Tackling our water crisis

How sustainable is the government's strategy for southern Victoria?

Concerned Waterways Alliance

ENVIRONMENTAL JUSTICE AUSTRALIA

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Introduction

The Sustainable Water Strategy for Southern Victoria

The Victorian Government is preparing a Sustainable Water Strategy (SWS) for the Central and Gippsland region of Victoria, south of the Great Dividing Range.

This SWS is the first of a second round of regional sustainable water strategies to be prepared – the initial round of SWSs were developed in the late 2000s and early 2010s in the context of the Millennium Drought.

The SWS is required to set the strategic agenda for managing Victoria's water resources (in southern Victoria) for the next 10 years. It must:

- find ways to improve the environmental condition of rivers and wetlands in the region;
- address the impacts of climate change; and
- provide for secure water supplies for cities, towns and agriculture.

This SWS will be crucial because it will be the first attempt seriously to tackle water issues in the actual, unfolding climate crisis.

The issues

Southern Victoria, south of the Great Dividing Range, is home to globally important wetlands and wildlife, and iconic forests that are loved and valued by millions of people.

The temperate rivers and wetlands of southern Victoria are the foundations of ecosystems on which we all depend. They are incredibly diverse, ranging from alpine zones to vast forests, extensive lake systems, agricultural areas, coasts and oceans, and cities.

The good health of our local rivers makes all life possible. Whether it's a pristine alpine stream or a modified suburban creek, every waterway brings life, joy and prosperity to its community.

But most rivers and wetlands of southern Victoria are stressed by over-extraction of water and urban or catchment impacts. Some of our most stressed rivers already give up as much as 80% of their water for consumptive use in dry years and struggle to reach the sea. Rivers are disconnected from their floodplains, forced into channels and shifted away from their natural flow patterns. Platypus, turtle, fish, frog and waterbird populations are dwindling as a result.

Climate change is compounding an already bad situation. The Victorian Government is well aware of this state of affairs, as its 2020 Long Term Water Resource Assessment demonstrates.[1]

Compared to the historic average, the amount of water flowing into our rivers, lakes and wetlands has already declined by as much as 21% over the past 10–15 years. On average, they could lose a further 40% over the next 40 years. We can expect long periods of intense drought, interspersed with extreme rainfall and flooding. Seasonal patterns of rainfall are changing and catchments and soil profiles are drying out in response. Our landscape is subject to desiccation, and not even the largest floods can cancel that out and restore the deficit we are experiencing.

The climate crisis is also a water crisis.

Various river ecosystems are being pushed closer to tipping points from which they will not be able to recover. For example, rising sea levels coupled with low freshwater flows are altering estuary dynamics and salinity. This is causing changes to fish populations to the extent that some species may soon be locally extinct. The same thing is happening to the plants, water bugs and other creatures that call the estuary home until all of a sudden a tipping point is reached from which the normal populations cannot recover and the estuary changes into a different and degraded (impoverished) type of ecosystem.

Rivers that are disconnected from their floodplains or subject to prolonged low flows can reach a similar tipping point and change to a new, more degraded state. Human activities in catchments, such as logging, industrialised agriculture and mining, are contributing to those tipping points, as is the increased risk of intense bushfire in drying landscapes.

The problem is we don't know exactly when these tipping points will be reached or what the consequences will be. We are likely entering some tipping points now.

Keeping water in natural landscapes – in rivers, wetlands, forests, floodplains – will be a fundamental buffer to the worst effects of climate change. If we don't do that, not only will those landscapes dry out (dessicate) further, they will actively contribute to the climate crisis by the loss of carbon-rich 'sinks'. Their capacity to store carbon declines as waterways are lost, and extra carbon is emitted as plants and animals die off at scale.

We need to take a strong and effective precautionary approach so that we never reach that point. Under Victorian law, this is the job of a Sustainable Water Strategy. It is required to find ways to improve the environmental condition of rivers and wetlands. An effective strategy should develop science-based targets that avoid the long-term collapse or serious impairment of water ecosystems and include consideration of system resilience. They should be the basis for water recovery targets for rivers designed to reduce extractions to a long-term sustainable level and prevent us from reaching tipping points.

Here we take a look at how well the draft Central and Gippsland Region Sustainable Water Strategy tackles this problem, what the blockers are to progress and how we can overcome them.

1 DELWP (2020) Long-Term Water Resource Assessment for Southern Victoria

The draft strategy

The draft Central and Gippsland Region Sustainable Water Strategy (CGRSWS) makes two important admissions:

1. Climate change is happening now and causing a very real reduction in streamflows across southern Victoria, and that this situation is likely to get worse; and
2. The rivers of southern Victoria cannot afford to give up any more water. Extracting more water from rivers or aquifers would cause serious ecological damage and the government will have to look to alternative sources to provide adequate supplies for a growing population.

This concept of diversification of water supplies to include 'manufactured water' is crucial to the success of the strategy in meeting future demands, especially in towns and cities. Diversification of supply does not, however, solve the problem of existing over-extraction of water or the damage being caused to rivers by climate change. Science tells us that if rivers are to continue to function as rivers, that is, as living entities with intact ecological processes, they need a bigger share of their own water. This means we need to take less water out of rivers, which in turn means that we must use less.

This is the missing heart of the draft CGRSWS. The government continues to treat water supply as if it were a 'magic pudding' and that all needs can be met without anyone having to suffer any pain even when the size of the pudding is shrinking rapidly. The government is proposing a quadruple bottom line approach: that water resources will support economic, social, environmental and (to its credit) cultural values. But there is simply not enough water available to do all of this. For as long as economic uses continue to take priority over social, environmental and cultural uses, our rivers will suffer the cost.

The draft CGRSWS projects increased demand for water, particularly for urban use, and sketches out how this demand could be met through increased use of 'manufactured' water – including stormwater, recycled water and desalination – and by demand management, increased water use efficiency and integrated water management. It does not give much attention to water use in agriculture, even though it accounts for 35% of water use in the region and is the major user in many catchments. Rather it proposes a potential opening of new irrigation areas and increased agricultural water use. Managing the cumulative impacts of small users such as farm dams and stock and domestic use of both surface and groundwater is postponed for future consideration.

The draft CGRSWS does not set strong, science-based targets for water recovery to protect rivers as living entities, connected to their floodplains and with intact ecological processes that support all life. Instead it proposes minimal flows, just enough to keep the river from keeling over all together, delivered over a time frame that may be too long to prevent the local extinction of some species.

Nor does the draft CGRSWS set out clear steps and actions to recover water for rivers, relying instead on yet-to-be-defined augmentations to urban water supply that will substitute for diverted river water. It's too little, too late compared to the desperate situation our rivers are in.

The Concerned Waterways Alliance

The Concerned Waterways Alliance is a network of community groups who share a deep concern about the degraded state of rivers across southern Victoria. We came together in mid-2021 specifically to provide input to the Central and Gippsland Region Sustainable Water Strategy to get the best possible results for our rivers. We span the region from the Otways to East Gippsland with members representing all the major rivers and many smaller creeks. We created a detailed submission[2] that covered areas of concern common to all our groups and we have had many subsequent in-depth conversations with the SWS team at DELWP. Environmental Justice Australia provides support and coordination for the Alliance.

2 Sustainable Strategy for Water - Environmental Justice Australia (envirojustice.org.au)

Progress since release of the draft strategy

The Concerned Waterways Alliance of community and environment groups from across southern Victoria made a detailed and comprehensive submission to the draft strategy. We made recommendations to strengthen the strategy and make it more responsive to the crisis facing our rivers.

Since the end of the submission period, members of the Alliance have been in intensive discussions with the CGRSWS team at the Department of Environment, Land, Water and Planning (DELWP) advocating for our proposals for improved river health. While our central recommendation for strong science-based targets for water recovery to protect rivers has not yet been acted on, DELWP has indicated that it will provide more information on how the water recovery targets have been set and what they are intended to achieve, and greater clarity about how they will be achieved.

As a result of our discussions, we have made progress in some important areas:

1. **A mechanism to reduce the amount of water taken out of rivers for consumption**
   DELWP is working on a proposal to reduce the volume of water that water corporations are entitled to take from rivers. This will occur progressively over time, hopefully in a manner analogous to meeting climate change targets, and it is a genuine step forward in providing rivers with a sustainable share of their own water. The scale of the reduction is not yet clear, nor the precise terms of the provisions implementing it.
2. **Restrictions on the issue of new licences**
   We have called for a moratorium on the issue of new licences for water extraction (surface and groundwater). DELWP has responded by prioritising Traditional Owner and critical human needs in decision making on unallocated water. While this is not a comprehensive moratorium nor will it meet Traditional Owner aspirations for water justice, it is an improvement on previous policy to release a portion of unallocated water on the open market. Note that under current laws this outcome does not directly affect water diversions for stock or domestic use (so-called 'private' or section 8 rights).
3. **More sustainable groundwater use**
   Groundwater management is to be reviewed across Victoria through the Victorian Groundwater Management Strategy, GM2030. Since all groundwater is allocated under s51 licenses, we are hoping the strategy will be a catalyst for systematic review of these licenses and the adoption of sustainability principles in the setting of caps on extraction.
4. **Cumulative impacts of small water users**
   DELWP is proposing a study of small water users in the upper Maribyrnong and Moorabool catchments over the next 12 months, with a view to gathering information on who is using water, how much and for what purpose. This work should inform policy responses to the challenges of adverse cumulative impacts on water ecosystems from multiple sources of diversion and interference in natural water systems, and future management options for farm dams and fairer sharing of water between users.
5. **Contaminants in recycled water**
   Our advocacy has elevated the issue of contaminants in recycled water and enabled a more open public conversation about risk. We expect to see stronger guidelines for the release of recycled water into rivers and further research and risk mitigation strategies for emerging contaminants and 'forever' chemicals such as PFAS.

The blockers

The magic pudding approach to water has consequences. It means that difficult issues are avoided and hard conversations postponed until a crisis point is reached, at which point a rushed decision is made and precaution thrown out the window. A Sustainable Water Strategy is intended precisely to avoid these types of crises.

Past practice invariably points to the integrity of rivers and wetlands being further compromised and degraded under such scenarios. A classic example occurred at the height of the Millennium Drought when Geelong was running short of water. Barwon Water used its entitlement to pump groundwater from the Barwon Downs borefield to near-maximum extent which had a catastrophic effect on the nearby Big Swamp and ultimately the Barwon River. Groundwater drawdown exposed acid sulphate soils which poisoned the swamp and caused a fish kill in the river. Barwon Water has since been ordered to remediate the damage and its groundwater license has been cancelled, but only after the damage was done and community outrage forced action.

Had a more precautionary approach been taken and alternative sources of water for Geelong (such as manufactured water) provided in a timely manner the catastrophe could have been avoided. Whether or not damage to Big Swamp was immediately predictable, a precautionary approach would have required recognition of very high degrees of uncertainty associated with groundwater extraction, combined with potentially serious threats to wetland environments across an entire sub-catchment of the Barwon River, and a response anticipating and designed to prevent serious environmental degradation. Appropriate precaution must be more than mere lip service to this principle.

The decline in condition of the Gippsland Lakes is another case in point. Rather than acknowledging that the status of the lakes is changing and the values of the Ramsar site are under threat, Government agencies have tended to compartmentalise and minimise issues such as climate change, dredging at Lakes Entrance, rising salinity, toxic contaminants, agricultural runoff and reduced freshwater inflows due to overextraction.

The reality is that the Lakes are already at or past a tipping point from an essentially freshwater/brackish system to a saline/marine one, and a polluted one at that. To fail to acknowledge this reality is a species of denialism and affects Australia's international legal obligations to maintain the ecological character of the Gippsland Lakes, which is in jeopardy.

The magic pudding approach means that unpalatable options tend to get left off the table. In so far as it addresses the crisis confronting our rivers, the draft CGRSWS is largely founded upon a strategy of substitution of new sources of water for river water. In resolving the problem of consumptive use, particularly urban water supply, as a priority, there is no real imperative or driver to resolve water-dependent environmental problems which are an afterthought in this approach.

If the CGRSWS were to identify an environmentally sustainable level of take, and return water to the environment to meet that level, it would keep water in rivers and aquifers for their natural function and the benefit of communities. Well-resourced industries that have historically depended on easily accessible water from rivers would be compelled to find other sources of consumptive water or seriously address the restructuring they will invariably have to face in the near- to medium-term future. Changing baselines resulting from climate crisis not only affect environmental assets such as rivers and wetlands but industries that tend to take those assets and unfettered access for granted.

Without addressing the underlying institutional and economic settings that would compel a transition to a sustainable water future, we risk delaying and compromising the comprehensive structural solutions that are necessary for a sustainable water strategy. We need to have some serious discussion about the costs

and benefits of different approaches and how they can be used to restore rivers as well as meeting additional demand. For example, to simply say that treating recycled water to a high standard suitable for a variety of uses is 'too expensive' or 'not practical' hides the consequences, economic and otherwise, of *not* treating the water to a suitable standard and dumping it into rivers or oceans. If the same approach had been taken to the energy sector there would be no 'take-off' of renewables, which currently underpin changes in that sector.

The economic values that healthy rivers provide are often ignored or underrepresented. The failure to take these benefits of healthy rivers into account and give them full value has led to a shortage of funds for protecting and improving river health. The only source of investment available to implement the river health and other actions of the CGRSWS is the Environmental Contribution levy raised on water corporation customers, which is currently projected to raise $693 million over the period 2020–24.[3] The recent state budget allocated as miserly $56.6 million over 2 years to implementing the CGRSWS. Only $10 million is directly for river health in southern Victoria.[4] Both the levy itself and the budget allocation against it are hopelessly inadequate for the task of returning water to rivers on the scale that is required to meet the ecological crisis they are facing.

Values of healthy rivers and wetlands

Inland wetlands have been identified as the earth's largest store of terrestrial carbon: they contain 33% of the soil carbon pool, yet occupy a mere 6–8% of the land surface. Victoria's wetlands are no exception: 'The value of the carbon stock of Victorian inland wetlands equates to $AUD 6 billion, and an annual carbon sequestration value of $AUD 76.74 million per year. The latter value is based on annual sequestration of 3,117,682 tonnes of CO2 equivalents per year – equivalent to the CO2 emissions of 176,538 Australians'.[5] Wetland disturbance and climate change can easily reverse this beneficial situation with wetlands becoming carbon sources rather than sinks. Protection, maintenance of ecological integrity, and restoration of wetlands is a fundamental buffer in climate mitigation, the loss of which would be catastrophic.

Healthy rivers bring benefits for communities, First Nations and economies. Tourism in Gippsland alone, which is highly reliant on regional wetlands such as the Gippsland Lakes, is worth $2.4 billion to over 3,000 tourism businesses.[6] These amounts are similar to the gross value of agricultural production in the region.[7]

Elsewhere, the Barwon and Moorabool Rivers provide important social and economic benefits to the community of Geelong, with over 500,000 visits per year.[8] The river currently provides an annual value of approximately $24.7 million to the Geelong community. If we do nothing to improve the health of the Barwon River system, there will be a $4.8 million per year reduction in the value of the river to the community. If, on the other hand, we achieve an optimal flow regime by increasing environmental flow allocations from water storages on the Moorabool and Barwon then the current average annual value of the river is estimated to be increased by $3.8 million per year. The cumulative benefit over 40-years of this optimal scenario is estimated to be a net present value of approximately $95 million, a significant contribution to the economy of the city. Arguably, this is a conservative estimate.[9]

3 Environmental contributions (water.vic.gov.au)

4 Minister for Water media release, May 2022. Securing Our Water Supply And Protecting Local Jobs | Premier of Victoria

5 Carnell et al *Carbon sequestration by Victorian inland wetlands (Blue Carbon Lab, Deakin University, 2016), 6,* https://www.vgls.vic.gov.au/client/en_AU/search/asset/1293555/0

6 Invest Gippsland Visitor Economy. Visitor Economy- Invest Gippsland

7 ABARES About my region dashboard | Tableau Public

8 Corangamite CMA (2022) River flows and their social and economic values for the Barwon and Moorabool Rivers in Geelong

9 The analysis is limited to the recreational and social benefits within the city and does not take into account the wider economic benefits provided by the rivers in terms of water supply and ecosystem services provided throughout the catchment, or of the Ramsar listed wetlands downstream.

The way forward

To achieve its legal requirements for improved ecosystem health, the CGRSWS needs strengthening in the following ways.

1. Rivers and waterways as living entities

A prime requirement for a successful sustainable water strategy is the recognition of rivers as living entities, connected from source to sea and to wetlands and floodplains, with ecological processes and functions intact and healthy. This concept mirrors First Nation understanding of rivers as living, breathing entities, as Wurundjeri Woi Wurrung describe the Yarra-Birrarung, for example.[10]

Rivers need to be seen as a whole, rather than a collection of sites and species that somehow exist independently of each other. This concept is central to the *Yarra River Protection (Wilip-gin Birrarung murron) Act* but has not yet found its way into water regulation generally, or into environmental water science (for example, as the basis of FLOWS studies) and water recovery targets, nor into the CGRSWS.[11]

In order to let rivers be rivers and function as living entities, we need to set water recovery targets that support ecological processes and trophic systems on which all life depends. The 5- and 10-year targets in the draft CGRSWS are designed to protect particular species or particular events, such as avoiding cease to flow events. They are not adequate to halt the ecological decline of our rivers despite the strategy's own aspirational targets for river health.[12] The final strategy must increase the 5- and 10-year targets with dedicated actions and water recovery options to meet them.

2. All options on the table

Moving away from the magic pudding paradigm means that every option must be on the table to meet demand and protect rivers.

We cannot 'kick the can down the road' indefinitely by deferring issues and the provision of a safe buffer of water in rivers and wetlands to future strategies and plans. The draft CGRSWS referenced various plans or strategies to be prepared in parallel with or after the finalisation of the CGRSWS.[13] It relies on these plans to find the augmentations to supply that will eventually result in the return of water to rivers. We cannot afford to wait that long. A 50-year 'living' document such as the CGRSWS, which has been in preparation for a number of years, should provide powerful and decisive direction and a strong implementation plan that sets out how all these other strategies will squarely meet the real and serious challenges widely acknowledged in the CGRSWS.

Our discussions with DELWP indicate government may make some serious responses, such as obligations on

10 'The Birrarung is a river of mists and shadows - the river and its environs are a living, breathing entity that follows Wurundjeri songlines and forms a central part of the Dreaming of the Wurundjeri. A Dreaming that links the billabongs, wetlands and swamps in the upstream forests, across the meandering plains and out to the salt water.' Wurundjeri Woi Wurrung *Nhanbu Narran Ba Ngargunin Twarn Birrarung (Ancient Spirit and Lore of the Birrarung): Wurundjeri Input into the Yarra Strategic Plan* (N.D), https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.mw-yoursay.files/2315/8984/4614/Wurundjeri_Woi_Wurrung_Birrarung_Water_Policy.pdf

11 There is some progress on integrating concepts and models of wholistic management, analogous to 'living entity' status, into FLOWS science: see Boon, PI (2022) *Expert opinion on the draft Central and Gippsland Sustainable Water Strategy (2022), commenting on the most recent FLOWS study for the Thompson River in particular.*

12 Boon, P I (2022) Expert opinion on the draft Central and Gippsland Sustainable Water Strategy

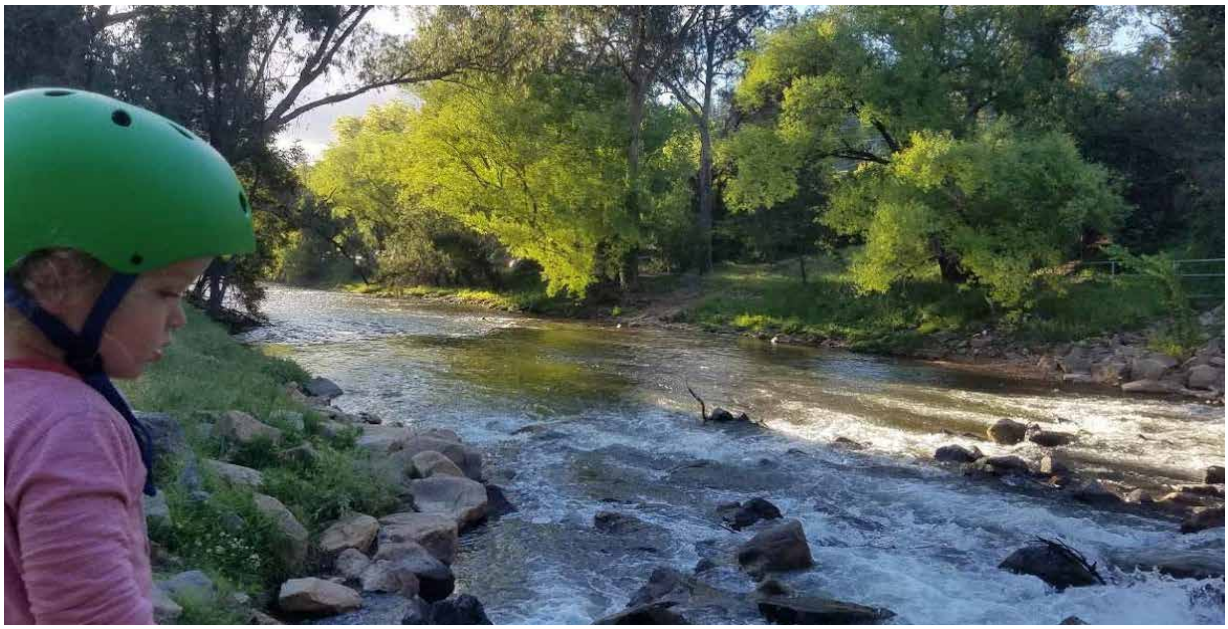
13 The 'Water Supply Readiness Roadmap', the 'Greater Melbourne Urban Water and System Strategy', catchment scale 'Integrated Water Management plans', Urban water supply strategies known collectively as 'Water for Life', and a Statewide Groundwater strategy known as GM2030, in addition to a new generation of the Victorian Waterway Management Strategy and its regional counterparts in 2024

water authorities to meet water reduction targets in a manner analogous to climate targets. However, this progress needs to be measured against the government's repeated opposition to effective means of returning water to stressed rivers, such as buying back licences from willing sellers or regulating take for stock and domestic use or by farm dams. Building sustainability criteria into the setting of caps on extractions in unregulated catchments also continues to be opposed; the government prefers to rely on a clearly outdated methodology that fails to account for climate change. Ruling out any negative impacts on current entitlement holders,[14] while further degrading rivers and wetlands, will eventually lead us to a crunch point where we no longer have adequate water supply. Like energy-dependent industries, water-dependent industries will eventually face restructuring. That restructuring needs to be planned now so that it is orderly and just, not postponed to a crisis situation.[15]

14 For example Questions Database (parliament.vic.gov.au)

15 Climate change is already having an impact on existing entitlement holders, making their entitlements less reliable.

Where we rise to the challenge of climate change, maintaining buffers and integrity in rivers and wetlands, all options must be considered, however politically difficult. We must look at the full suite of options for water recovery, such as early retirement of licenses, cancellation of sleeper licenses, review of how extraction caps are set and adjustment to industry practices. We have to hunt for efficiency and integrated water management in every sector, in agriculture in addition to cities and towns, so that we actually consume less water and use water more efficiently where it is diverted. We need to get serious about the use of recycled water and stormwater and give proper consideration to proposals such as a city-wide distribution network if that's what it takes. We must consider all sources of manufactured water, including potable reuse of recycled water, and we cannot rely solely on major augmentations of supply such as desalination. Each option needs thorough exploration and assessment of its merits and ability to reduce reliance on river water, not just its cost or political palatability.



3. A precautionary approach

The Victorian *Water Act 1989* requires a Sustainable Water Strategy to take the precautionary principle into account.[16] Accounting for precaution requires assessment of the relevant 'serious or irreversible' risks of environmental damage and scientific uncertainties, and acting accordingly. As the Long-Term Water Resource Assessment for southern Victoria revealed, these risks are present, manifest and increasing in severity.[17]

The draft strategy does not spell out how accounting for precaution would be put into practice. We suggest that, as a minimum, the government should expressly require all allocation and licensing decisions to apply the precautionary principle, which would mean:

- careful evaluation and identification of options for managing a water resource for its full suite of environmental values;
- identifying where there is relevant risk – i.e. a threat of serious or irreversible environmental harm – and identifying whether there is scientific uncertainty and the degree of that uncertainty;
- acting to avoid or prevent environmental degradation; and
- acting proportionately to the environmental risk(s) and values at issue.

The precautionary principle has been embedded in some regulations under planning law, for example in native vegetation clearing rules. The approach adopted could prove useful for incorporating the precautionary principle into Ministerial guidelines and regulations under the Water Act.

4. Water justice for Traditional Owners

The discussion draft has the welcome inclusion of a chapter written by Traditional Owners in the region, 'Healthy Country, Healthy Mob', and a commitment from the Victorian government to a quadruple bottom line approach to support economic, social, environmental and cultural values. While these are very welcome steps, these are only the first steps on the road to water justice for Traditional Owners.

'Across Australia, Aboriginal peoples have had rights to water taken away. In Victoria it is estimated that Aboriginal people own less than 0.1% of all water rights. Without water rights, including water entitlements, Traditional Owners are unable to exercise self-determination. Without water entitlements, Traditional Owners cannot mandate where or how water can be used to support cultural, spiritual, environmental or economic outcomes. This exclusion denies Traditional Owners the right to care for Country, which is the essence of Aboriginal social, spiritual, economic and physical wellbeing, and the basis of cultural lore'.[18]

Providing water rights to enable Traditional Owners to care for Country will be of enormous benefit to rivers and wetlands. While cultural and environmental objectives may overlap to varying degrees, Traditional Owner understanding of what rivers need to be thriving rivers is second to none. In their own words:

'The final Strategy will include a cultural landscape approach to water decisions and measurement, including better integration between land and water policy and competing land uses. Management systems based on Western science typically deal with land and water in a fragmented way: separate efforts to preserve threatened or endangered species, and segmented management of land, water, and competing land uses. Traditional Owners consider that all Country is connected, and that water cannot be considered in isolation of the land around it — for example, an upper

16 *Water Act 1989* s22C(2)

17 DELWP (2020) 0p cit Long-Term Water Resource Assessment

18 DELWP (2021) CGRSWS Discussion Draft, p69 Central-and-Gippsland-SWS-consultation-draft-v2.pdf (water.vic.gov.au)

reach is connected to the lower wetlands and beyond.'[19]

We strongly support the proposals put forward by Traditional Owners in chapter 4 of the draft strategy and hope to see them enacted in the final version.

5. Protecting our Ramsar-listed wetlands

CSIRO is currently researching the vulnerability of the Gippsland Lakes Ramsar Site to climate change and bushfire risks.[20] Hydrological processes associated with freshwater inflows are a key part of the threat matrix to the ecological character of the Gippsland Lakes. None of this is novel when the long trail of scientific research is considered.[21]

This is a key issue for the CGRSWS. A document engaging on issues of ecosystem health across the region must deal squarely with the largest internationally protected wetland in that region. Deferring a response for the sake of administration, policy or bureaucratic convenience is neither efficient nor acceptable as a policy response. These points reinforce in our view the need for the CGRSWS to specify that:

- the fate of the Gippsland Lakes Ramsar site must be a priority focus for future decisions around reallocation of water resources in the Gippsland basin, in particular the currently unused ¾ bench entitlement; and
- any reallocation of water from power industry decommissioning in the Latrobe Valley will not simply be made available for other consumptive uses, at least without full, transparent and scientific inquiry into the future or fate of those water resources.

The Lower Barwon wetlands comprise the freshwater component of the Port Phillip (Western shore) and Bellarine Peninsula Ramsar site and provide vitally important habitat for a diverse array of waterbirds. The draft CGRSWS notes that the decline in water availability in the Barwon and Moorabool rivers 'has a cumulative effect on the lower Barwon wetlands and an unknown effect on water availability and the ability to water the wetlands.'[22] It proposes further work to determine watering requirements in 2023 but no pathway to meeting them. The protection of the Ramsar site and its ecological character is not being given serious consideration.

Other key wetlands in the region are equally overlooked. For example, the recently released Yarra Strategic Plan (YSP) includes actions related to floodplain and wetland connectivity (restoration), particularly in the middle Yarra.[23] Floodplain wetlands on private land upstream of Warrandyte, characterised by extensive billabong systems, are stranded or disconnected from the river channel and degraded. These floodplains are identified as among 'areas of protection' established under the YSP. Hydrological connection and restoration are fundamental if any real progress to the river as 'living entity' is to be achieved. If these outcomes can be achieved over the 10-year time frame of the YSP, this could act as a model for management and connectivity in highly regulated rivers. YSP outcomes require express signalling in the CGRSWS. The CGRSWS and the YSP need to 'talk to each other' otherwise we risk merely continuing policy fragmentation and incoherence.

19 Discussion Draft CGRSWS p92

20 See Hon Susan Ley 'Joint media release: scientists to assess Gippsland wetlands' 8 June 2021, https://minister.awe.gov.au/ley/media-releases/scientists-assess-gippsland-wetlands

21 See EJA Unsustainable water management in the Gippsland Lakes: a legal analysis (2021), https://envirojustice.org.au/publications/report-gippsland-lakes/

22 Discussion Draft CGRSWS p272

23 Yarra Strategic Plan (Burndap Birrarung burndap umarkoo) | Melbourne Water

6. Implementation plan and funding

A successful CGRSWS needs a strong implementation plan and adequate funding to address the crisis facing our rivers.

The Water Supply Plan that will set out principles for how new supply options will be assessed is crucial. It must set out a process for assessing all available options, from local to regional and from decentralised efficiency gains to major augmentations. It also needs to set out how options will contribute to water recovery targets for rivers. These should be used to drive the search for viable options, rather than a lack of potential options being used as a reason to minimise the water recovery targets (as for the Thomson River in the draft strategy).

The other essential element to a successful CGRSWS is money on the table. The $56.6 million allocated in the State budget barely scratches the surface of what is needed to drive uptake of recycled water and storm water. Future budget allocations will need to be made to implement the CGRSWS in full, drive the substitution approach and actually return much needed water to rivers.

The government has two major avenues to increase the pool of funding available to address river health. One is to raise the Environmental Contribution levy, particularly for regional water corporations. The other is to allocate some of their $2billion election war chest[24] to improving river health. We urge them to do both.

24 Victorian budget 2022: Government bets big on growth, health spending in pre-election budget (smh.com.au)

Conclusion

A Sustainable Water Strategy is an important document because it is the principal means by which the Victorian government sets priorities for protecting and improving the health of rivers and wetlands. It must find ways to address the disproportionate impacts of climate change on the environment's share of available water compared to the consumptive share.

The draft strategy made some progress on these issues and the final will make more, but there remains a big gap between what our rivers need and what the government is proposing for them. We need to stop treating water as a magic pudding and make some hard decisions about what our water future looks like.

To do this we need to take a precautionary approach, consider our rivers and waterways as living entities, bring all the options and more cash to the table, protect our most precious sites and bring Traditional Owners into the picture. Then we will have a chance of restoring our rivers to health. Our discussions with DELWP indicate some, but incomplete, movement in these directions. There is still significant work for the government to do to get the CGRSWS right – and we will continue to build our advocacy to that end.

Concerned Waterways Alliance

The Concerned Waterways Alliance represents the following:

Environmental Justice Australia
Environment Victoria
First Friends of Dandenong Creek
Friends of the Barwon
Friends of Latrobe Water
Friends of Lower Kororoit Creek
Friends of Maribyrnong River
Friends of Merri Creek
Friends of Steele Creek
Gippsland Environment Group
Jacksons Creek EcoNetwork
Kooyongkoot Alliance
People for a Living Moorabool
The Waterways Network
Werribee River Association
Yarra Riverkeeper Association

Further information:

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Images: Juliet Le Feuvre, except where noted.
Front cover – Maroondah Dam
Page 4 –Wye River, Otways
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