



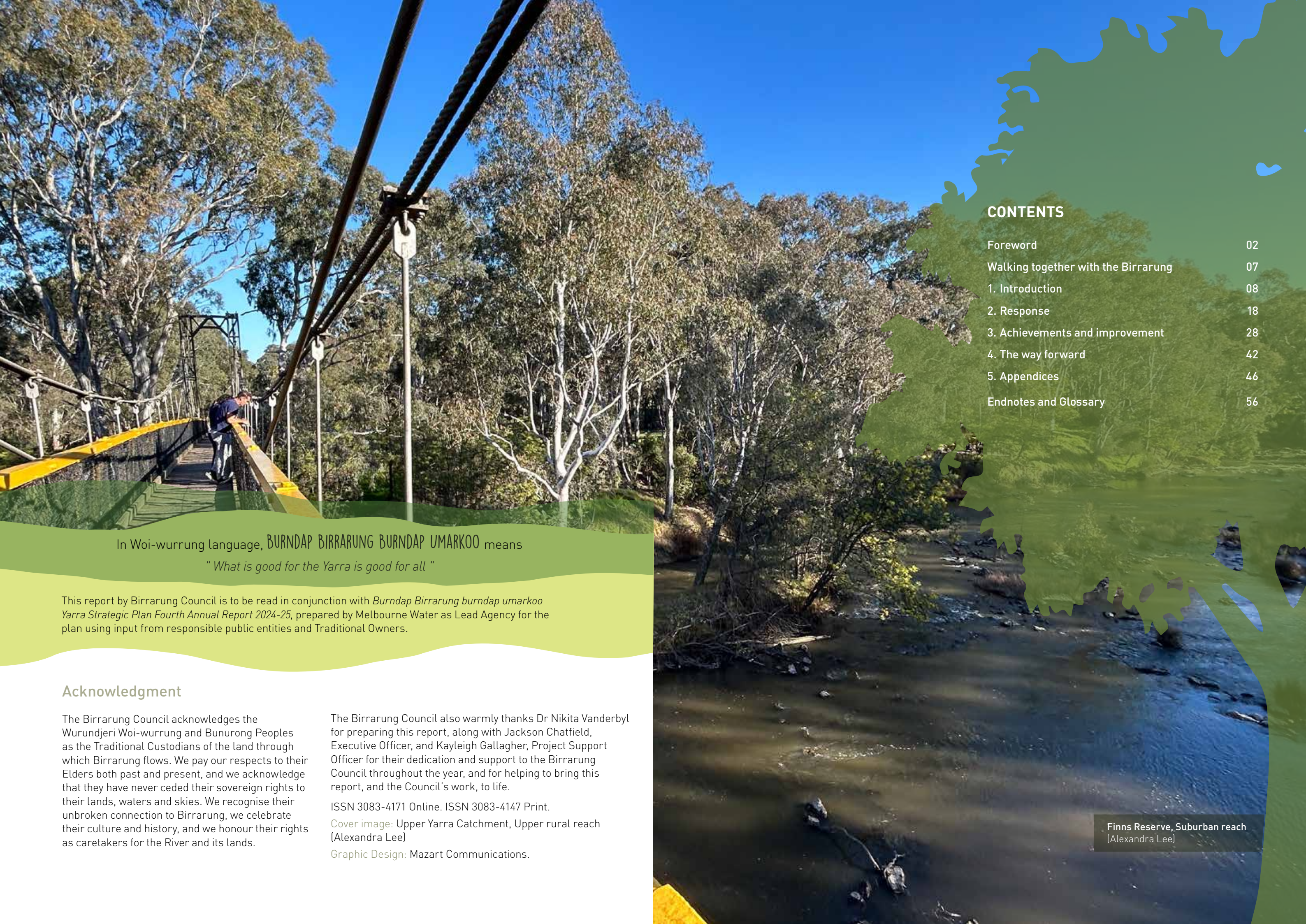
Birrarung Council Annual Report 2025

to Parliament on the implementation of

BURNDAP BIRRARUNG BURNDAP UMARKOO | **Yarra Strategic Plan**



Energy,
Environment
and Climate Action



CONTENTS

Foreword	02
Walking together with the Birrarung	07
1. Introduction	08
2. Response	18
3. Achievements and improvement	28
4. The way forward	42
5. Appendices	46
Endnotes and Glossary	56

In Woi-wurrung language, BURNDAP BIRRARUNG BURNDAP UMARKOO means
"What is good for the Yarra is good for all"

This report by Birrarung Council is to be read in conjunction with *Burndap Birrarung burndap umarkoo Yarra Strategic Plan Fourth Annual Report 2024-25*, prepared by Melbourne Water as Lead Agency for the plan using input from responsible public entities and Traditional Owners.

Acknowledgment

The Birrarung Council acknowledges the Wurundjeri Woi-wurrung and Bunurong Peoples as the Traditional Custodians of the land through which 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 their lands, waters and skies. We recognise their unbroken connection to Birrarung, we celebrate their culture and history, and we honour their rights as caretakers for the River and its lands.

The Birrarung Council also warmly thanks Dr Nikita Vanderbyl for preparing this report, along with Jackson Chatfield, Executive Officer, and Kayleigh Gallagher, Project Support Officer for their dedication and support to the Birrarung Council throughout the year, and for helping to bring this report, and the Council's work, to life.

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Cover image: Upper Yarra Catchment, Upper rural reach (Alexandra Lee)

Graphic Design: Mazart Communications.

Finns Reserve, Suburban reach
(Alexandra Lee)

A full-page photograph of a dense forest. In the foreground, a large, moss-covered fallen log lies horizontally across the frame. Below the log, a stream flows, its surface reflecting the surrounding greenery. The background is filled with tall, slender trees and thick undergrowth, with sunlight filtering through the canopy. A white rectangular box is overlaid on the left side of the image, containing the word 'FOREWORD' in white capital letters.

FOREWORD

Big Peninsula Tunnel, Upper rural reach
(Alexandra Lee)

Elder’s Foreword

Most people assume that the River doesn’t require affection; if the River’s not emotional, it’s got nothing to do with you. And yet, the River passes emotion to you. If you walk along, not just the River, but along any waterways, or through any forest or parkland or grassland, or even your street, when you see something that is out of the ordinary or that doesn’t belong, you have an emotional reaction. If you see that the garbage is being picked up this morning, it’s been spilled on the street because overnight the crows have come along and opened up the lid and pulled stuff out, you’re upset, aren’t you?

We can’t all be knowledgeable about what lives under the water, next to the water or even above the water. But for Aboriginal people, we’ve always felt it, we’ve always responded to it, because there was no higher authority.

We get asked all the time, what does ‘living entity’ mean? The term ‘living entity’ has been utilised to articulate the legislation. But for Aboriginal people, the ‘living entity’ is so much more. The River is the lifeblood of our mother. And just like your mother, we do not like to see her harmed.

We all know that, we all protect our family, we’re all very protective towards our mother. Like my mother, the River out there still guides me in what I’m doing.

It’s one of the things I said when I was asked to be on the Birrarung Council; if you want me to do this, then that’s going to be my only job as an Elder, to work for the River and be the voice of the River. I will attend to other things and other events, but if any of those things interfere with decisions that get made about the River, find someone else. This is my place and my drive as an Elder, to make sure that everyone I work with understands that you can have a relationship with the River. You can cry with it, you can smile, you can laugh, you can slow down and relax where the River slows down, and you can speed up and do amazing things in a short time where it speeds up. We can’t control it and expect it to go at one speed and to do one thing, just to provide us with drinking water. We need to let it live and learn to live with it.

That’s what we’ve been doing to the River, we’re trying to stop it speeding up and slowing down

and spreading out. Passing its message across the wind, talking to the body, our mother.

We do have to get away from the datasets that measure the success of the River. You do have to become emotionally involved, understanding you have a responsibility to that River. It’s not somebody else’s problem, it’s everybody’s problem, everybody’s responsibility. And collectively, emotions do change laws. We have protests that are currently going on today. They are changing the way we think about the world. And there’s emotions that will change how we think about the River. I know it’s very philosophical, but those emotions will drive decisions for the betterment of the River. But sometimes we need props and sometimes we need reminding and that’s why we have the talking stick at our Yarning Circles, so when someone wants to talk they can be heard.

Under our cultural law, under Bunjil’s law, we are responsible as Custodians for everything across Wurundjeri land. We are responsible for providing the Food, Fibre, Tools, Shelter and Medicine, for every living thing. That’s our role, that’s what

custodianship means. And if you’re a custodian of the River because it runs through your property, through the area of your responsibility, then you’re not only responsible for the drinking water, you’re also responsible for all living things in the River, next to it, around it, above it, below it. That’s the true sense of responsibility that you need to be thinking of when you’re planning and thinking about what you’re going to do to support the River. Not just for us and our drinking water, but for all living things that have relied on it for hundreds of thousands of years. The next 100,000 years that come after us.

Everything we want requires water. We treat it like its ours, we can do what we like, throw it away. Throw away the ‘dirty water’. Not really think about where it goes, because that’s somebody else’s problem. It’s all our problem, if you’re not emotionally connected to it, you cannot make real decisions for the River.

– Uncle Dave Wandin

Dights Falls, Inner city reach
(Nikita Vanderbyl)

Foreword Birrarung Council

Imagining Birrarung in 10 years

Birrarung, I hear you singing! Do you see how things have changed? People are recognising and respecting what you give them. There is still concrete and cars and those who rush by without a thought. There are still those who take your waters without a thought or care for this gift of life that is taken from the fish and platypus and other creatures who once took life from these flows. I can hear the language of Traditional Custodians more often and there is more joy and laughter in gatherings along your banks. Your waters have become cleaner, trees are returning along with many birds.

Perhaps you are singing because you can hear voices speaking with gratitude and reverence for the layers of history and culture present in your lands and waters. The time of extracting, restricting, controlling and using is changing and impacts are slowly being reversed. We are connecting your floodplains and restoring your billabongs and more life is returning to water, land and sky.

Birrarung is singing now that the greatest loss, and the thing that we can all can give back—respect and dignity for the River as a living entity—has returned.

– Chris Chesterfield, Birrarung Council Chair

Birrarung Council members with responsible public entity senior leaders (L-R): David Jones, Chris Chesterfield, Kayleigh Gallagher, Leanne Hurst, Sarah Bond, Tammi Rose, Dale Wandin, Jackson Chatfield, Uncle Dave Wandin, James Thyer, Andrew Day, Uncle Perry Wandin, Alison Beckwith, Natasha Swan, Gabrielle O'Halloran, Nadine Wooldridge, Uncle Andrew Gardiner, Andrew McMaster, Erin O'Donnell. (Nikita Vanderbyl)



WALKING TOGETHER
WITH THE BIRRARUNG

*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.*

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

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

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 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.

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 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.





SECTION 1. INTRODUCTION

Studley Park, Suburban reach
(Alexandra Lee)

The role of the Birrarung Council as the voice of the River

The Birrarung Council is mandated through the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* (the Birrarung Act) to be a voice of Birrarung (Yarra River). *Wilip-gin Birrarung murrn* means “keep the River alive” in Woi-wurrung language, and these words guide the actions of the Birrarung Council as we provide independent advice to the Minister for Water on how the River and its lands can be cared for. Our members are appointed by the Minister for Water and include requisite Indigenous representation from two Traditional Owner groups (Appendix 1). The traditional rights and interests of the Wurundjeri Woi-wurrung and the Bunurong Peoples are recognised in the lands through which Birrarung flows.

This is the fourth annual report of the Birrarung Council. Since our first report there has been significant progress in the development and implementation of *Burndap Birrarung burndap umarkoo: Yarra Strategic Plan 2022–32* by the 14 responsible public entities led by Melbourne Water as designated ‘Lead Agency’ by the Minister for Water. This progress has included

increasingly detailed reporting by the Lead Agency and so this year, our Birrarung Council report has deliberately left out details already covered in the Lead Agency Annual Report which is also tabled in Parliament and can be found on our website and Melbourne Water’s website.

The level of collaboration between responsible public entities and progress being made on priorities highlighted in previous Birrarung Council Annual Reports has allowed us to focus attention on some more strategic and less operational aspects of *Burndap Birrarung burndap umarkoo* implementation.

In 2024 we committed to calling Birrarung by its correct, ancestral name wherever possible, as a way to strengthen and prioritise the River as a living entity. In 2025, we take this personifying language a step further, by removing the word ‘the’ when addressing Birrarung, demonstrating how language can empower the living entity. We are informed by the knowledge of Traditional Custodians of Birrarung and its lands, as well as advice and feedback from other stakeholders (Appendix 2 for a summary of our activities).

Birrarung is the first and still the only waterway in Australia to be recognised in settler law as one living entity from source to sea.



Auntie Di Kerr speaking at the ceremony to return water to Wurundjeri Woi-wurrung people, October 2024 (Alexandra Lee)

Birrarung Council activities 2024-25

One of the key priorities highlighted by the Birrarung Council in 2024-25 was the need to increase protections for Birrarung in the planning scheme. In 2025 we celebrate the gazettal of part two of *Burndap Birrarung burndap umarkoo*, the land use framework, which significantly strengthens the River’s protection by amending the Victoria Planning Provisions to ensure regard is given to the statutory Yarra Protection Principles of the Birrarung Act. The Birrarung Council commends this significant development and welcomes the prominence this brings to these Principles.

We were also pleased to see the *Reimagining Birrarung: Design Concepts for 2070* exhibition receive a 2025 Australian Institute of Landscape Architects (AILA) Victoria Award of Excellence for Research, Policy and Communications. The Birrarung Council was a key partner with National Gallery Victoria (NGV) in developing this initiative, which spread the message of the River’s living entity status to a wide audience through an exhibition at the Ian Potter Centre: NGV Australia featuring a design showcase bringing to life creative visions of a future Birrarung.

Similarly, the Birrarung Council was pleased to participate again in the Yarra Riverkeeper’s 2024 and 2025 Birrarung Riverfest programs, celebrating Birrarung and connecting with different communities across the catchment.

This year, we farewell Chris Chesterfield and welcome Uncle Andrew Gardiner as Chair of the Birrarung Council. We thank Chris for his dedication and passion chairing the Council since its inception. With Uncle Andrew Gardiner as Chair the Birrarung Council will fulfil its goal to have First Peoples leadership, a key outcome of our Walking Together Action Plan.



(above) Reimagining Birrarung 2070 exhibition event with AILA (Alexandra Lee) (below) Birrarung Council members Erin O’Donnell (far left) and Chris Chesterfield (far right) at the Stormwater Victoria conference 2025 (Stormwater Victoria)



Responsible public entity senior leaders visiting Reimagining Birrarung, October 2024 (Alexandra Lee)



Yarning Circles

The Birrarung Council continued holding Yarning Circles with responsible public entities in 2025. This year we used a new format which brought senior leaders from multiple responsible public entities together to reflect on their role in implementing *Burndap Birrarung burndap umarkoo* and giving effect to the Principles of the Birrarung Act. A key focus for this year’s Yarning Circles was our invitation to responsible public entities to prepare a statement describing their relationship with Birrarung. Each organisation showed genuine commitment to this task, and the Birrarung Council was impressed with how these relationships were articulated. This different approach to these important conversations about the River has been positively received.

Yarning Circles follow established Wurundjeri Woi-wurrung protocols using a talking stick and an informal circular seating arrangement (see Appendix 3). These are welcoming gatherings with open, reciprocal communication designed to foster honest dialogue between the Birrarung Council and responsible public entities. Senior leaders who manage actions or have decision-making responsibilities along the Birrarung can

explore different themes and issues relating to the work of implementing *Burndap Birrarung burndap umarkoo* and share examples of how they are adapting their own governance, strategy and practices to give effect to the goals and Principles of the Birrarung Act.

Yarning Circles are valuable opportunities for Birrarung Council to observe how responsible public entities are undertaking their work as stewards of the River. Articulating their relationship to the River through their relationship statements is one way that responsible public entities can demonstrate their understanding of Birrarung as a living entity. A second area of focus in 2025 was how well each responsible public entity is working with Traditional Custodians of the River, to recognise and empower them as planners, decision makers and delivery agents alongside local and state government. The opportunity to calibrate these relationships both to the River and with Traditional Custodians are integral to the purpose of Yarning Circles and reflect key Principles of the Birrarung Act and *Burndap Birrarung burndap umarkoo*.¹

What the Birrarung Council learned from the Yarning Circles in 2025

Responsible public entities approached the task of creating a relationship statement in a number of diverse ways. The Birrarung Council was impressed by the thoughtfulness of these statements, the dedication shown and clear shift in mindset and understanding articulated. Just as the statements were diverse, so were the approaches taken by responsible public entities. Some responsible public entities chose to survey their organisations and build a collective impression of what Birrarung means to their staff in the context of their work, while others chose more traditional methods to articulate how their organisation interacts with Birrarung. In some cases, responsible public entities told us their relationship statements were not ready to share and reflected instead on the steps they were taking across their organisations, recognising that different departments might be at different points in their thinking and action in relation to understanding Birrarung as a living entity.

The Birrarung Council is impressed with the commitment to deepening understandings of the foundational importance of Birrarung as a living entity, and shifts that are taking place

within organisations to change their approaches to how the River is understood within their work. In some cases, the relationship statement was shared publicly by the organisation soon after they shared it at the Yarning Circle. We encourage organisations to do this where possible, as a way of broadening awareness of and engagement with Birrarung as a living entity.

Yarning Circles involve active participation and open and respectful communication that sits well outside the usual governmental approaches. They have the power to transform the way responsible public entities think about waterways and their lands. The River forms a boundary for some responsible public entities, and this can hinder thinking about its care. Yet in responding to the challenge of creating a relationship statement, some of these responsible public entities connected with the role of the River as it wrapped around their geographical area in an embrace. Others showed us they were open to new ways of seeing Birrarung as fundamental to the health of all living things, aligned with Traditional Custodians’ ways of being in relation with the living River.

Birrarung Council members with responsible public entity senior leaders (L-R): Mitra Anderson-Oliver, David Jones, Deb Brown, Alexandra Lee, Erin O’Donnell, Melinda Knapp, Colleen Peterson, Uncle Dave Wandin, Ben Howells, James Thyer, Zena Cumpston, Chris Chesterfield, Lee Miezes, Bronwyn South, Stephen Chapple, Jodie Heath, Andrew McKeegan, Georgia Wellington. September 2025 (Nikita Vanderbyl)

At the core of many of the challenges in upholding the Birrarung Act we have observed some responsible public entities have a gap in perception and understanding of Birrarung as a living entity and we are committed to working with them to broach this gap.

The continued state of colonisation means we are all at very different stages of our learning about and understanding of First Peoples perspectives. We approach these gaps with respect and care, understanding people may not have had the opportunity to learn about Aboriginal culture and custodial responsibilities due to uneven approaches (both historical and contemporary) across all aspects of education. We are committed to working together to illuminate what it means to be in relation to Birrarung, to know Birrarung as a living entity that we must respect, protect and empower for ourselves today and, importantly, all those who are yet to come.

Uncle Dave Wandin, in the Elder's Foreword, notes the necessity of getting emotionally involved. He speaks to the ways in which anyone with a relationship to the River or decision-making responsibilities for its care, must consider seriously their own role as a custodian. Long-term, culturally grounded thinking like this is central to the purpose and intent of our Yarning Circles. We are pleased to see some senior leaders returning for their third Yarning Circle, as well as new CEOs participating for the first time. We are heartened to see groups and individuals shifting their perspectives and embracing their role as custodians.

Partnerships between Traditional Owners and responsible public entities were the other major focus of Yarning Circles in 2025. The Birrarung Council has observed continued challenges facing responsible public entities in partnering with Traditional Owners and an emerging appreciation by responsible public entities of the importance of true partnerships led by self-determination. As we observed in our 2024 Annual Report, appropriate resourcing and early engagement with Registered Aboriginal Parties at the inception of any project remains key. A significant improvement in 2025 was that more responsible public entities are familiar with and are utilising the Wurundjeri Woi-wurrung Engagement Framework and expanding their understandings of what respectful partnership can look like, especially from the perspective of relationship-building.

... We are committed to working together to illuminate what it means to be in relation to Birrarung, to know Birrarung as a living entity that we must respect, protect and empower for ourselves today and, importantly, all those who are yet to come...

Mount Lofty, Lower rural reach (Alexandra Lee)

Preview of the Report

In *Section 2 Response*, we describe Birrarung Council’s response to the Lead Agency Melbourne Water’s Annual Report, analysing progress and indicative trends. At the three-and-a-half-year mark of *Burndap Birrarung burndap umarkoo* we highlight areas of success and areas of concern for the next phase of implementation.

In *Section 3 Achievements and Improvement* we provide our observations from Yarning Circles, highlighting what has been achieved and identifying areas for improvement and analysis of barriers to change. In the final section *The Way Forward* we set our conclusions and reflections on priorities for the next 12 months.

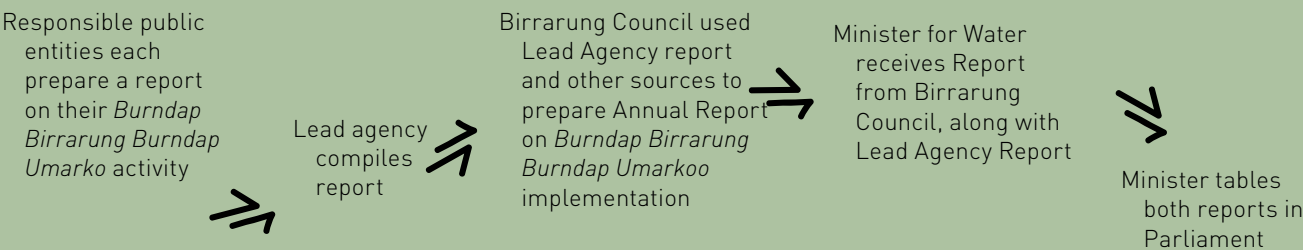


Figure 1 | Burndap Birrarung Burndap Umarkoo reporting sequence

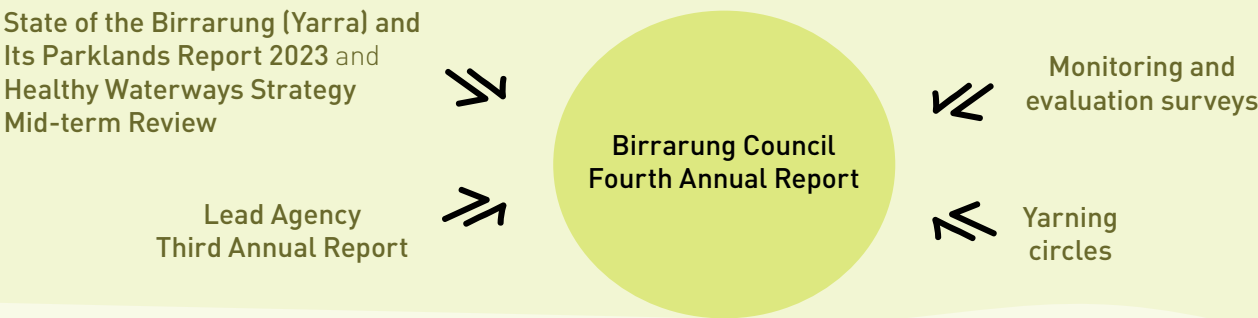


Figure 2 | Sources

Reimagining Birrarung exhibition

In July 2024, the National Gallery of Victoria (NGV) opened a 6-month exhibition – *Reimagining Birrarung Design Concepts for 2070*. Looking fifty years into the future, the exhibition was an outcome of the Birrarung Council’s advocacy for Birrarung by engaging design professionals and creative community as thought leaders and storytellers regarding the River’s future. An integral part of the brief for the exhibition was for the participants in the design showcase to respond to Council’s discussion paper ‘The Great Birrarung Lands’ and to recognise Wurundjeri Woi-wurrung aspirations for Birrarung.

Focusing on transformation through ecological regeneration, community connection and the political context across the catchment, the exhibition explored what it might mean to acknowledge a river as a living and integrated natural entity. Eight Landscape Architecture firms presented a series of projects along the length of the River, with the exhibition exploring a series of design provocations for Birrarung and its lands. The proposition of positioning Birrarung in 2070 allowed the design teams to explore what could be, without the shackles of contemporary day constraints and demonstrate clear aspirations for what community stewardship could achieve.

A series of public events were held as part of the exhibition’s program including those formally hosted by the NGV as part of Riverfest 2024 and events led by the Australian Institute of Landscape Architects (AILA). In addition to this, the Birrarung Council members hosted a number of informal tours with senior responsible public entity executives and industry representatives including Melbourne Water and Department of Energy, Environment and Climate Action (DEECA). *Reimagining Birrarung* was the first Landscape Architecture led exhibition held in a national institution in Australian history and won a 2025 AILA Award of Excellence for Research, Policy and Communications. The exhibition was also covered by local and national media.

Opportunities like this demonstrate the Birrarung Council’s advocacy for Birrarung through its role as a project partner in the exhibition, alongside NGV as curatorial lead.

The firms contributing to the exhibition were ASPECT Studios, Bush Projects, McGregor Coxall, OFFICE, Openwork, REALMstudios, SBLA and TCL.



Uncle Andrew Gardiner speaking at the opening of Reimagining Birrarung 2070 in 2024 (Alexandra Lee)

SECTION 2.
RESPONSE

Inner city reach
(Nikita Vanderbyl)

Response to the Lead Agency’s Fourth Annual Report

Melbourne Water, as Lead Agency, has provided their Annual Report detailing the progress of *Burndap Birrarung burndap umarkoo* implementation from July 2024 to June 2025. Progress on advice to the Minister has been assessed, including:

- The status of 40 actions set out in Part 1 of *Burndap Birrarung burndap umarkoo*. These are categorised as either short term (1-3), medium term (4-7 years) or long term (8-10 years) and organised under four performance objectives.
- The status of the 189 activities (projects, maintenance, campaigns, and other initiatives) that have been listed by responsible public entities as contributing to the performance objectives. This is also known as the Activities Schedule.
- Progress on the five priority projects.

Performance objectives

A healthy river and lands – improving the water quality of the Yarra River and protecting its land, floodplains and billabongs to achieve greater biodiversity.

A culturally diverse river – acknowledging, protecting and commemorating the rich heritage of Birrarung and its stories.

Quality parklands for a growing population – improving the river’s parklands to support community wellbeing and strengthen the relationship between the Yarra River, its community and visitors.

Protecting the natural beauty of the Yarra River corridor – respecting the significance of the Yarra River’s landscapes. Where we build, we will protect and celebrate the river’s natural beauty, landscapes and views.

Streamside Reserve,
Upper rural reach (Alexandra Lee)

Progress on actions

Of the 40 actions identified in *Burndap Birrarung burndap umarkoo*, 12 have been delivered, 24 are in progress, and four remain in the planning phase. Since the last reporting period we note the delivery of three actions, while a further three actions are now in progress, but four actions remain to be planned.

Twenty-two short term actions were due to be delivered in this reporting period. Chart 2.1 describes the progress of the short-term actions of one to three years, however as the Lead Agency have highlighted in their Annual Report, short term actions relating to stormwater awareness and litter reduction, urban greening and climate change adaptation, require continued effort and investment, necessitating rethinking how these actions are defined. The Birrarung Council supports the change in designation from “delivered” to “ongoing” reflecting the goal that Birrarung receives ongoing care and stewardship. The work of the Yarra Collaboration Committee (YCC) has led to this important shift in understanding progress within *Burndap Birrarung burndap umarkoo*.

As we approach the mid-point of the implementation of *Burndap Birrarung burndap umarkoo* (2022-2032). The Birrarung Council recognises the significant progress achieved to this point and the efforts of the YCC and responsible public entities. In reviewing Melbourne Water’s report of progress across the four performance objectives in *Burndap Birrarung burndap umarkoo*, we highlight four key themes: climate change, resourcing, living entity, and land-use planning.

There are four performance objectives to be achieved across the 10-year implementation of *Burndap Birrarung burndap umarkoo*.

Performance Objective 1: a healthy River and lands (Actions 1-23) has delivered eight actions, while 14 are in progress and one remains at the planning stage. These actions encompass water quality, habitat, pest plants and animals and climate change. Lead Agency Annual Report is very positive about the commitment and investment of responsible public entities in these actions.

We noted in our 2024 Annual Report how implementation of commitments in the *Healthy Waterways Strategy* is essential to achieving a healthy River.² We will be paying increased attention to the ongoing progress of implementing the Healthy Waterways Strategy.

The completion of actions within *Performance Objective 2: a culturally diverse River corridor* relies on adequate resourcing for meaningful participation and partnerships with Bunurong Land Council and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation which Melbourne Water highlight in their Annual Report as an ongoing challenge. In the last reporting period two actions have moved to “in progress” and two remain in the planning phase. The Birrarung Parklands transformative project includes Birrarung cultural mapping and cultural narrative projects designed to empower Traditional Owners and their custodial responsibilities and aspirations. We note that other projects depend on this transformative project and attention to resourcing is vital to its completion.

The River as a single living entity is recognised in *Performance Objective 3: quality parklands for a growing population* (actions 29-38). Of the 10 actions in this performance objective, seven are in progress and three delivered. The performance objective is also being met through the Birrarung Parklands transformative project which continues to demonstrate how essential collaboration between responsible public entities is to embed understanding of Birrarung as a single living entity.

The Birrarung Council is pleased to see progress towards *Performance Objective 4: protecting the natural beauty of the River corridor*. Though Action 40 is unchanged since our last report, we note significant progress for Action 39 with the approval of planning scheme amendment VC281 in April 2025. Resources produced by the Department of Transport and Planning (DTP) and a working group with the DTP and the YCC to develop guidance for considering the Birrarung Protection Principles in land use planning matters are important steps on the path towards achieving this performance objective.

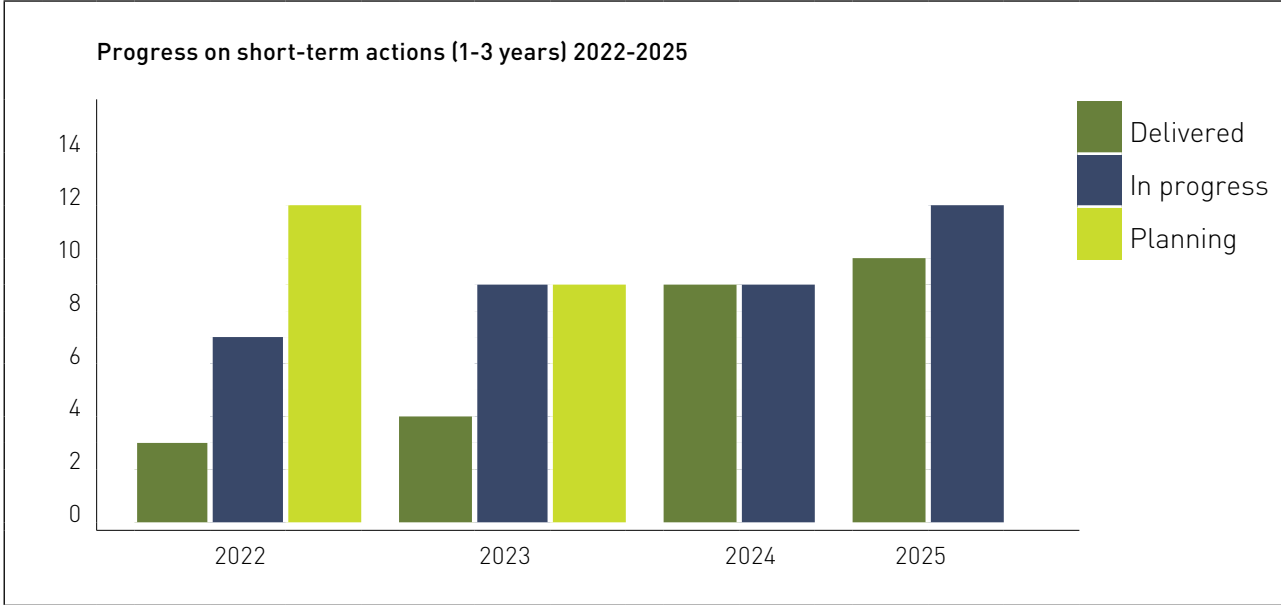


Chart 2.1 | Progress on short-term actions (1-3 years) 2022-25.

Progress on activities

Activities contributing to the four performance objectives of *Burndap Birrarung burndap umarkoo*, undertaken and planned by responsible entities, are listed in the Activities Schedule. Compiled each year by the Lead Agency, activities include routine business, local projects and transformative projects (including the five priority projects committed to in *Burndap Birrarung burndap umarkoo*). As of 30 June 2025, the schedule lists 189 activities (an increase of 13 from the last reporting period).

- 25 activities listed as “in progress” last year have been delivered.
- 66% (124 activities) are currently “in progress”, an increase from 61% in the last reporting period.
- 28 activities are planned and seven are on hold while five are listed as ideas requiring further scoping. (Activities on hold are dependent on budget allocation or completion of other projects before they can proceed.)

- The suburban reach has the most (60 activities), while the lower rural reach has the fewest (19 activities) listed.

Chart 2.2 illustrates activities by reach, indicating how many have been delivered, are in progress and are planned. As Melbourne Water note in their Annual Report, there is a strong correlation between the number of activities and the level of urban development.³

The upper rural reach extends from the Upper Yarra Reservoir to Healesville; the lower rural reach extends from Healesville to Warrandyte; the suburban reach from Warrandyte to Dights Falls, and the inner city reach from Dights Falls to Port Phillip Bay.

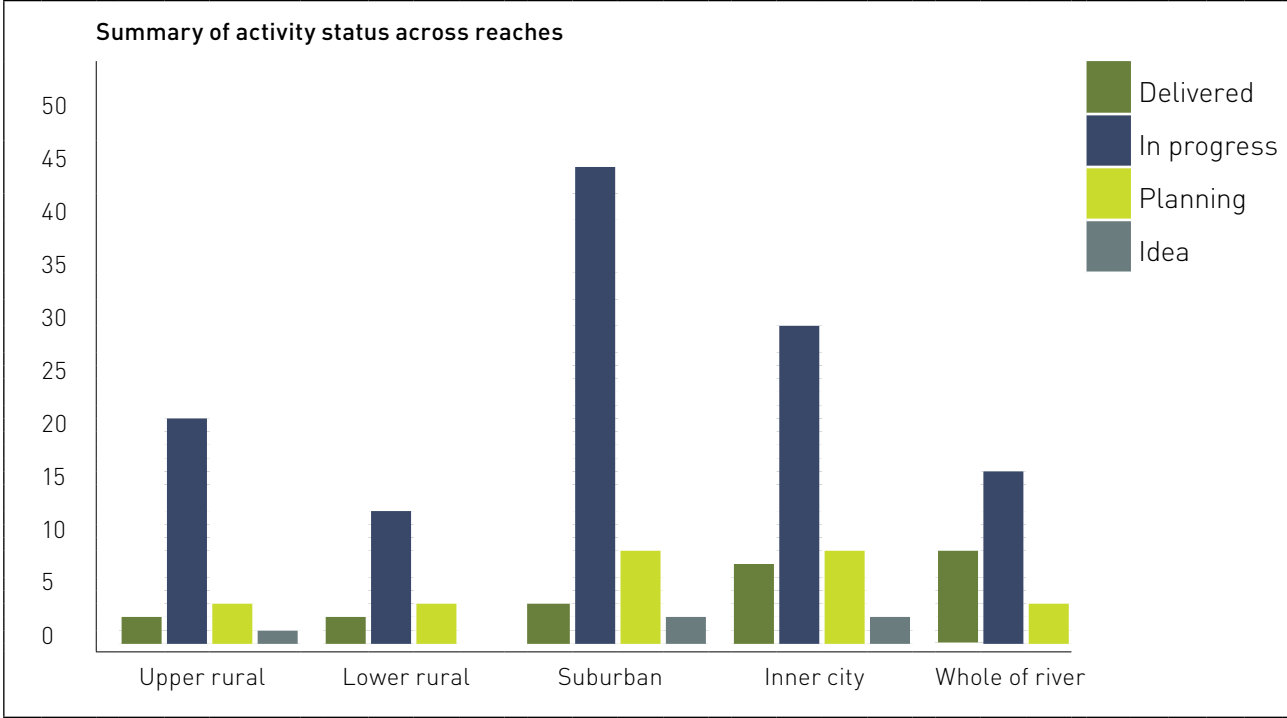


Chart 2.2 | Summary of activity status across reaches with data supplied by the Lead Agency

Further details are available in the action tracker in Melbourne Water’s Annual Report.

We look forward to seeing more projects being delivered over the coming year. This year’s data demonstrates the steady work underway by responsible public entities and the YCC.

Ethical food production and the living river

Bronwyn South, Birrarung Council member and primary producer, Yarra Valley

My family has been living and working on this apple and pear orchard and beef grazing property on Wurundjeri Woi-wurrung land since the early 1900s. Others had planted small orchards along the creek flats as early as the 1880s.

My husband and I joined the business in 1980. Orchardng was changing rapidly. Orchards were getting larger, and food production was becoming more automated and more regulated.

Water is the essential ingredient to grow apples and pears which are around 80% water. The water has always come from local rainfall and the creek. The creek is vital to our operation, and our family has always known it must be cared for and nurtured. We were taught the importance of this from childhood.

Change is a constant in food production as we respond to our natural environment and human preferences and needs. Some of the improvements in water management I have participated in are:

- Water use. Inefficient irrigation practices such as flood irrigation or overhead sprinklers have been replaced by calibrated key drippers. Melbourne Water enforces the local Streamflow Management Plan to regulate how and when we pump to our irrigation dam.
- Melbourne Water's stream frontage management program. We have been active participants since its inception as YarraCare in the early 1990s. Cleared banks dotted with willows have been replaced with native vegetation and livestock exclusion fencing.
- Supermarkets require ethical food production certification. To supply fruit to major supermarket chains, we have to report on water efficiency, input and output water quality and biodiversity impacts.
- Chemical users must be certified. We must record chemical use, and these records are audited by Agriculture Victoria. Chemicals can only be applied under strictly defined conditions to prevent run off into waterways.

I cannot predict how food production will change in the future. But I do believe we are on the right trajectory to produce food ethically while minimising the impact on our waterways and honouring our relationship with Birrarung.

Orcharding next to Birrarung
(Bronwyn South)

Progress on priority projects

Collaborative effort is necessary to achieve long term and ongoing health for the River, and this is recognised in five priority projects. As stated in *Burndap Birrarung burndap umarkoo* the projects 'are innovative, represent a shift toward collaborative management between authorities and partnership with the Traditional Owners, and will deliver significant change across the river corridor.'⁴ These projects each have highly visible outcomes that should enable community engagement.

The Birrarung Council is once again pleased to see progress on these important projects, especially the opportunities for Traditional Owners to be empowered as decision makers and for cultural knowledge to enrich how the River is cared for.

The Birrarung Ranger Program, led by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation's Narrap (Water) Unit, is now in its second year. Yering Billabongs and Biik Wurrdha have been selected as two pilot sites for undertaking bird and vegetation surveys to understand ecological values and collect information around cultural values. Developing a waterway assessment methodology is underway.

The Yering Billabongs Project, led by Yarra Ranges Shire Council, is testing whether former grazing land can be transformed back into a section of the Birrarung flood plains. In our last Annual Report, the Birrarung Council were pleased to report on the demonstration cultural burn that took place in May 2024, and we are pleased to see a second cultural burn was carried out in established areas of Spadonis reserve during the reporting period.⁵ Cultural

burns, under the leadership of Traditional Owners, are one encouraging example of the ways in which traditional ecological knowledge can lead collaborative care for Country.

The Yarra Flats Revitalisation Program, led by Melbourne Water, includes multiple responsible public entities, a university and community group working together. The project has to date established a long-term watering regime for Annulus and Banksia Street Billabongs; this maximises ecological, cultural and liveability outcomes while considering cultural values, recovery and potential and historical values. The Program's works are expected to be delivered between early 2026 and late 2028.

Melbourne City Council is leading the Birrarung Floating Wetlands project which was installed in December 2022. The floating wetlands at three locations have become a memorable site in Birrarung's inner city reach. The outcomes from The University of Melbourne's wildlife monitoring program are eagerly awaited. The wetlands trial period ends in mid-2026.

The Yarra Riverkeeper Association led the Polystyrene Pollution Project which was delivered in three phases. The final phase has identified the need for coordinated action across the expanded polystyrene (EPS) lifecycle. Recommendations have been made to improve practices at construction sites and advocating for the use of alternative materials. Birrarung Council looks forward to seeing how the report is used to support changes in site management by the construction sector and by government agencies with compliance and enforcement powers, especially EPA and local government.



Great Egret and Little Pied Cormorant, Inner city reach (Erin O'Donnell)

Climate change

It has been over 30 years since both the CSIRO and the Intergovernmental Panel on Climate Change (IPCC), within the United Nations, signalled major warnings about national and global climate change. Both provided governments at all levels with scientific information that they can use to develop climate policies.

In September 2025, Australia’s Climate Change Authority released its 2035 *Targets Advice* report.⁶ For Birrarung catchment, and Melbourne, these projected climate change risks include an overall drying of the landscape and including its river systems; increased incidents of bushfires and seasonal weather events; sea levels rises and low-lying coastal erosion and flooding; and increasing temperatures and periods of high temperature. All of which impacts upon humans, human-support infrastructure, and the more than human community of Birrarung, including platypus, rakali, fish, turtles, frogs and birds, vegetation communities, and water flows.

Climate change will have and is having significant impacts upon the water systems and cultural flows of Birrarung. All the while, we have proliferated a tangled web of non-porous surfaces in urban areas escalating stormwater run-off, starving soils and plant roots of moisture, as well as major changes in animals, birds, plants and vegetation, including introduced species that have acclimated across the catchment radically altering its pre-colonisation ecological and habitat systems⁷

In making hard choices about our future water, we must ensure that our policy processes are informed by an understanding and recognition of Birrarung as a living entity and a custodial relationship of care and reciprocity. We need to be mindful not to squander the gifts of the living rivers that sustain us.

View from the north bank near Flinders Street Station, Inner city reach (Nikita Vanderbyl)



Healthy Waterways Strategy annual summary 2024

The Birrarung Council is following the progress of the *Healthy Waterways Strategy 2018-2028* (the Strategy) for its ongoing synergies with *Burndap Birrarung burndap umarkoo* and the 50-Year Community Vision.⁸ The Strategy covers the Port Phillip and Western Port regions including Birrarung’s Yarra catchment.

To protect and improve the health of rivers, wetlands and estuaries the Strategy maintains catchment scale targets. Performance objectives (10-year targets) are measured annually and help assess the short-term progress towards achieving the long-term (10 to 50 year) goals set out in the Strategy.

Birrarung Council recognises the aspirational nature of the Healthy Waterways Strategy, and commends Melbourne Water and all its partners for their ambition in setting these targets. However, we also recognise that the mid-term review highlighted a range of areas for further improvement. There does not appear to be any significant change between 2024 and 2025 in the annual data provided on the Healthy Waterways Strategy website.⁹

Melbourne Water have signalled in their Annual Report that a priority for 2026 is improving the integration of *Burndap Birrarung burndap umarkoo* with the Healthy Waterways Strategy (and Port Phillip and Western Port Regional Catchment Strategy).¹⁰ We see this as an important step to ensure that data collected as part of this wider strategy is also informing the implementation of *Burndap Birrarung burndap umarkoo* (and vice versa).

State of the Birrarung (Yarra) and Its Parklands 2023 Report

In our 2024 Annual Report, we listed the seven recommendations from the *State of the Birrarung (Yarra) and Its Parklands 2023 Report*. Three of the six recommendations (3, 5 & 6) refer to the Healthy Waterways Strategy as a potential management tool to address several challenges for Birrarung. However, the Victorian Government has yet to respond to the recommendations, which, in October 2025, is now a significant delay. We look forward to seeing a response from the Victorian Government in the near future.

Wilson Reserve Irvine main drain, Ivanhoe, Suburban reach (Alexandra Lee)



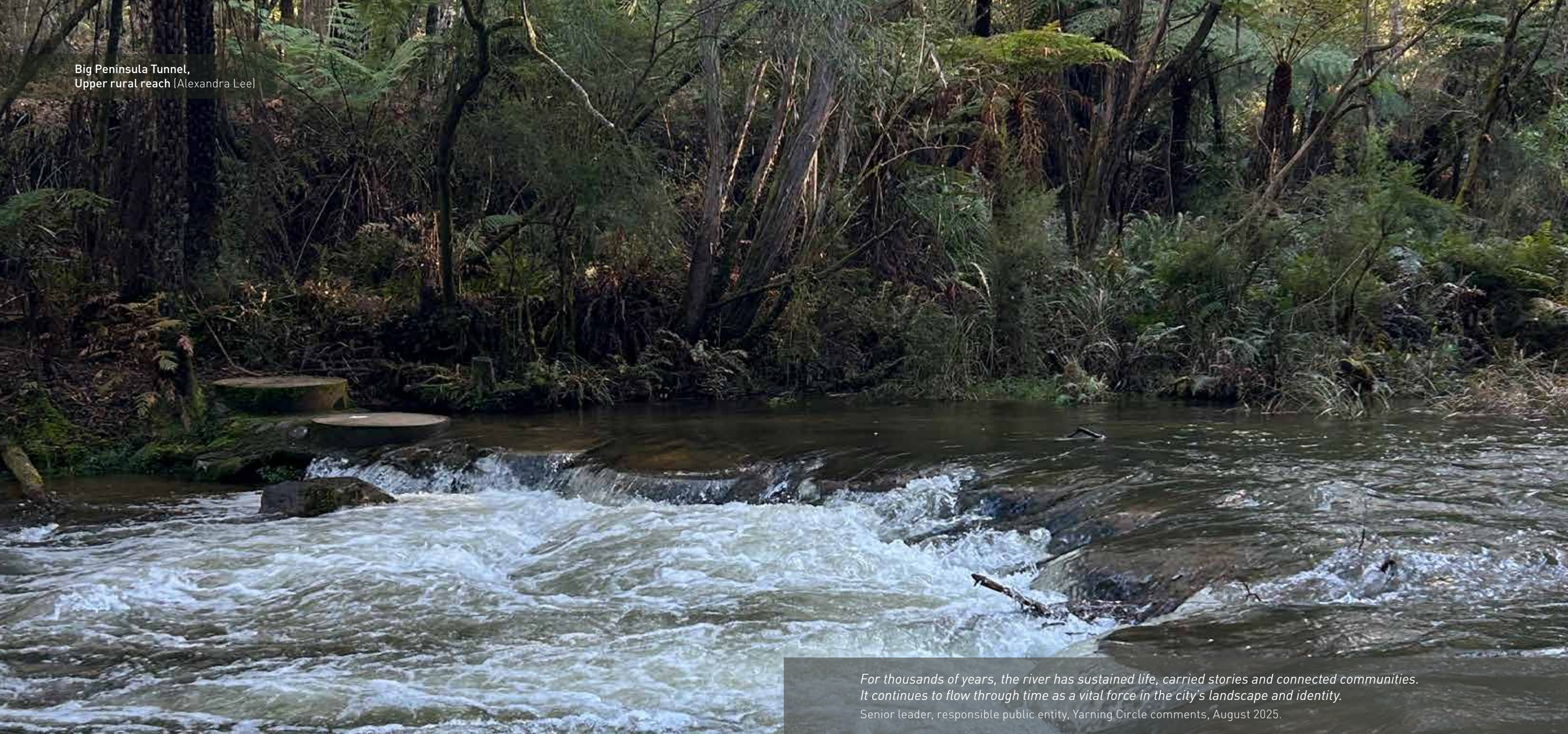


SECTION 3. ACHIEVEMENTS AND IMPROVEMENT

*You need to learn to listen
to what the River is saying.
Scientists have given plenty of
information about the condition
of the River. Aboriginal people
are listening to the River all
the time.*

Uncle Dave Wandin, Birrarung Council member
and Wurundjeri Woi-wurrung Elder

Cement Creek Confluence,
Upper rural reach (Alexandra Lee)



For thousands of years, the river has sustained life, carried stories and connected communities. It continues to flow through time as a vital force in the city's landscape and identity.
Senior leader, responsible public entity, Yarning Circle comments, August 2025.

Recognition of the River as a living entity

We acknowledge that recognising the River as a living entity is still a novel approach for some responsible public entities. Using this framework to care for Birrarung represents a challenge to established ways of working that often require us to compartmentalise and de-humanise the environment that our decisions impact. By changing our approaches and attitudes we have many opportunities to meet the aspirations of the 50-year Community Vision for a healthy, living Birrarung, both today and for generations to come.

Having said that, in 2025 we have observed a significant improvement in the way that senior leaders of responsible public entities are recognising Birrarung as a living entity. For many, understanding Birrarung in this way has become a conversation across their organisations, aided by the invitation from the Birrarung Council to compose a statement about their relationship with the River. In Yarning Circles, leaders described this task as a useful way to bring the River to the forefront of their organisation's thinking and

decision-making, while acknowledging that different members of their communities have varying and diverse relationships with Birrarung. In this year's Yarning Circles, we were pleased to observe new ways of describing connections to the River and its lands, including catchment-wide relationships which embrace the interconnected nature of tributaries across multiple jurisdictions. In 2025, all responsible public entities either recognise or partly recognise the River as a living entity according to this year's survey responses.

This is an improvement on last year when one responsible public entity did not recognise or partly recognise the River as a living entity. As more responsible public entities recognise and embrace the River as a living entity, Birrarung Council hopes to see Birrarung receiving increased attention in planning and operations. On-Country sessions with Traditional Owners have led to deeper understanding of the River's status among the council staff who have pursued this approach.

Living entity in action

Parks Victoria – relationship statement

Birrarung, you are many things.

You are alive, articulate, enduring, immersive, essential and a sanctuary. You show us a cultural landscape and tell us stories as you weave your way from the Yarra Ranges through to the city and bay. You provide opportunities for us to connect public spaces. In these places we can see the stories in the landscape. You encourage us to reimagine our relationship with nature, you remind us of what you as a River was, is and should be.

You hold pre and post settlement values, you encourage us to slow down and listen, the space you give us encourages us to do better. You have and will connect people to a place that is the natural, social, physical, spiritual and cultural lifeblood of our community. We are privileged to be with you.

We recognise the Wurundjeri Woi-wurrung and Bunurong [Peoples] whose Country you pass through. We support their cultural obligations to you and will collaborate with our partners and the local communities that live alongside or come to visit you. We acknowledge you and your own intrinsic values and will work to help you thrive.

The Birrarung is life.¹¹

Closed section of the Upper Yarra Catchment, Upper rural reach (Alexandra Lee)

Traditional Owner partnerships and self-determination

Responsible public entities continue to demonstrate some improvement in building partnerships with Traditional Owners. Reconciliation Action Plans (RAPs), as the minimum standard for engagement, are in place for all but one responsible public entity. We have also observed that initiatives beyond RAPs are increasing, for example partnership agreements and self-determination strategies. The Birrarung Council commends responsible public entities who have taken steps to support the work of Traditional Owners in their implementation of *Burndap Birrarung burndap umarkoo*.

Resourcing and project timeframes remain two major challenges for Traditional Owners. Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) have reported that timelines for projects are still hurried and do not give adequate time for community conversation and collective decision making which is foundational to First Peoples' ways of conducting business. Timelines and deliverables are still too often driven by external parties without consideration for the impact on WWCHAC and its capacity to juggle many projects simultaneously. They continue to experience an 'extractive' dynamic with some responsible public entities, rather than being provided the time and space to coordinate, reflect, build knowledge, and work at an appropriate pace.

The cultural burden placed on Traditional Custodians and their collective entities is significant. While inclusiveness is welcomed, this must always be coupled with an impetus to

empower and be reflexive and accommodating for the pressures placed on Aboriginal community.

We believe meaningful partnerships, that truly hand over power for Traditional Custodians to lead, is the way forward and the only way that Aboriginal knowledge of how to look after Country can be put into action for the benefit of all.

Self-assessment indicates that responsible public entities are often considering Traditional Owner science and culture in projects, but the level of consideration depends on the types of projects. Half the responsible public entities show improvement in their consideration of Traditional Owner science and culture, and while the remaining seven do not report improvement, they have also not declined since the last reporting period. Similarly, responsible public entities report that including Traditional Owner science and culture in their projects is moderately or significantly improving outcomes for *Burndap Birrarung burndap umarkoo* projects.

Commitment to building meaningful relationships and nurturing established partnerships with Traditional Owner communities and corporations continues to improve. However, as in 2024, fee-for-service activities continue to be listed as organisational support though these are more aligned to expected business practices rather than empowering self-determination. We are pleased to see some responsible public entities able to articulate what it means to partner with Traditional Owners in ways that enact equitable and reciprocal benefits, even if this isn't being achieved yet.

"There isn't [a clear example of us] relinquishing responsibilities. Relationships are really great, but we haven't got to partnership yet. There isn't balanced partnership to it. A lot it is relationship based, there is an interaction point, but it doesn't step far enough into the self-determination space."

Senior leader, responsible public entity, Yarning Circle May 2025.

In 2024, we noted that we expected to see responsible public entities use the *Burndap Birrarung Burndap Umarkoo* Engagement Framework, created by WWCHAC, to strengthen their engagement. Building stronger partnerships and sharing a greater role in decision making with Traditional Owners will give genuine effect to the intent of the Birrarung Act and its Yarra Protection Principles. We heard from Traditional Owners and responsible public entities alike that the resourcing remains a significant

challenge and momentum in this area has slowed. We highlight this issue in Section 4 as a priority for 2026.

In September the Statewide Treaty Bill 2025 (Vic) was tabled and as the State progresses towards a treaty with the First Peoples of Victoria, the Birrarung Council notes this important development for the work of implementing *Burndap Birrarung burndap umarkoo*.

"Get out of the quicksand of deficit thinking. The better the relationship you have, the better that treaty agreement is going to be, the better the state is going to be able to deal with the treaty aspirations of Aboriginal people." Uncle Andrew Gardiner, Yarning Circle comments August 2025.

Truth-telling, Treaty, and Birrarung

In July 2025, the Yoorrook Justice Commission released its findings on land and water justice in Victoria. Chapter 14, in volume 2 of the third interim report, focuses on water. Yoorrook found that '[w]hen colonisers and the State stole First Peoples' land, they took First Peoples' water and deprived First Peoples of their rights to access, use and manage water resources'. Yoorrook also found that 'aqua nullius [the assumption that water belonged to no one when the British invaded] is a fiction because First Peoples have never ceded sovereignty', and that the colonisers 'commodified' water, detaching it from land and connection to people and culture, making it into a resource for economic exploitation.

Yoorrook found that existing mechanisms of recognition, such as the *Native Title Act 1992* (Cth) or the *Traditional Owner Settlement Act 2010* (Vic), do not grant water rights that are consistent with the *United Nations Declarations on the Rights of Indigenous Peoples*, which the Commission considered should be the minimum standard. In 2024, First Peoples in Victoria owned less than 0.2% of water rights in Victoria. This is beginning to slowly improve, with the return of 1.4 GL of water in Birrarung to Wurundjeri Woi-wurrung people in October 2024.

Yoorrook also found that the settler state has presided over a devastating decline in waterway health, and that 'water is a living entity that is essential to First Peoples' creation stories, shapes the landscape, and sustains all life'.

Yoorrook made five recommendations relating to water to inform future law reform and Treaty processes, including recognising First Peoples' inherent rights to water (recommendation 37) and recognising all waterways as living entities, with Traditional Owners as a unique voice for the waterways (recommendation 38).

Organisational commitment

We see significant evidence of improved organisational commitment from the responsible public entities in two ways. First, we commend the continued commitment of their senior leaders to attend Yarning Circles with Birrarung Council. In 2025, our new Yarning Circle approach also gave these senior leaders a chance to share and learn from each other. Second, as noted above, we welcome the ongoing work by responsible public entities to develop their relationship statements with Birrarung, which have involved working across their organisations with input from multiple teams.

A further measure of organisational commitment to the delivery of *Burndap Birrarung burndap umarkoo* is responsible public entities' internal and external communications. This measure is important for evaluating how the Birrarung Act and *Burndap Birrarung burndap umarkoo* are being used to inform projects leading to transformational change. For 12 of 14 responsible public entities at least some of their corporate documentation (including websites, newsletters as well as internal strategies and reports) refers to *Burndap Birrarung burndap umarkoo* or the Yarra Protection Principles, and for one, all documentation does.

Comparisons with previous years reveals limited progress on this issue. Only one responsible public entity shifted from some to all strategies and reports mentioning *Burndap Birrarung burndap umarkoo* and the Birrarung Act. Birrarung Council welcomes this depth of engagement with and operationalisation of *Burndap Birrarung burndap umarkoo* across the entire organisation.

A review of relevant local government Council Plans from the eight councils along the River is another way to analyse organisational commitment.

During 2025, local governments are preparing their 2025-2029 Council Plans in accordance with the Local Government Act 2020. This includes setting their financial planning and operational strategies and actions for the next four years.

As a stakeholder, Birrarung was absent in the majority of 2021-2025 plans, a topic raised in this year's Yarning Circles. In response to feedback provided during Yarning Circles, several local councils have since elevated Birrarung in their Council Plans, with Manningham City Council in particular pledging:

*"Our Commitment to the Birrarung ... to protecting and enhancing the Birrarung (Yarra River) and its lands as one living and integrated natural entity. The Burndap Birrarung burndap umarkoo (Yarra Strategic Plan) 2022-32 reflects the important partnership between Traditional Owners and state and local government agencies, capturing a commitment to protect our treasured Birrarung and its parklands for future generations."*¹²

We are encouraged to see responsible public entities establishing internal governance groups which is raising the profile of *Burndap Birrarung burndap umarkoo* across their organisations to embed it within organisational arrangements. Survey data indicates four of 14 responsible public entities are taking this initiative.

We are pleased to see increased awareness of the Protection Principles among responsible public entities, along with their support for planning reforms since the gazettal of VC281 (see *Land-use planning and decision making*).

Birrarung Council members and observers visiting the closed catchment, L-R: James Thyer, Dale Wandin, Uncle Dave Wandin, Alexandra Lee, Sandra Brizga, Uncle Andrew Gardiner, Erin O'Donnell, Bronwyn South, Jackson Chatfield, Chris Chesterfield, Kayleigh Gallagher and David Jones (Melbourne Water)



Collaboration

Collaborating with other LGAs is super important. There is a spirit of collaboration and sharing information. That's why I feel good about today and the future.

Senior leader, responsible public entity, Yarning Circle August 2025.

Senior leaders acknowledged that everyone has a role to play with the delivery of *Burndap Birrarung burndap umarkoo* projects. Self-assessment indicates that collaboration is becoming increasingly normal practice, with six responsible public entities reporting 'extensive' collaboration (up from 5 in 2024 and 2 in 2023). Birrarung Council welcomes the commitment from senior leaders as expressed during Yarning Circles, to support collaboration.

Collaboration is clearly resource-intensive and therefore responsive to additional resourcing. Grants and externally funded projects appear to drive higher quality collaboration, while bureaucratic processes and staff changes remain challenges for collaboration.

Engaging the community on caring for the River remains an ongoing task. Responsible public entities report an intent to participate in transformative projects as a way to increase operational awareness and broaden commitment to *Burndap Birrarung burndap umarkoo* and its performance objectives.

Land-use planning and decision-making

Several important strategic and statutory planning announcements were made in 2025 reflecting significant work by DTP to address major gaps in planning provisions for Birrarung and its lands.

At the strategic planning level, the state-wide, strategic *Plan for Victoria* was released in February 2025 and gazetted into all planning schemes across Victoria in September 2025 as VC283. Included was 'Action 21: Protect our Birrarung (Yarra River)' which aims to integrate *Burndap Birrarung burndap umarkoo* into planning schemes, and to improve decision-making about protecting the River as a connected, living, natural entity.

At the statutory planning level, amendment VC281, gazetted in April 2025, changed the Victoria Planning Provisions and 34 planning schemes by amending clause 12.03-1R (Yarra River protection) to implement part two of *Burndap Birrarung burndap umarkoo* – the land use framework. The amendment also introduced Clause 51.06 to ensure responsible public entities have regard to the Yarra Protection Principles specified in the Birrarung Act and updated *Ministerial Direction 11 – Strategic Assessment of Amendments* to now require planning authorities, local councils and the Minister for Planning to consider the Principles in the Birrarung Act when preparing planning scheme amendments.

These planning amendments build on earlier planning scheme amendments implemented since the passage of Birrarung Act in 2017 which significant Landscape Overlays and Design Development Overlays within the Banyule, Boroondara, Manningham, Nillumbik, Stonnington and Yarra planning schemes.

In December 2022 a statewide Amendment VC201 was gazetted which provided for stronger recognition and protection for our waterways, lakes, wetlands and billabongs at a state level. VC201 provided substantial acknowledgement of Traditional Owner values and custodianship of waterways while recognising the importance of protecting the living cultural values and heritage relating to waterway systems.

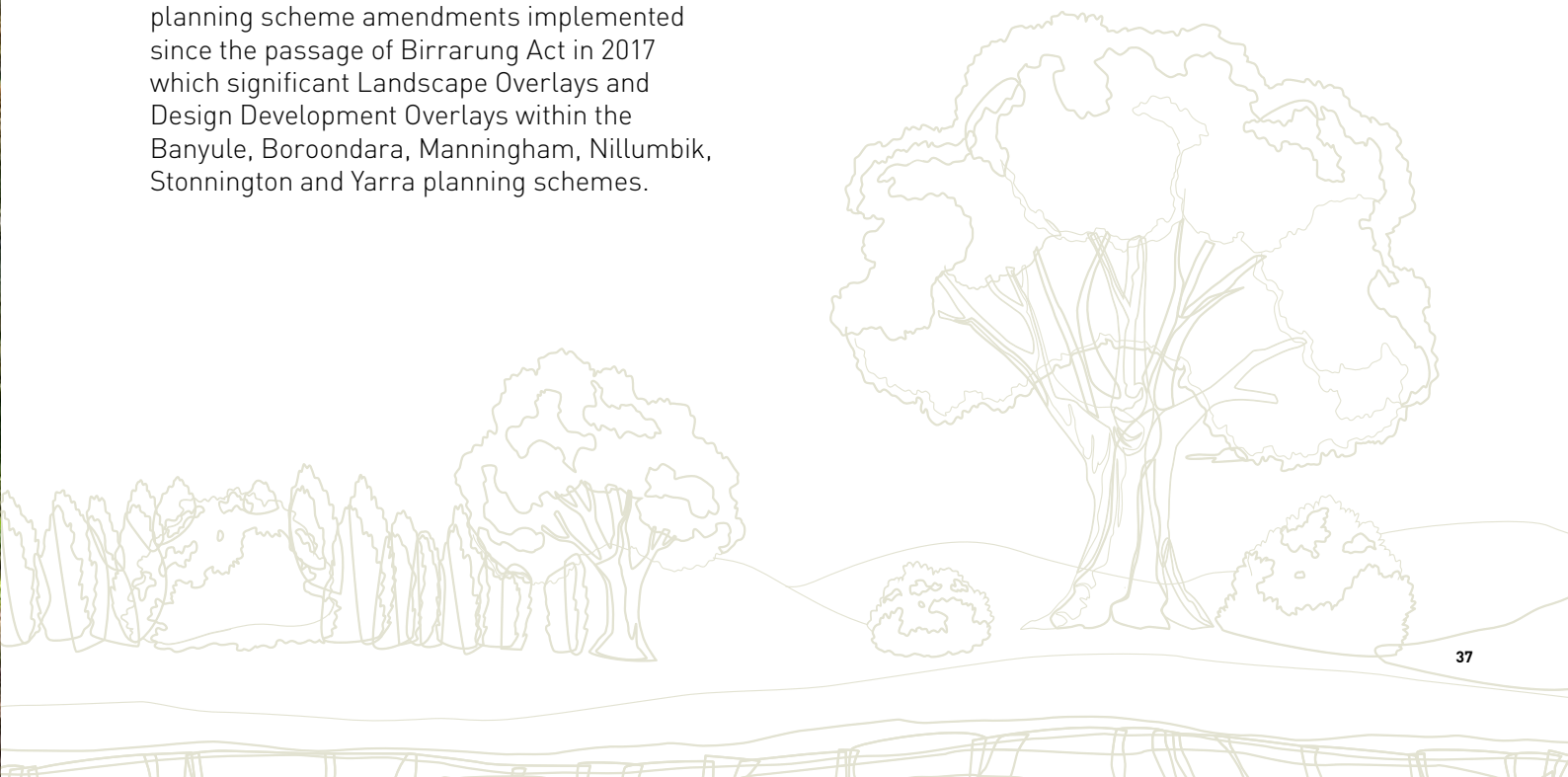
The Birrarung Council welcomes the major initiatives and provisions in 2025. Significantly these land-use planning changes have occurred in a year when the Yoorrook Justice Commission tabled its final report, with several recommendations pertinent to Victoria's water systems and their cultural flows.

However, notwithstanding these major land-use planning changes, we continue to observe that some responsible public entities through their planning authority's functions are struggling to navigate, comprehend, and fulfil their obligations in responding to the Birrarung Act, its Principles and in particular net gain (see below).

We believe it is now important to focus on how responsible public entities are implementing these planning policies and instruments and providing appropriate guidance to ensure their effectiveness.

If we're going to heal country and its waters, we need to walk together. There also needs to be a budget to support the capacity of Aboriginal organisations. Uncle Dave Wandin, Yarning Circle comments, August 2025.

Spadonis Reserve, Lower rural reach, Billabong walk and talk, Riverfest 2025 (hosted by Narrap Rangers, Melbourne Water and Yarra Ranges Council) (Alexandra Lee)



Net gain for Birrarung

Net gain is a key principle in the Birrarung Act guiding the care of the River.¹³ It states, 'there should be a net gain for the environment in the area of Yarra River land from individual actions or policies'.¹⁴

The Birrarung Council has consistently advocated for the importance of net gain in each of our Annual Reports. In 2021 we released a discussion paper, *Reframing environmental net gain for the Yarra/Birrarung* (available on our website). We consider that it should be a key priority to develop a definition of net gain that includes both cultural and ecological elements (as described in our discussion paper) and to develop a practical proposal for implementing net gain for Birrarung. *Burndap Birrarung burndap umarkoo* is ambiguous about this action and there is still a need to see DEECA and Melbourne Water as Lead Agency give it priority with a clear process and timeline.¹⁵

The Decision-Making Framework (DMF) is one way to achieve net gain for the River. The DMF is a tool which ensures consistency with the Birrarung Act and delivery of *Burndap Birrarung burndap umarkoo* and has the potential to demonstrate the shift in mindset needed to transform our relationship with the River. (See Appendix E of *Burndap Birrarung burndap umarkoo* for further details of the DMF).

The DMF "facilitates transparent and coordinated decision-making including with Wurundjeri Woi-wurrung and Bunurong Traditional Owners, for activities that affect the Yarra River land or when performing a function or duty or exercising power that may affect Yarra River land on their Country."¹⁶ As such it will be most effective in conjunction with empowered decision making and collaboration with Traditional Owners.

We have observed a decrease in the number of responsible public entities embedding the DMF into their planning and delivery of *Burndap Birrarung burndap umarkoo*. Only ten responsible public entities have partially embedded the DMF into planning and activities (two less than 2024), with only one responsible public entity self-assessing that they have fully embedded the DMF. Three responsible public entities have not even

partially embedded the DMF. We understand this reflects the need to adjust the DMF to a more user-friendly application.

We support Melbourne Water's intention to review the DMF and urge the inclusion of net gain as a priority.

However, as we note in our discussion paper, existing approaches to application of net gain policy allow environmental offsetting and have significant limitations if applied in the complex environmental and cultural context of Birrarung. These 'transactional' approaches to net gain enable environmental characteristics to be traded off against each other whereby an adverse impact can be offset by a positive environmental action in another or related area. This approach would certainly fail to align with the legislated definition of the River as one *integrated, living* entity, and fall short on delivering the Community Vision and *restoration* aspiration of the Traditional Owners.

The Birrarung Council's discussion paper proposes that the assessment of net gain should go beyond biophysical measures of 'gain' and should incorporate social and cultural objectives which include connection to Country and relationships with Birrarung.

Just as ecosystem restoration can be guided and strengthened by science, so too can it be guided by cultural knowledge of Country. Incorporating a cultural dimension into an approach to net gain is about more than just enabling Wurundjeri Woi-wurrung or Bunurong custodianship as a moral or legislated issue. There is a practical imperative of strengthening restoration through incorporating the Traditional Owners' knowledge of Birrarung as a living entity. In this way, restoration in cultural terms can also extend and deepen models of 'gain'.

We find the lack of discernible progress concerning and once again call out net gain as an area of priority focus. While the Lead Agency Melbourne Water's year ahead includes important priorities for the ongoing delivery of *Burndap Birrarung burndap umarkoo* we believe net gain needs to be one of them.



Cement Creek Confluence,
Upper rural reach (Alexandra Lee)



Birrarung at dusk, Suburban reach
(Erin O'Donnell)

Birrarung Parklands

The Birrarung Parklands is a transformative project linked to the 2018 declaration and gazettal of the Greater Yarra Urban Parklands. Parkland in the vicinity of the River between the urban growth boundary in Warrandyte and Punt Road, South Yarra, is to be given a common identity as a state significant urban natural entity.¹⁷

This is consistent with our vision of the Great Birrarung Lands, in which Birrarung is:

“...weaving through the landscape it created, connecting communities, histories, activities, culture, art and landscape into one natural, living entity.”¹⁸

In our 2024 Annual Report, we highlighted the importance of this project to achieve key priorities including recognising the River as a living entity and achieving net gain for the River.

Three important components of the project are now underway. First, cultural mapping by WWCHAC’s Research Unit will provide a significant resource for future planning and decision making on Wurundjeri Country. Second, a cultural narrative and visual identity is also being developed by Melbourne Water to better communicate the significance of the River’s living entity status across the parklands

to different audiences. This involves extensive work with WWCHAC and Bunurong Land Council Aboriginal Corporation to develop cultural narratives. Third, Parks Victoria is identifying priority actions to achieve the 2070 Vision for the parklands as developed by the YCC. The Birrarung Council is pleased to note these developments and acknowledges the timelines available need to be flexible to enable Traditional Owner leadership and self-determination. Our Yarning Circles with WWCHAC and responsible public entities have revealed the challenges posed by inflexible timelines which inadvertently undo important gains in Traditional Owner self-determination.

We have refined our earlier discussion paper on the Birrarung Parklands. Our updated ‘Great Birrarung Lands’ discussion paper is available on our website, and articulates a more connected vision for all of Birrarung’s lands as part of the living River. Key elements include creating a stronger identity for the River and its lands, recognising and celebrating the landscape character of the River corridor, appropriately balancing use and enjoyment of parkland with conservation, and integrating place-based stories and culture into low-impact infrastructure and design. We encourage the YCC, the Lead Agency, and all responsible public entities to engage with this discussion paper and include these ideas as part of this transformative project.

SECTION 4.
THE WAY
FORWARD

We are approaching
the half-way point for
Burndap Birrarung
burndap umarkoo,
which will occur in
February 2027.

Laughing Waters, Suburban reach
(Nikita Vanderbyl)

The way forward

Birrarung Council is pleased to see ongoing improvement in the way responsible public entities are caring for Birrarung. We commend all responsible public entities for their engagement with *Burndap Birrarung burndap umarkoo* so far, and we look forward to seeing greater collaboration between them, genuine partnerships with Traditional Owners, and embedded, operationalised understandings of the River as a living entity. This is the work of all responsible public entities.

The *Burndap Birrarung burndap umarkoo* Monitoring and Evaluation Framework co-developed by Birrarung Council and Melbourne Water, specifies key outcomes expected at

intervals of two years, five years and eight years (Appendix 4). These outcomes have informed our Yarning Circles with responsible public entities over the past three years. Each of our Annual Reports has provided an overview of progress against these outcomes and highlighted where we have seen gaps or a need for more progress.

Our recommendations for 2026 are again focused on these gaps and on enabling an effective evaluation of progress at the half-way point for *Burndap Birrarung burndap umarkoo* that can inform any major shifts that are required in the second half of the ten-year plan and laying the groundwork for the next iteration of *Burndap Birrarung burndap umarkoo*.

In the fifth year of implementation, the Birrarung Council would like to see increased attention given to:

1. **Improved awareness, understanding and appreciation of the River as a living entity.**

All responsible public entities are encouraged to continue developing their relationship with the River by sharing their relationship statements and embedding this work in their equivalent Council Plans or strategic documents. We will continue exploring relationship statements and their operationalisation in Yarning Circles in 2026, and we will increasingly expect to see how responsible public entities are using these statements to bring themselves into good relations with Birrarung and improve community awareness.
2. **Proactive engagement with the principle of net gain, including a clear definition and methods for achieving a net gain for the River.**

Net gain remains critical to meet the outcomes of *Burndap Birrarung burndap umarkoo*. All Protection Principles listed in the Birrarung Act are now active as decision making criteria for planning scheme amendments and for planning applications.¹⁹ In 2026 we should see an explicit definition of net gain for the River, and significant progress on guidance for how this can be achieved. We consider this should be led by the Lead Agency and DEECA and supported by the YCC. Wurundjeri Woi-wurrung and Bunurong Traditional Owner groups will be critical partners for this work, and we note that resourcing will need to be increased to support their ongoing involvement.
3. **Appropriately resourcing Traditional Owners and engaging early on all projects to enable genuine partnerships to develop.**

This remains a core priority for the Birrarung Council and is essential to implement *Burndap Birrarung burndap umarkoo* and meet the goals of the Birrarung Act.
4. **Improved guidance for strategic and statutory land use planning.**

The Birrarung Council commends the developments within the land use planning space and urges responsible public entities (through their planning authority responsibilities) to continue the important work of implementing amendment VC281. We recognise the importance of guidance to be provided by the DTP’s dedicated Birrarung planning team. In 2026, we should start to see evidence of how these planning reforms are being implemented by responsible public entities.
5. **Improved reporting that would support an evaluation of *Burndap Birrarung burndap umarkoo*.**

It will be important to see how outcomes described in the Monitoring and Evaluation Framework are being achieved, and if not, what the barriers to this achievement are.

Mount Lofty, Lower rural reach
(Alexandra Lee)

5. APPENDICES

APPENDIX 1

Birrarung Council Members

APPENDIX 2

Birrarung Council meetings, activities and events

APPENDIX 3

Yarning Circle protocols

APPENDIX 4

Monitoring and evaluation framework

Birrarung Rowers,
Inner city reach
(Erin O'Donnell)

APPENDIX 1: Birrarung Council Members



**Professor
Chris Chesterfield**
Chair

Chris is a Professor of Practice at the Monash Sustainable Development Institute and has been involved in river and catchment management in Victoria for more than 35 years. He has contributed to advancing the protection of rivers through recent roles as chair of several ministerial advisory committees that have led to significant planning and legislative reforms, including the *Yarra River Protection (Wilip-gin Birrarung murrnong) Act*. His previous roles include Chair of the Victorian Environmental Water Holder, CEO of the Office of Living Victoria and General Manager at Melbourne Water and he is currently a non-executive director at Barwon Water.



Uncle David Wandin
Wurundjeri
Woi-wurrung Elder

Uncle Dave Wandin is a Wurundjeri Woi-wurrung Elder and Cultural Practices Manager (Fire and Water) at the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. He is a recognised leader in the promotion and execution of cultural (cool) burns in Victoria. He has also sat on the Waterways of the West Ministerial Advisory Committee.



Aunty Diane Kerr OAM
Wurundjeri
Woi-wurrung Elder

Aunty Diane Kerr is a Wurundjeri Woi-wurrung Elder, and a well-known advocate in the health, welfare, childcare, education, and land rights arenas. She has sat on committees advising the Royal Women’s Hospital, served as Director and Chair of the Board of Native Title Services Victoria, and also sat on the Victorian Aboriginal Working Group.



Uncle Andrew Gardiner
Wurundjeri
Woi-wurrung Elder

Uncle Andrew is a proud descendant of the Wurundjeri clans of the Woi-wurrung people and identifies as an Aboriginal Muslim Australian. Uncle Andrew’s working life has been in the service of Aboriginal communities, Aboriginal community-controlled health, and self-determination. Uncle Andrew has held numerous positions across a range of organisations and has held (or currently holds) numerous Board and Committee positions. In December 2019, Uncle Andrew was elected to the First Peoples Assembly Victoria as the Wurundjeri Woi-wurrung reserved seat member and was re-elected in July 2023 to continue the work on State-wide Treaty.



Uncle Shane Clarke
Bunurong Elder

Uncle Shane Clarke is a highly respected Elder and valued member of the Bunurong Land Council. He has provided great service and dedication to the land council and community. Uncle Shane has a wealth of knowledge regarding Aboriginal culture including Landcare management, culture practices, language, and storytelling. For many years Uncle Shane has worked and been involved in cultural heritage management. He has also held various positions within several Aboriginal community organisations.



Dr Sandra Brizga

Sandra is an independent environmental consultant specialising in waterway and coastal management, and a Sessional Member of Planning Panels Victoria. She is a former President of the Australian and New Zealand Geomorphology Group, an Honorary Life Member of the River Basin Management Society and a Fellow of the Peter Cullen Water and Environment Trust. Previous government board roles have included the Victorian Catchment Management Council, Port Phillip and Westernport Catchment Management Authority and Trust for Nature.



Zena Cumpston

Zena Cumpston is a Barkandji woman who works as an artist, writer, storyteller, consultant and curator. She is passionate about plants and seeks out projects that empower community and Country. Zena recently co-wrote the ‘Growing on Country’ resource, a unique space to consider food sovereignty, fostering fertile conditions for social and environmental justice and change. She was a co-author of the *Federal State of the Environment Report* (2021) and the highly popular book *Plants; past, present, future* as part of the First Knowledges series. She regularly shares her art practice as part of exhibitions and educational resources both in Australia and internationally.



Dr David Jones

David is a planner, landscape architect and heritage advisor with over 40 years’ experience in academia, research, and practice, with strengths in First Nations’ Country values and care, regional planning, statutory and strategic planning, urban design, and cultural heritage. From 2010-2020 he was Professor of Planning & Landscape Architecture at Deakin University, from 2020-2022 oversaw the strategic planning and urban design activities and engagements of the Wadawurrung Traditional Owners Aboriginal Corporation, and he continues to practice in the Country/planning/design intersection assisting Corporations, and design/planning practices.



Dr Erin O'Donnell

Erin has worked in water law and policy since 2002, in both the private and public sectors. She is recognised internationally for her research on the legal rights of rivers and Indigenous water justice. She is currently a Senior Lecturer and ARC Research Fellow at the University of Melbourne Law School, where she is working with Indigenous Peoples in Aotearoa, the USA, Australia, Sweden, Finland and Norway on the role of treaties in achieving water justice.



Alexandra Lee

Alexandra is a Registered Landscape Architect with over 20 years' experience in the private and public sectors. Her career has a strong focus on urban water management and exploring the importance of the community's connection to place through water. She is a member of the City of Melbourne Parks and Gardens Committee and the Australian Institute of Landscape Architects 'Connection to Country' Victorian Sub-committee.



Dr James Thyer

James is a professional scientist who has worked for CSIRO, industry and research institutes working in diverse areas from agriculture to microbiological safety, and most recently he has worked at DEECA in areas such as their Open Spaces program. James has volunteered or served on the boards of several conservation organisations involved in revegetation and National Park advancement.



Bronwyn South

Bronwyn is Finance Manager at her family's apple and pear orchard / Angus cattle grazing enterprise on Arthurs Creek. She is an active participant in Melbourne Water's Stream Frontage Management program and is a life member of the Strathewen Landcare Group.

APPENDIX 2: Birrarung Council meetings, activities and events

Summary of Birrarung Council meetings, activities and events from 1 July 2024 to 30 June 2025:

- 10 Monthly meetings
- 6 Birrarung Council Elder meetings
- 5 Yarning Circles with responsible public entities

In the period between the end of the financial year and submission of this report, Council have undertaken 4 additional Yarning Circles.

Yarning Circles conducted outside of the reporting period have been used to inform this report.

The Birrarung Council has undertaken several activities in accordance with its statutory advice and advocacy functions, tabulated below.

EVENT/ACTIVITY	DESCRIPTION	OUTCOME
Opening event for <i>Reimagining Birrarung 2070</i> , National Gallery Victoria, Fed Square (August 2024)	Birrarung Council members attended the exhibition opening and Uncle Andrew Gardiner provided a Welcome to Country and spoke on behalf of the Birrarung Council.	A vital opportunity to share the River's status as a living entity with the general public through this opening event and the exhibition as a whole.
Birrarung Council meeting with Minister for Planning (August 2024)	Birrarung Council members met with the Minister for Planning, the Hon. Sonya Kilkenny in the Parliament of Victoria to discuss the role of the Birrarung Council and Council's views on <i>Burndap Birrarung burndap umarkoo</i> implementation.	Establishing a relationship with the Minister to ensure knowledge and understanding of Birrarung is prioritised and to advocate for planning reforms to give effect to <i>Burndap Birrarung burndap umarkoo</i> .
VicWater annual conference (September 2024)	Erin O'Donnell facilitated a panel discussion featuring Dr Sarina Loo (CEO, Victorian Environmental Water Holder) and Jackson Chatfield (Executive Officer, Birrarung Council).	The 2024 conference focused on the environment and explored how to care for Country and embrace environmental stewardship. This panel showcased the power of partnership with Traditional Owners and the recognition of living Rivers.
Yarra Riverkeeper: Birrarung Riverfest (September 2024)	Birrarung Council members spoke at two community events.	To advocate on behalf of the River and to increase community awareness and understanding of the Birrarung Council and its roles and responsibilities under the Birrarung Act.
Wurundjeri Water Return Ceremony (October 2024)	Aunty Di Kerr, Uncle Andrew Gardiner and Chris Chesterfield spoke at this important event hosted by Wurundjeri Corporation at Heide Museum of Art.	A return of water to Wurundjeri Woi-wurrung as a cultural water licence on Birrarung. Birrarung Council has consistently advocated for this water return, to support Wurundjeri Woi-wurrung obligations to care for Birrarung.

EVENT/ACTIVITY	DESCRIPTION	OUTCOME
Reimagining Birrarung 2070 Australian Institute of Landscape Architects National Symposium (October 2024)	Alexandra Lee and Erin O'Donnell spoke at this National Landscape Architecture symposium about the Birrarung Council's role with the River, the exhibition and the River as a living entity.	Showing Victorian leadership in waterway legislation and showcasing the role of the Birrarung Council and the living Birrarung.
Yarra Collaboration Committee (YCC) Workshop at Heide Museum of Art (February 2025)	Uncle Dave Wandin, Zena Cumpston and Birrarung Council Executive Officer Jackson Chatfield attended on behalf of Birrarung Council.	Modelling how organisations can support and champion a "healthy reciprocal relationship with Birrarung".
Yarning Circle with Minister Sonya Kilkenny (April 2025)	The Yarning Circle focused on three themes: relationships with the Birrarung as a living entity; Traditional Owner partnerships, community concerns for the River and the Minister's role in supporting <i>Burndap Birrarung burndap umarkoo</i> outcomes.	To continue the sharing of knowledge between the Birrarung Council and the Minister for Planning. The Minister announced the gazettal of VC281, an important step forward.
Birrarung Council trip into Upper Yarra Catchment (April 2025)	Members of the Birrarung Council, Melbourne Water, and Wurundjeri Narrap Rangers visited the source of Birrarung.	New perspectives of Birrarung's health and care were gathered, enabling Birrarung Council members to know the River from source to sea.
Seminar for Planners on implementing Part 2 Land-use Framework (May 2025)	Birrarung Planning Scheme Amendments briefing session for public and private entity statutory planners: Uncle Andrew Gardiner provided opening comments as a Wurundjeri Woi-wurrung Elder and also as a Birrarung Council member.	Reinforcing the Birrarung's cultural significance and the importance of giving effect to Birrarung Act Principles in planning decisions.
Chris Chesterfield and Erin O'Donnell presentation at Stormwater Victoria conference in Wangaratta (June 2025)	A conference dedicated to the idea that thoughtfully managed stormwater holds great potential to transform our cities and towns providing water security, reducing flood risk, enhancing biodiversity, and fostering resilient, cooler, and greener urban environments.	Showcasing the living Birrarung and the role of the Birrarung Council, and helping stormwater professionals understand how this affects their work.

APPENDIX 3: Yarning Circle protocols

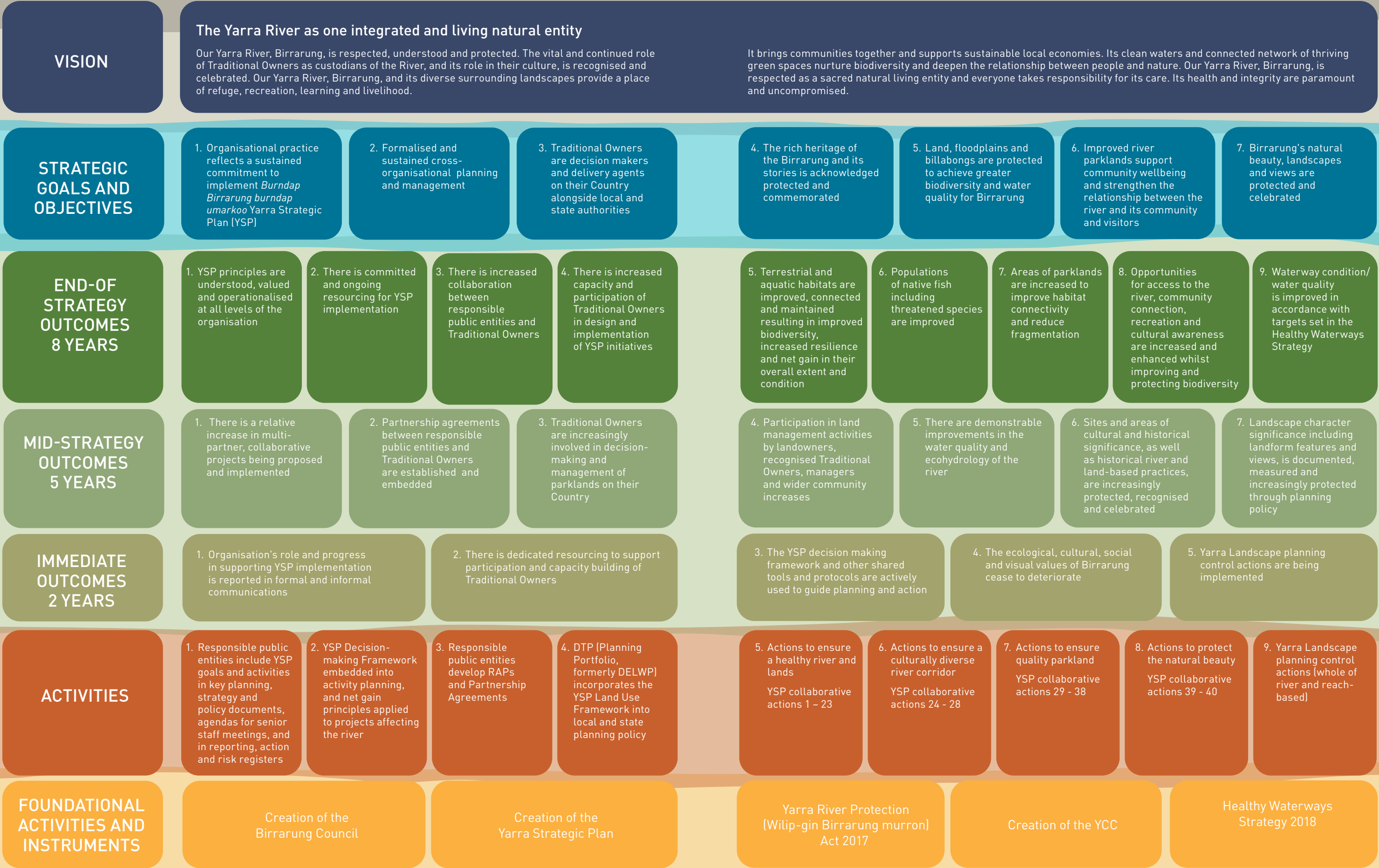
2024	
7 August	Banyule City Council Nillumbik Shire Council
2 October	Melbourne Water Department of Energy, Environment and Climate Action (DEECA)
2025	
7 May	Banyule City Council, Manningham City Council, Yarra Ranges Shire Council
2 July	Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
20 August	Boroondara City Council, Yarra City Council, Nillumbik Shire Council
3 September	DEECA, Department of Transport and Planning, Parks Victoria

Yarning Circles are guided by a set of cultural protocols (listed below) and involve the use of a talking stick as a way to embed and empower cultural practices and ways of doing business as the 'voice of the River'.

- The seating arrangement for the Yarning Circle must be circular.
- The Birrarung must be present in the room (virtual or physical).
- Artefacts or materials that represent the spirit of the Birrarung must be present in the room (Birrarung water, Manna gum leaves, images, River stones, etc.).
- The Elders are to sit either side of the Chair.

- The Chair opens the Yarning Circle and invites the Elders to provide a short Welcome to our guests and share an opening Elders statement.
- A talking stick is to be used to provide cultural principles to the discussion ensure a single speaker at any given time.
- The cultural significance of the talking stick will be explained by an Elder to all participants.
- The talking stick will enable the participant holding the talking stick to speak freely and finish their thoughts in full without interruption.
- The Chair invites each participant to introduce themselves in a clockwise direction using the talking stick. The Chair then sets the scene for the Yarning Circle: why we are here.
- Only the person holding the talking stick may speak. Everyone else must listen.
- The Chair will introduce each topic before asking the Elders to comment first.
- The guests will be given first opportunity to respond before all other participants are invited to speak upon request of the talking stick.
- The yarning circles will run for up to 1 hour and be recorded for Birrarung Council purposes only and not be attributed publicly to any individual, group, or organisation without permission. Recordings will not be permanently kept.

APPENDIX 4: Monitoring and evaluation framework



Endnotes

1

State Government of Victoria (2022). *Burndap Birrarung burndap umarkoo Yarra Strategic Plan: A 10-year plan for the Yarra River corridor – 2022-2032*, p. 15.

2

Melbourne Water Corporation (2018). *Healthy Waterways Strategy 2018-2028*. <https://healthywaterways.com.au/>

3

Melbourne Water Corporation (2025). *Burndap Birrarung burndap umarkoo Yarra Strategic Plan Fourth Annual Report 2024-25*, p. 40.

4

Burndap Birrarung burndap umarkoo, p. 45.

5

Melbourne Water Corporation (2025). *Burndap Birrarung burndap umarkoo Yarra Strategic Plan Fourth Annual Report 2024-25*, p. 18.

6

Climate Change Authority (2025). 2035 *Emissions Reduction Targets Advice*, <https://www.climatechangeauthority.gov.au/2035-emissions-reduction-targets-advice>

7

Commissioner for Environmental Sustainability Victoria (2024). *State of the Birrarung (Yarra) and Its Parklands 2023 Report*; Melbourne Water Corporation (2024). *Healthy Waterways Strategy Mid-term Review Summary*.

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Melbourne Water Corporation (2018). *Yarra River 50-year Community Vision Wilip-gin Birrarung murrון*. https://www.melbournewater.com.au/sites/default/files/2021-12/Yarra_River_50-Year_Community_Vision_2018.pdf

9

Healthy Waterways Strategy website. Annual Summaries 2024: <https://healthywaterways.com.au/annual-summaries/2024>

10

Melbourne Water Corporation (2025). *Burndap Birrarung burndap umarkoo Yarra Strategic Plan Fourth Annual Report 2024-25*, p. 41.

11

Parks Victoria LinkedIn Page, 4 Sep 2025: https://www.linkedin.com/posts/parks-victoria_birrarung-yarrariver-caringforcountry-activity-7369157518255652864-EszY?utm_source=share&utm_medium=member_desktop&rcm=ACoAACvEvk4BluyZg4o4WZ_NHHhDhtth0AcvJl4

12

Manningham City Council (2025). Council Plan 2025-29

13

For a detailed explanation of net gain, see Lindsay and Moggridge (2021), *Reframing ‘environmental net gain’ for the Yarra Birrarung’ Report*: www.birrarungcouncil.vic.gov.au

14

Yarra River Protection (Wilip-gin Birrarung murrון) Act 2017, s9(4).

15

Birrarung Council (2024). *Annual Report to Parliament on the implementation of Burndap Birrarung burndap umarkoo Yarra Strategic Plan*, p. 38.

16

Burndap Birrarung burndap umarkoo, Appendix E, p. 162

17

Yarra River Protection (Wilip-gin Birrarung murrון) Act 2017, s59(1).

18

Birrarung Council (2024). Great Birrarung Lands discussion paper: www.birrarungcouncil.vic.gov.au

19

Yarra River Protection (Wilip-gin Birrarung murrון) Act 2017, ss7-13.

Glossary

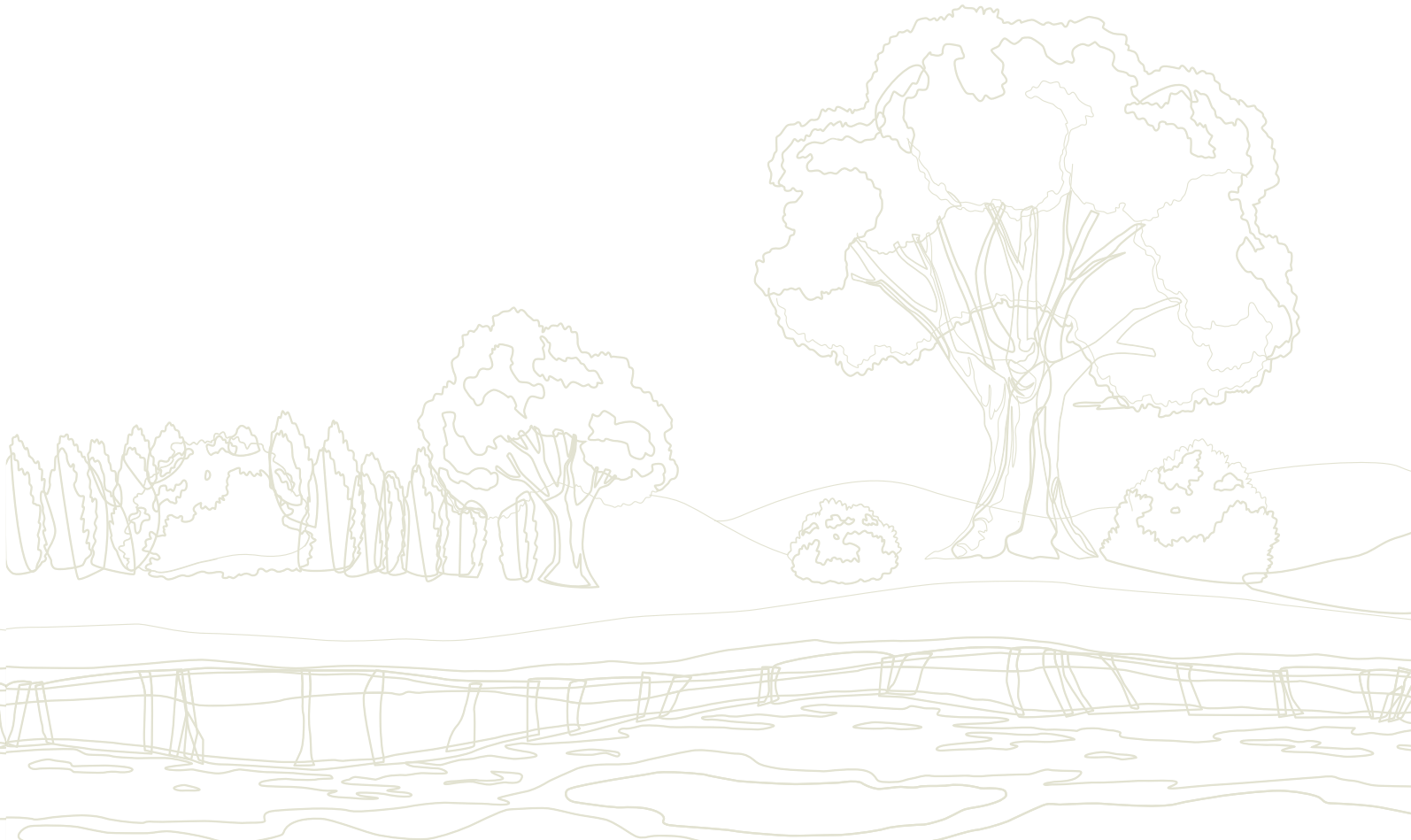
Birrarung Parkland: *Burndap Birrarung burndap umarkoo* definition of a vision for publicly accessible parkland associated with the Yarra River corridor.

Great Birrarung Lands: The Birrarung Council’s vision for a world-class cultural landscape encompassing the lands belonging to the River.

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

Net gain: An environmental principal referenced in the *Yarra River Protection (Wilip-gin Birrarung murrון) Act 2017*. The Birrarung Council’s version of net gain builds on this and encompasses scientific and technical measures of gain alongside principles of ecologically restorative measures and cultural understandings of gain (more information available on the Birrarung Council website <https://birrarungcouncil.vic.gov.au/>).

This Annual Report has been written and produced without the use of artificial intelligence.





BURNDAP BIRRARUNG BURNDAP UMARKOO

What is good for the Yarra is good for all