

## **BIRRARUNG VALLEY WALK - MEMORANDUM OF UNDERSTANDING**

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Responsible Officer: Director Built Environment & Infrastructure  
Ward(s) affected: O'Shannassy; Ryrie;

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### **CONFIDENTIALITY**

This item is to be considered at a Council meeting that is open to the public.

### **SUMMARY**

The purpose of this report is to:

- provide an update on implementation of the Yarra Strategic Plan (Burndap Birrarung burndap umarkoo) and the Birrarung Valley Walk proposal, and
- seek endorsement to enter a Memorandum of Understanding (MoU) with Birrarung Valley Walk Inc. to support the Birrarung Valley Walk project.

Council, as one of 15 Responsible Public Entities (RPE), endorsed the Yarra Strategic Plan at its ordinary meeting on 11 May 2021.

The Minister for Water (the Minister) approved and publicly released the Yarra Strategic Plan on 11 February 2022.

In addition to being an active participant in the Yarra Collaborative Committee (YCC) alongside the other RPEs, Council has completed or is progressing a number of projects along the Birrarung that contribute to the Yarra Strategic Plan.

The Birrarung Valley Walk Inc., an Incorporated Association, is seeking to link existing walking tracks and paths from the mouth of the Birrarung (Yarra River) to the Upper Yarra Reservoir for the purpose of protecting, enhancing and promoting the natural environment and First Nations culture of the Birrarung Valley. This is the first “whole of river” project to be endorsed by the Yarra Collaboration Committee.

Birrarung Valley Walk Inc. is asking each of the RPEs to enter a Memorandum of Understanding (MoU) to jointly progress and support the Project.

No financial commitment is required to enter the MoU. Birrarung Valley Walk Inc. will be using the signed MoUs to seek philanthropic support for the project.

Some in kind support from Council officers will be required to assist in planning the

trail alignment and scoping the implementation.

## **RECOMMENDATION**

***That Council authorises the Chief Executive Officer to enter into a Memorandum of Understanding (Attachment 1) with Birrarung Valley Walk Inc. to support the Birrarung Valley Walk project.***

## **RELATED COUNCIL DECISIONS**

11 May 2021 – Yarra Strategic Plan Endorsement (Council Meeting)

## **DISCUSSION**

### ***Purpose and Background***

#### **Yarra Strategic Plan Implementation**

The Yarra Strategic Plan is legislated under the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* (the Act).

Under the Act, Melbourne Water is the Lead Agency responsible for coordinating implementation of the Yarra Strategic Plan and Yarra Ranges Council is one of 15 Responsible Public Entities (RPEs) (eight local councils, five government agencies and two Traditional Owner Corporations).

The Yarra Strategic Plan Implementation Plan 2023-2025 includes the following Council projects: Indigenous Heritage Visibility, Yarra Valley Trail and the Yering Billabongs Project.

Council officers attend quarterly meetings with the Yarra Collaboration Committee (at which each RPE is represented) and undertake rigorous annual reporting to demonstrate efforts and achievements against the Implementation Plan.

One of the most important requirements of the Yarra Strategic Plan is to adhere to the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) Burndap Birrarung burndap umarkoo (BBBU) Engagement Framework which ensures appropriate engagement with the Wurundjeri for all works affecting the Birrarung.

The combined efforts of all RPEs are presented in a comprehensive report to the Victorian Parliament each year.

### **Birrarung Valley Walk Inc.**

Birrarung Valley Walk Inc. is an Incorporated Association (the Association) that seeks to link existing walking tracks and paths from the mouth of the Birrarung to the Upper Yarra Reservoir.

The Association will create and make available the information needed to enable walkers to plan and undertake the 220+km, multi-day continuous walk with the key purpose being to protect, enhance and promote the natural environment and First Nations culture of the Birrarung Valley.

Birrarung Valley Walk seeks to connect existing trails into a continuous path that allows walkers to tread lightly on the land:

- The Birrarung Valley Walk is to be on public land.
- Each section of the trail is to be agreed with the relevant landowner.
- First Nations cultural mapping and environmental analysis to identify significant sites – some to visit and some to protect.
- Birrarung Valley Walk will provide the information needed to enjoy multi-day walks. Including a digital app with downloadable maps that can be used offline will guide walkers, along with minimal waymarking signage in the landscape.

Prior to incorporating, the Association spent 15 months engaging with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC). The project was endorsed by the WWCHAC Board of Directors in August 2023.

Since then, the Association has incorporated, the project has received endorsement from the YCC (in December 2023) and the team is investigating appropriate routes and identifying appropriate technology and apps that can be used by walkers to navigate the route and identify special features and places along the way.

All key decisions will be made by the stakeholders (RPEs), who will form the “decision making” body for the project.

The Project provides Council with the opportunity to promote local features such as cultural heritage, local townships and the Yarra River.

The Association is asking each of the RPEs to enter a Memorandum of Understanding (MoU).

### ***Options considered***

Not applicable.

### ***Recommended option and justification***

It is recommended that Council enter a MoU (Attachment 1) with Birrarung Valley Walk Inc. to support the Birrarung Valley Walk project. The MoU will:

- Provide a basis on which the parties can jointly progress and support the Project.
- Document a commitment by each party to work together to:
  - Agree on a defined route for the walking path, using existing pathways and trails wherever possible, on public land;
  - Maintain and promote a waymarked walking path from the mouth of the river to the Upper Yarra Reservoir.
- All stakeholders to sign a Memorandum of Understanding that outlines the principles of collaboration.
- All signatories to join the steering committee, which will be the decision-making body for the project.
- Unanimous approach to decisions.

### **FINANCIAL ANALYSIS**

No financial commitment is required by entering the MoU. The Association will be using the signed MoUs to seek philanthropic support for the project.

In kind support from Council officers will be required over time, to ensure the best outcome for each RPE.

### **APPLICABLE PLANS AND POLICIES**

This report contributes to the following strategic objective(s):

#### **Yarra Ranges Council Plan: 2021-2025**

- **Connected and Healthy Communities:** Ensuring communities are safe, resilient, healthy, inclusive and socially well connected. Quality services should be accessible to everyone.
- **Quality Infrastructure and Liveable Places:** Quality facilities and infrastructure meets current and future needs. Places are well planned hubs of activity that foster wellbeing, creativity and innovation.
- **Vibrant Economy, Agriculture and Tourism:** Ensure tourism, agriculture, health and other industries are leading, dynamic and thriving, with strong investment and attraction to underpin sustainable economic growth.

## **Active Recreation Plan**

There are four action areas that will help increase the number of people meeting their physical activity guidelines in Yarra Ranges. This project primarily relates to:

- Action area 1: Improving safety and accessibility.

## **CONNECTED Yarra Ranges Integrated Transport Strategy (2020-2040)**

Increase opportunities for people to walk and cycle to local destinations.

## **RELEVANT LAW**

### **Gender Impact Assessment**

Section 9 of the Gender Equality Act 2020 states Council, as a defined entity, must conduct a Gender Impact Assessment for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.

A Gender Impact Assessment was not required for this Report because the Report did not result in the creation or review of a Council led project, strategy or plan that had a direct and significant impact on the public.

## **SUSTAINABILITY IMPLICATIONS**

The Birrarung Valley Walk will help immerse users in the environment and further enhance education and awareness of areas in the Yarra Ranges of environmental and cultural significance.

## **COMMUNITY ENGAGEMENT**

As the Birrarung Valley walk planning progresses the Birrarung Valley Walk Inc. will be leading community engagement.

No community engagement is required for the MoU.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Collaboration has been led by Birrarung Valley Walk Inc. with Wurundjeri, State Government Agencies and other Local Governments.

## **RISK ASSESSMENT**

The MOU states that it is the intention of each Party that this MoU is not legally binding but rather it constitutes a statement of the mutual intentions of the Parties.

There are not considered to be any direct legal or financial issues from entering into the MoU. However, there would be reputational and lost opportunity risks associated with not entering into the MoU.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. Birrarung Valley Walk Memorandum of Understanding