

Introduction

Please find following key information about making a submission.

Who can make a submission?

Anyone is able to comment and make submissions on the Water for Victoria Discussion Paper.

How will submissions be used?

We want the final Water Plan to reflect the community's views. All submissions received will be reviewed and used to inform the final document.

Will submissions be publicly available?

Written submissions will be publicly available and will be able to be read by others, unless you have requested and been granted confidentiality status.

Why do I have to register to make a submission or comment online?

The information provided in the registration form will help us analyse the responses and help us know which issues are of concern to communities and stakeholders in which areas of Victoria.

Can I provide a submission in another format?

Given the high volume of submissions anticipated it is strongly preferred that the online form or the downloadable template be used. This will ensure the most effective evaluation of the issues raised in submissions. However, if another format best suits the needs or requirements of your organisation you are welcome to use another format.

How do I make a submission?

You can provide your submission in three ways:

- ➔ **Online** via the [online submission form](#), or by [uploading your submission](#)
You will need to register to make a submission. Submissions and comments will close at 5.00pm AEDST Friday 13 May 2016.
- ➔ **Email** using the waterplan@delwp.vic.gov.au email address. You are welcome to use the email template available for download, or your own preferred format.
- ➔ Post your submission to:

Water Plan Project Team
Water and Catchments Group
Department of Environment, Land, Water and Planning
Level 10, 8 Nicholson St
East Melbourne 3002

As part of making a submission, you will need to agree to the privacy collection notice and statement of confidentiality. These are outlined in both the online submission and upload forms.

Do I have to respond to all of the questions in the submission form for my views to be heard?

Not at all. You are welcome to respond to as many, or as few, of the questions as you would like.

Can I comment on other areas not addressed in the Discussion Paper?

The Water for Victoria Discussion Paper and consultation process is asking Victorians to take a look at some particular aspects of water – particularly those outlined in the ‘proposed strategic directions’.

These have been put forward as areas where community members and stakeholders can make the most impact in the decision-making process within the final Water Plan document.

You are welcome to comment on other areas not addressed in the Discussion Paper which you feel should be a part of this document. However, we do recommend that you first check the Department’s consultation website: haveyoursay.delwp.vic.gov.au to see if your area of focus falls within a different policy document or consultation process.

Submission Template

Chapter 2: Climate change

Proposed objective: Victoria will continue to invest in climate science to understand the impacts of climate change now and into the future. The water sector will play an important role in both climate change mitigation and helping our communities to adapt to climate change. Our water sector will be prepared to minimise the disruption that extreme events like flood and bushfire may cause to the provision of this essential service.

2.1. The Discussion Paper proposes that:

'The government will continually build our understanding of the impacts of climate change by working with a range of partners such as communities, research organisations, businesses and industry. This will help ensure that the Victorian Water Sector is well prepared to plan for and adapt to future climate change'.

Do you agree with this idea? If so, who should the water sector be working with on the impacts of climate, and how?

We strongly support the proposal to build a better understanding of the impacts of climate change with the range of partners listed. It is particularly important to ensure the community understands the impact of climate change on Victoria's future water supply, through effective engagement and communication of the issues. Consumers and communities need to have an understanding of the vision and imperative in order to participate effectively. In the absence of an effective and engaging communication with the wider community, it is possible that community resistance to elements of the plan, such as mitigation or demand management, may emerge. Both the government and water businesses have a crucial role in providing information and opportunities for engagement.

The community needs simple tools and an effective narrative to understand what can be a complicated area of policy, particularly given the potential for misinformation and politicization of the issues. The Bureau of Meteorology rainfall reduction maps (provided on pages 26 - 27 of the Water for Victoria - Discussion Paper) are very powerful visuals that together with a clear simply worded narrative can assist the community's understanding of the nature of changing rainfall patterns.

The implications of water shortage on communities can also be effectively conveyed using local community examples (e.g. the recent stage 3 restrictions in Lorne where water was trucked in to address historic lows in an area that historically has received high rainfall levels compared with other areas of Victoria).

2.2. The Discussion Paper proposes that:

'The water sector, including water corporations and catchment management authorities, will maximise its contribution to climate change mitigation by achieving carbon neutrality. The government will work with the water sector to consider implications for the sector and determine an achievable time period for this to occur. In the interim, the water sector will:

- **Contribute to carbon reduction targets set by the government**
- **At least match the state's renewable energy target through the development of renewable energy sources or purchase of renewable energy generation certificates**
- **Exploit carbon sequestration opportunities identified catchment management authorities**
- **Maximise the energy efficiency of its operations and premises.'**

Are there any other opportunities or challenges that we should be aware of?

We support the proposal as it is in the long term interests of consumers to undertake mitigation activities to reduce the impact of climate change. However, we are mindful that moving towards carbon neutrality can also have costs impacts which may be both short, medium and long term. In this context it is important that the Department and ultimately the water businesses, consider the impact of water pricing on consumers, particularly disadvantaged and vulnerable consumers. It is also important to consider this policy in the absence of an effective understanding of the vision for water and the wider policy framework within the wider community.

Establishing clear details about the cost of climate change mitigation and clear timeframes by which the water sector should achieve carbon neutrality is important to allow water businesses to effectively incorporate them into their pricing submissions and help to communicate these changes in pricing and the reasons for them to their customers. We would refer to the Melbourne Water Price Review 2016 -2021 as an example, in which Melbourne Water sought to recover the cost of achieving 100% carbon neutrality in their first price submission. The Essential Services Commission rejected this cost as it found no evidence for increasing Melbourne Water's carbon offsets through renewable energy credits above the Victorian Renewable Energy Target.

To effectively achieve these aims, we would encourage the government to maintain an ongoing dialogue with water businesses and their boards around the vision and implementation of that vision.

2.3. The Discussion Paper proposes that:

'The government will track the impacts of climate change on our environment and communities by:

- **Developing a monitoring, evaluation and reporting framework for the water sector**
- **Collating information collected to guide ongoing action to address the impacts of climate change**
- **Using the framework to guide evidence-based decision making and adaptive management across the water, catchment and agriculture sectors.'**

How strongly would you support this direction? Do you have any further advice for the Department on this proposed direction?

Please explain your response:

We support a transparent reporting framework and acknowledge that limited metrics or benchmarks currently exist. These measures would assist community understanding of performance and trends, provide useful information for future planning and benchmarking, and assist performance accountability.

Chapter 3: Waterway and catchment health

Proposed objective: To protect all waterways from the adverse impacts of human use and improve the condition of priority waterways to support environmental, social, cultural and economic needs and values of communities now and into the future.

3.1. The Discussion Paper proposes that:

‘Through implementation of regional waterway strategies, which identify priority waterways in consultation with local communities, the government proposes to:

- **Improve the health of 36 priority waterways, by focusing investment on large-scale projects to achieve targeted outcomes over the next 30 years**
- **Continue investing in on-ground work and environmental water management of other local priority waterways identified in regional waterway strategies for community benefits**
- **Establish long term evaluation sites and ensure that waterway managers monitor and report back to communities on the progress of securing environmental outcomes.’**

How strongly would you support this direction?

We strongly support the objective of protecting waterways.

‘Over the next four years the government will build on the Victorian Waterway Management Strategy by:

- **Implementing the Regional Riparian Action Plan to accelerate priority onground riparian work**
- **Improving the health of the Gippsland Lakes by continuing to support the Gippsland Lakes Coordinating Committee and investing in on-ground works and community engagement**
- **Introducing legislative provisions to protect the Yarra River from inappropriate development and promote the river’s amenity and significance.’**

What feedback would you provide about this proposed direction?

In particular, we support the planning and implementation of long-term works in partnership with communities. These projects should involve community engagement from the outset in the planning process. A number of engagement strategies can be implemented, appropriate to the size, scope and impact on effected communities. We note that community engagement need to take account of the cultural values of different communities and that some thought needs to be given to how businesses can be supported in developing that understanding (e.g. in developing trusted relationships with Aboriginal communities) and capacity. The re-establishment of the Gippsland Lakes Coordinating Committee could be a useful model. Coordinating committees can be particularly useful to carry project vision forward into the medium to long-term, and to ensure the community remains involved and invested in the implementation of these works.

3.4 The Discussion Paper proposes that:

'The government will strengthen community engagement and participation in waterway and catchment health through:

- **Involving the community to a greater extent in planning, priority and outcome setting, on-ground work and monitoring**
- **Continued support of Landcare, Waterwatch, EstuaryWatch and other citizen science initiatives**
- **Building partnerships with recreational anglers to plan, deliver and monitor projects to improve fish habitat.'**

How strongly would you support this direction? Have we missed anything?

We strongly support this direction. Increased community input into planning, prioritising and outcome setting will promote understanding of and support for the plan itself. We raise the suggestion here that the Department might consider how the value of the contribution from Landcare, Waterwatch, EstuaryWatch along with the participation of volunteers could be better communicated and promoted to the wider community, to increase awareness and support for these programs among the community (including as models for participation where these are producing positive outcomes). There may also be some scope for addressing gender diversity as part of this participation.

Chapter 5: Resilient and liveable cities and towns

Proposed objective: Water will support the transformation of Victorian cities and towns to be the most resilient and liveable in the world. We will plan and manage all elements of the urban water cycle in an integrated and innovative way to improve environmental, social and economic outcomes for our communities.

'Government will support resilient and liveable cities by adopting a whole-of-government approach. In particular, the water, urban planning, and local government portfolios will align key strategies, including the water plan, Plan Melbourne Refresh and the Metropolitan Open Space Strategy to support the water-related outcome areas described in this chapter.'

What feedback or advice would you provide to the government about this direction?

We strongly agree that it is important to have a whole-of-government approach towards the planning and management of resilient and liveable Victorian cities, aligning the water plan with the key strategies in Plan Melbourne Refresh and the Metropolitan Open Space Strategy. Ensuring that Victorian cities remain liveable is particularly important. This priority helps to maintain the health and welfare of the wider community through access to usable green spaces that also help to cool the city.

Within this context it is important to consider the value of water as an essential service for social participation. Access to water contributes to community wellbeing and social cohesion. We are of the view that that policy frameworks need to address the mechanisms by which low income and vulnerable consumers can maintain access to a healthy and affordable supply of essential services sufficient for personal wellbeing and to participate in the benefits outlined in this discussion about liveable cities and towns. The water policy framework should provide for this so that no Victorian is left without access to water for health, wellbeing, and social participation. We need an approach to innovation that integrates social equity with pricing and urban water reform.

5.1. The Discussion Paper proposes:

'The government will make the best use of all water sources by:

- **Promoting the use of all available sources to support liveability outcomes where the water sources are fit-for-purpose**
- **Requiring water corporations to assess the use of all potential water sources in the development of their Urban Water Strategies (these strategies are required under the current Statement of Obligations for water corporations)**
- **Promoting an evidence-based approach to diversifying our water portfolio that enables informed community consideration of the role of all potential water sources.**

How strongly would you support this direction, and why?

We strongly support the proposal to make the best use of all water sources. In our view, promoting the use of all fit-for-purpose sources of water will be essential given the forecast changes to rainfall and streamflows. Likewise, requiring that water corporations consider the use of all potential water sources in the development of their Urban Water Strategies will be necessary.

With regard to diversifying Victoria's water portfolio, we strongly support improving community understanding about water sources and their comparative costs and usage benefits. We believe there is an urgent need for the government and water businesses to educate consumers and communities about supply options in order to assist meaningful engagement by consumers in decision-making about the planning of supply augmentation and water security. Gaps still remain in the wider community's understanding about the current and future costs/value proposition of the desalination plant in meeting water needs, particularly in drought conditions.

Greater involvement of consumers in this area of government policy has the potential to improve outcomes. Comprehensive community engagement involves much more than the provision of

information alone. When considering supply augmentation, and engaging consumers in this process, it is crucially important that the costs and benefits (economic, social and environmental) of all options can be considered.

Such an approach is likely to create broader community understanding and support. Greater efforts to build consumers' 'water literacy' and encourage active participation. Finally, supply augmentation proposals could be proposed to the public alongside demand management options, so the public better understands the choices available.

'The government will support enhanced stormwater management to realise multiple benefits, with a particular focus on protecting urban waterways by:

- **Reviewing current obligations and management practices to ensure that all types of development more effectively manage adverse stormwater impacts and there are effective economic incentives to mitigate the impacts of runoff**
- **Supporting best practice through updating integrated water management standards in planning schemes, as part of ensuring we have the best mix of tools to address stormwater management.'**

What feedback or advice would you provide to the government about this direction?

In principle, we support whole of water cycle management from a conservation and sustainability perspective as a way to ensure that Melbourne has sufficient water to meet the demands from a growing population. The proposed initiatives are positive, however, it is also important that the cost of the reforms and the methodology by which they are to be met is transparent, so that the allocation of costs and benefits are clear in the decision –making.

5.3 The Discussion Paper proposes that:

'Government will:

- **Build on T155 and the Schools Water Efficiency Program to develop a collaborative behaviour change campaign for residential and non-residential customers working with industry and appropriate research institutions**
- **Partner with water corporations and local government to build an informed and engaged community, including ensuring water-related data and information is available and accessible to water customers and the community.'**
- **Develop a program to support efficient use of water by industry**

What feedback or advice would you provide to the Government on this proposed direction?

We support the proposed direction, however we are concerned that there is limited understanding in the community for the current need for these demand management programs. Target 155 was previously supported because the community gained an understanding of the perilous state of the water supply and voluntary participation was high. Messaging about the

need for water efficiency has not been provided consistently and we note the general confusion present in the community. We suggest the government might consider utilising a high profile public information campaign to explain the wider policy context before reinstating these demand management measures. It will be essential for the government to partner with water corporations and local government to effect behaviour change, and to develop a program to support efficient water use by industry to ensure that any response to water shortage is equitable.

Chapter 6: Recognising and managing for Aboriginal values

Proposed objective: Victorian water planning and management frameworks will consider the cultural value that water has for Aboriginal people through participation. Our existing water planning and management processes will have regard to the rights and interests of Victoria's Traditional Owners through collaboration. This will be achieved through aboriginal participation in water management.

6.3 The Discussion Paper proposes that:

'The government will build increased participation of Aboriginal Victorians in water management by:

- **Building the capacity of the water sector to collaborate with Traditional Owners**
- **Seeking advice from Aboriginal water reference groups**
- **Supporting the appointment of Aboriginal people to key positions in the water sector**
- **Investigating further opportunities for scholarships and internship programs.**

The government will work with Traditional Owners to identify barriers to them accessing water to meet cultural flows objectives and to inform their decision about whether to enter the water market.'

What comments do you have about this direction? Have we missed anything?

We strongly support the policy direction to recognise the unique understanding of the importance of water by Aboriginal communities. We believe that Aboriginal views and participation has been grossly underrepresented in government policy and regulatory processes. We strongly support the proposals made in 6.3, particularly the proposals to build capacity of water corporations to better engage with Traditional Owners and develop skills among the aboriginal community to increase representation and employment within the water management sector.

In 2011, CUAC undertook research and consulted with Aboriginal communities in Victoria to produce the report - *Wein, Paen, Ya Ang Gim: Victorian Aboriginal Experiences of Energy and Water*. The report examined Aboriginal consumers' experiences and needs in relation to electricity, gas and water, and provided a number of recommendations aimed at addressing the challenges in Victorian Aboriginal communities in a sustainable way. Key recommendations from this report included to improve outreach to Aboriginal communities, and to engage with both the water and energy industries with a view to developing 'Reconciliation Action Plans' (or formal agreements) with traditional Aboriginal owners of the land. We refer DELWP to Appendix

2 – ‘Working Effectively with Aboriginal Consumers’ (p137-142 of the report).

Reconciliation Action Plans are intended to assist organisations to develop a business plan that documents what they will do within their organisation to further Reconciliation with Aboriginal and Torres Strait Islander people in Australia. The plans outline practical actions the organisation will take to build strong relationships and enhanced respect between Aboriginal and Torres Strait Islander people and other Australians. Such respect and relationship underpins any work with Aboriginal community.

Reconciliation Action Plans may present a good basis for working with Aboriginal communities (depending on the needs and wishes of those communities). They can represent a good process by which to address issues that affect Aboriginal communities with respect to infrastructure and land and to build trust with these communities. We refer DELWP to CUAC’s 2013 report, *Reconciliation: Building Relationships Between Victorian Water Businesses and Aboriginal Communities - Learnings and Reflections from a CUAC Workshop*. An example of a water corporation engaging with the community is Wannon Water’s development of the commemorative Konongwootong Quite Place, which increases recognition of the Traditional Owners and helps to build trust with the community.

We support the proposal to develop Aboriginal water reference groups. Through our research, CUAC found that effective consultation with Aboriginal communities takes place only after trust and a relationship with the community has been developed. This may require preliminary work to be done to better understand the community and their needs.

We suggest that water corporations could make use of cultural training for staff to better understand the needs of the Aboriginal community. All water corporations should be developing internal expertise to better understand and engage with this community.

We also support the inclusion of strategies to attract and provide training and the potential for ongoing work by Aboriginal people within the water industry.

Chapter 10: Jobs, economy and innovation

Proposed objective: Victoria’s water sector will deliver efficient and innovative water services to support jobs, growth and economic development across Victoria. Through strong governance, efficient service delivery, secure funding and innovation the water sector will support productive industries and investment, public health and wellbeing, and improve community and environmental outcomes across Victoria.

10.1. The Discussion Paper proposes that:

‘Government will improve the performance of water corporations by:

- **Setting clear and unified expectations of performance and reflecting them through appropriate instruments, such as corporate plan guidelines**
- **Working with water corporations and the Essential Services Commission to develop clear, fit-for-purpose indicators that measure performance in terms of service delivery**

and value for customers and the community

- **Undertaking a benchmarking exercise for Victoria’s water corporations to encourage performance improvement and innovation.'**

How supportive of this direction are you, and why?

We support the setting of clear, fit-for-purpose indicators and appropriate benchmarking to improve performance and encourage innovation across the industry. We note that there is a substantial amount of innovation and information sharing across the water businesses and that there are clear benefits that arise. We would encourage strategies that support this sharing with poorer resourced regional-urban water businesses.

Public performance reporting on a range of measures including affordability, assistance to customers experiencing hardship, water supply reliability, restrictions and legal actions helps to promote ‘competition by comparison’. Public performance reporting also enables policy makers, businesses, regulators and consumer groups to understand the impacts of hardship and market changes on customers; in turn informing water businesses’ programs and customer communication, government delivery and design of concessions and other assistance programs, development of water efficiency policy, and other related services designed to assist vulnerable and potentially vulnerable customers. Currently the ESC monitors and reports much of this, but more granular reporting of a wider range of data would be of greater value.

We suggest in the light of the objects of this water plan that metrics and benchmarks for consumer engagement be considered. Many businesses are struggling with the development of internal capacity and appropriate strategies.

‘The water sector will continue to improve community engagement, involving the community and industry in how it plans and delivers its services.'

How supportive of this direction are you, and why?

We would welcome more effective engagement with the community and consumer advocates, particularly where they are directly impacted by decisions. e.g. planning and infrastructure, water price reviews etc. This acknowledges the valuable contribution consumers can make to urban water policy. Water policy decisions are not exclusively technical or economic but frequently involve values, objective-setting processes, and complex trade-offs. The impacts of decisions are varied, difficult to compare, and in many areas, unquantifiable. Because of this, decisions are not made solely on scientific, engineering or economic grounds. Instead, value judgements are required, and these are areas in which consumer perspectives can be particularly valuable. Engaging the community on these value questions can be expected to bring different perspectives and priorities into focus. In our discussions with consumers, community groups and community service workers, we find that concerns often centre on issues such as:

- Costs and benefits of initiatives, and how well these have been investigated prior to

implementation

- Differential impacts of policy for consumers of different types and in different areas, and the plans that are in place to deal with these impacts
- Process and transparency, and whether consumer input reflects the range of circumstances of consumers

We refer DELWP to CUAC's report, [Meaningful & Genuine Engagement: Perspectives from Consumer Advocates](#) which was released in November 2013. CUAC's report has the objective of assisting energy and water businesses, regulators and government to engage more effectively with the community and consumer advocates. An overarching theme which emerged from CUAC's research was the need for community or customer engagement to be meaningful and genuine (see Chapter 3 of CUAC's report). This means that bodies undertaking engagement need to:

- Define the objectives and purpose of consultation
- Develop a transparent engagement process
- Allow for adequate time to consult
- Consult with diverse stakeholder groups
- Overcome barriers to access
- Target underrepresented groups for consultation e.g. rural and regional communities, single mothers, Aboriginal communities, disability groups
- Challenge their own views
- Consider feedback received
- Acknowledge peoples' expertise

Effective engagement requires a commitment to genuinely engage and communicate openly and honestly with consumer advocates and the community on an ongoing basis. This is critical to good policy-making, as it acknowledges that consumer perspectives have value and can shape key policies and business decisions. This leads to improved consumer outcomes and wider support for decisions.

We would welcome the use of deliberative processes to provide opportunities to a range of stakeholders to engage meaningfully in decision making. Deliberative processes can assist people understand complex issues through knowledge building and sharing. They provide people with the opportunity to consider facts and perspectives, talk with each other, and evaluate opinions and options¹. Key elements/features in a deliberative forum include:

- Deliberation – The process should provide open dialogue, access to information, respect, space to understand and reframe issues, and movement towards consensus;
- Influence – The process should have the ability to influence policy and decision making;
- Inclusion – The process should be representative of the population and inclusive of diverse viewpoints and values, providing equal opportunity for all to participate;²

¹ CUAC (2013), *Meaningful & Genuine Engagement: Perspectives from Consumer Advocates*, p32.

² L. Carson & J. Hartz-Karp, 'Adapting and combining deliberative designs: Juries, Polls and Forums', in Gastil, J. & Levine, P. (eds) *The Deliberative Democracy Handbook*, Jossey-Bass, San Francisco, 2005, p.122, referred to in

- Impartial facilitators;
- Provision of balanced and impartial information to participants, which may include information from experts and from stakeholder organisations; and
- Random selection to ensure that a sample is obtained that is not self-selected or stakeholder determined – Random selection may utilise stratified random sampling, particularly for smaller groups, to ensure that the sample reflects the demographics of the larger population (in terms of socio-demographic relevance: for example, sex, age, occupation, geography, education).³

Consumer advocacy in water is currently constrained by a lack of resources. Compared to the energy sector, consumer advocacy in water is less vigorous and under-resourced. For example, consumer advocates in the energy sector may be able to access project funding through Energy Consumers Australia, which has no equivalent in the water sector. Consumer advocates require detailed and specific knowledge to contribute effectively to policy development processes. Consumer research, policy development and advocacy improves overall outcomes for consumers and should be further supported.

10.2. The Discussion Paper proposes that:

'Government will consider options to facilitate third party access to water and wastewater infrastructure on transparent and commercial terms that protects community interests.'

What comments do you have about this proposed direction?

We note that in 2009 the ESC conducted an inquiry into an access regime for water and sewerage infrastructure services. At that time, CUAC highlighted the paucity of evidence about the consumer (and other) impacts of such a regime. We suggest a full appraisal of consumer impacts as part of the government's intent to facilitate third party access to water and wastewater infrastructure. We would therefore suggest a gradual and cautious approach to any such reform with careful and transparent assessment of costs and benefits.

UnitingCare Australia (2014), Discussion Paper: A Deliberative Approach to Consumer Engagement in the Energy Sector, p5.

³ UnitingCare Australia (2014), Discussion Paper: A Deliberative Approach to Consumer Engagement in the Energy Sector, p.5.

'Government will consider options to update and modernise the compliance and enforcement regime to ensure it remains effective and aligns with Victorian government policies.'

What feedback or advice would you provide to the Government on this proposed direction?

We support the initiative to update the compliance and enforcement framework. An expanded range of enforcement tools will facilitate a more comprehensive enforcement and compliance regime by providing appropriate penalties for moderate offences that, with a more binary enforcement toolbox, may insufficiently discourage or penalise when the only enforcement options are trivial or too severe.

'Government will improve legislative and regulatory frameworks by identifying opportunities to reduce unnecessary red tape and streamline processes, including contributing to delivery of the government's commitment to reduce the burden of regulation by 25 per cent.'

What feedback or advice would you provide to the Government on this proposed direction?

We broadly support the aim of reducing unnecessary red tape and streamlining processes to reduce the regulatory burden where this can be done without compromising the effectiveness of regulatory frameworks. Particularly in the essential services, we see a need for a strong regulatory framework which includes, importantly, monitoring, enforcement and compliance and the need for effective consultation with all stakeholders including consumers. We are pleased that the Discussion Paper has highlighted these issues as key considerations.

Further, we would recommend that streamlining regulation should take place with effective community consultation and input from consumer advocates, particularly if this streamlining involves changes to the way water is priced for consumers.

Thank you for taking the time to complete this template.

Please refer to the front page of this document for instructions on how to submit.