parklands** – Gazetted parkland as defined under the Yarra River Protection (*Wilip-gin Birrarung murrn*) Act 2017.

**Birrarung Parkland** – *Burndap Birrarung Burndap Umarko* (Yarra Strategic Plan) definition of a vision for publicly accessible parkland associated with the Yarra River corridor.

**Great Birrarung Parkland** – the Birrarung Council's vision for a holistic view of the lands belonging to the River.





BURNDAP BIRRARUNG BURNDAP UMARKOO

*What is good for the Yarra is good for all*