



GMW's submission to the VEAC Statewide Assessment of Public Land

7 November 2016

Background

Goulburn-Murray Rural Water Corporation, trading as Goulburn-Murray Water (GMW), is a statutory Corporation established under the provisions of the Victorian Water Act. Goulburn-Murray Water (GMW) manages water related services in a region of 68,000 square kilometers, bordered by the Great Dividing Range in the south and the River Murray in the north and stretching from Corryong in the east down river to Nyah. We have more than 39,000 customers in northern Victoria.

GMW is Australia's largest rural water corporation managing around 70 per cent of Victoria's stored water resources, around 50 per cent of Victoria's underground water supplies and Australia's largest irrigation delivery network.

GMW manages both regulated and unregulated river systems that flow into the Murray and administers groundwater within this area.

GMW also operates a number of storages and weirs on behalf of the Murray-Darling Basin Authority (MDBA), operates salinity mitigation works on the Murray downstream of Nyah, and is the Victorian constructing authority for the MDBA.

GMW is the Victorian Resource Manager appointed by the Minister for Water and has been given responsibility for making the seasonal determination for all northern Victorian declared water systems. GMW is a partner in the Victorian Water Register, using it to manage more than \$4 billion of water entitlements and trade.

GMW also manages recreational and boating activities at 14 of its 24 storages. This includes managing 720 houseboat licences and managing or leasing 11 caravan parks, 62 clubs and 100 public recreation areas.

GMW is fundamentally committed to enhancing outcomes for its customers and stakeholders and driving exceptional organisational performance. Underpinning GMW's approach to performance are three fundamental commitments which lay the foundation for its strategic priorities, outcomes and initiatives across the organisation. These are:

- Partnering with its customers
- Creating the opportunity to increase production in northern Victoria over the next 20 years
- Be a high performing organisation



GMW in its role as the largest Rural Water Corporation in Australia is committed to working with VEAC and other agencies to ensure a practical and effective approach to refining the management and administration of public land.

This submission will outline only those key items relevant to GMW's role as a Public Land Manager.

Discussion Paper

2.4.1 Public authority land in freehold title

Public land is defined within the *VEAC Act 2001* as;

- (a) Any unalienated land of the Crown, including land temporarily or permanently reserved under the **Crown Land (Reserves) Act 1978**;
- (b) State forest within the meaning of the **Forests Act 1958**;
- (c) Park, within the meaning of the **National Parks Act 1975**;
- (d) land vested in any public authority, other than a municipal council.

This definition is interpreted in section 2.4.1 where it is stated: "Vested' is not defined in the Act but has been interpreted broadly to mean 'held by'. Accordingly, it includes land held by public authorities under freehold title, and Crown land that authorities hold under licence or other arrangement."

With respect it is suggested that this interpretation misunderstands the difference that exists between "vested" and "freehold" land. A good example of this difference was shown in the *Water Act 1958* (the predecessor of the current Act). Under section 307 of that Act an Authority could acquire freehold land, while under section 323 the G-in-C could vest Crown lands in the Authority. So clearly that Act regarded alienated land acquired by the Authority as being distinct from vested land. The vast majority of the land now under the control of GMW (both vested and freehold) was initially acquired by either the State Rivers and Water Supply Commission or the Rural Water Commission (both predecessor bodies of GMW) under the *Water Act 1958* or earlier Acts.

From the above, it is apparent that "vested land" should not be assumed to include freehold land without the use of clear unambiguous language; such language is not used in the VEAC Act. Thus, it is GMW's position that land owned in freehold title by GMW should not be considered as public land

GMW would be pleased to work with VEAC and all relevant agencies to examine the effects of this recommendation.

Draft Proposals Paper

2.6 Priorities for further assessment or review

There is currently no readily available inventory of state-government owned land held in freehold title across the state, although the extent of this land is considerable

GMW supports the production of an inventory of both Crown land (vested in or under the management and control of the State and its public entities) and freehold land owned by those public entities.



Draft Recommendations

VEAC Recommendation 1 - The revised and consolidated system of primary public land use categories and overlays in table 1, which forms part of this recommendation, be adopted.

GMW submission

GMW supports the consolidation of public land use categories to provide a well-defined and practical structure of Victorian Public Land.

In particular GMW strongly supports the proposal to consolidate the current two categories of “services and utilities area” and “water production” into “services and utilities area”. Currently the mapping of Crown Land shown in the discussion paper indicates all GMW water storages as “Water Production Areas”. This classification does not recognise recreational use or values associated with most storages. Most are gazetted “Recreational Areas” under the *Water Act* 1989 and are considered as such in the ‘Water for Victoria’ discussion paper developed by DELWP and the ‘Safe and Accessible Victorian Waterways’ discussion paper being developed by DEDJTR.

We would be pleased to work with VEAC and other relevant authorities to ensure appropriate categorisation of these areas.

VEAC Recommendations 2, 3 & 5 – Amendment of legislation within 5 years to reflect the recommended revised system of public land use categories and in particular the Crown Land (Reserves) Act 1978

GMW submission

GMW agrees legislation should be amended to reflect the revised system within a reasonable time period. The proposed amendments will go a long way to reducing the complexities of what should be simple and transparent land administration.

VEAC Recommendation R14

An inventory of road and rail reserves be developed and significant native vegetation values mapped as outlined in recommendations R4 and R5 of VEAC's Remnant Native Vegetation Investigation (2011), and a similar inventory be compiled for riparian public land and linear coastal reserves outside the protected area system.

GMW submission

We support the above recommendation and in particular the identification of significant native vegetation values being mapped with a similar inventory being compiled for riparian public land.

VEAC Recommendation R15

An inventory of state government-owned freehold land be undertaken to identify distribution and extent, ownership and values and uses; and a register be compiled and maintained

GMW submission

Subject to recognising that freehold land is not public land under the VEAC Act GMW supports the development of an inventory of State Government-owned freehold land and importantly compiling a register and ensuring a robust system is implemented to maintain the integrity of the data.

VEAC Recommendation R16

Crown land information systems be consolidated, modernised and redeveloped.

GMW submission

GMW will assist where possible in the implementation of this recommendation.

An integrated system available to all agencies could be an ideal tool for ensuring data is maintained and readily available.

VEAC Recommendation R17

A range of spatially referenced information products be developed for the public on activities on public land

GMW submission

GMW will assist where possible in the implementation of this recommendation.
An integrated system available to all agencies could be an ideal tool for ensuring data is maintained and readily available.

VEAC Recommendation R18

Spatial information on all government-accepted LCC/ECC/VEAC public land use recommendations continue to be verified and maintained by VEAC, and their status be periodically formalised.

GMW submission

GMW support this recommendation and will continue to work with all relevant agencies in the implementation of agreed recommendations.

Conclusion:

GMW congratulates VEAC and the project team on the extensive work that has been done to date and thank you for the opportunity to make this submission. We look forward to working with all stakeholders in achieving a more improved and effective system of public land management and administration.

Author:

Sharon Clement
Property Manager (WSD)
Corporate Services

