

# Water is Life

## Traditional Owner Access to Water Roadmap

### Community FACT SHEET

The Victorian Government has been working with Traditional Owners to improve their access to water and their involvement in water management.

*Water is Life: Traditional Owner Access to Water Roadmap* provides an important framework to create and maintain a careful and considered balance between Traditional Owner self-determination in water access and management, and the rights and entitlements of a range of stakeholders.

#### What is *Water is Life*?

*Water is Life* develops a pathway to genuine, meaningful outcomes for Traditional Owners. *Water is Life* represents actual and symbolic respect for the importance of Aboriginal connections to Country. Caring for Country and water can deliver thriving cultural economies and benefits for Traditional Owners, existing entitlement holders, and all Victorians.

#### Why was *Water is Life* developed?

Currently, Traditional Owners hold less than 0.2 per cent of all water access entitlements in Victoria. It is time to recognise that their communities have thrived here for thousands of years and honour their relationship with land and waters.

*Water is Life* is a key deliverable from Water for Victoria – a policy that was developed by working with communities around Victoria to understand what they wanted to see from a future of a sustainable and secure water supply. In addition, in 2019, legislation was passed to enshrine Aboriginal cultural values and knowledge in water and catchment management into law for the first time and to include Traditional Owners in these processes.

#### Will *Water is Life* affect existing entitlements?

No, Aboriginal water access through *Water is Life* will not affect existing water entitlements or allocations.

*Water is Life* does not propose to change permissible consumptive volumes or diversion limits – that is, the volume of water that can be removed from rivers and aquifers.

Water shares or licences held by Traditional Owner organisations are subject to the same rules and rights as when they are held by farmers.

*Water is Life* does not propose to change or buyback existing entitlements, and the Victorian Government's strong support for regional communities and to minimise negative socio-economic impacts of the Basin Plan has not changed. Increasing access to water for Traditional Owners is intended to deliver benefits for Traditional Owners and the wider Victorian community.

For Traditional Owners, holding and managing water leads to improved cultural connection, well-being, and subsequently physical and mental health. It provides opportunities to use water for economic enterprises including aquaculture, bush food cultivation and ecological or cultural tourism. It offers job opportunities and flow-on effects for regional communities.

#### What does *Water is Life* propose?

*Water is Life* proposes a series of actions the government will take in partnership with the water sector, existing water users and Traditional Owners to increase Traditional Owner access to water and management of water landscapes.

*Water is Life* proposes actions that could increase:

2. Traditional Owner involvement in planning and decision-making over where and how water for the environment is used
3. water entitlements held by Traditional Owners for their self-determined use
3. Traditional Owner participation in the management of Victoria's water landscapes.

Consistent with the principle of self-determination, each proposed action does not mandate specific pathways for every Traditional Owner and will enable each Traditional Owner group to determine whether and how to participate in each process.



## How will *Water is Life* impact the role of CMAs and water corporations?

This work does not change the existing statutory responsibilities of existing water agencies, nor the requirements for agencies to consult with community when making decisions. Victoria's existing environmental water and waterway management frameworks have been developed with communities over the past 25 years and are delivered through regional partnerships between the VEWH and CMAs. There will continue to be an essential role for the VEWH and CMAs as state agencies delivering environmental water and waterway management.

*Water is Life* proposes a process that may lead to the recognition of Traditional Owners as waterway managers for specific functions in certain locations.

Traditional Owners are already participating in environmental water planning and management. As this role increases, further barriers to self-determination will be identified and addressed. Any potential future legislative changes will involve engagement with Traditional Owners, water users, wider stakeholders and the community.

## What is cultural water?

Cultural water means water entitlements controlled or held by Traditional Owner Nations to benefit a range of outcomes, as determined by each Nation. This can include environmental as well as economic uses. Cultural water respects existing water entitlement structures while still providing Traditional Owners rights equal to existing holders.

Like other users, any conditions on use, such as volumetric limits, will continue to apply to any water entitlements issued to Traditional Owners, and use of water entitlements by Traditional Owners will need to comply with the requirements of the *Water Act 1989*.

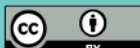
For example, Gunditj Mirring Traditional Owners Aboriginal Corporation is planning to use its recently issued section 51 'take and use' (consumptive) water licence within the UNESCO World Heritage Listed Budj Bim Cultural Landscape, which was inscribed in 2019 for its cultural values to the Gunditjmarra community. Managing the flow of water over country is an essential aspect of the cultural values including the iconic aquaculture of Kooyang (short-finned eel).

In some circumstances, Traditional Owners may work with environmental water holders and waterway managers to achieve shared ecological and cultural outcomes from environmental watering. While these shared benefits are culturally and environmentally valuable, they are not 'cultural water', because the entitlement is held by the environmental water holder rather than Traditional Owners.

## How will *Water is Life* be implemented?

The Victorian Government is proposing a staged and iterative approach to implementation of the actions in *Water is Life*. Implementation will be informed by pilot projects and an adaptive approach that supports the water sector, existing entitlement holders, Traditional Owners and the broader community to work together.

How we do this, and the development of implementation options for *Water is Life*, will be informed by wider engagement with Traditional Owners, key stakeholders, and the Victorian community. This will include wide consultation if any new legislation is proposed. Our approach is consistent with Water for Victoria's commitment to strengthen local relationships and put community at the centre of decision-making.



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