



CITY OF MELBOURNE

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Ms Joan Phillips
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Dear Ms Phillips

SUBMISSION TO VEAC STATEWIDE ASSESSMENT OF PUBLIC LAND

This letter from the Melbourne City Council (Council) provides feedback to the recently released draft proposals paper on the Statewide Assessment of Public Land. In light of the submission period coinciding with local government elections, this submission is from Council administration only.

The Council has extensive public land management responsibilities. The Council is Committee of Management for over 80 properties in the City of Melbourne that are Crown land and that have been reserved for purposes under the provisions of the *Crown Land (Reserves) Act 1978* (CLRA). The majority of these are used for parkland or open space.

Within the City of Melbourne there are over 180 properties containing Crown Reserves. These include the major parks and gardens, hospitals, Law Courts, Melbourne General Cemetery, the Zoo, the Arts Centre, Public Library and Melbourne Cricket Ground.

In our experience of public land management we are of the view that it is not possible or desirable to form one view about public land management for the State. Public land experiences and resourcing differs across the Capital city, inner city municipalities, outer metropolitan areas, regional and rural municipalities.

Critical provisions of the CLRA for the Council are the protection afforded by the permanent reservations of Crown Land and restricted Crown Grants.

Land within the city is under pressure. It is essential that Crown Land has strong protection, that there are appropriate checks and balances in place to review appropriate use, protect heritage and ensure the crown reserves are not subject to short term thinking. The current system of permanent reservations and restricted crown grants (which apply to most of our heritage parks and gardens) ensure that these protections cannot be removed without legislation and associated public scrutiny of the proposal in Parliament.

We consider the requirement to obtain grant and purpose consent for uses that are inconsistent with the reservation is sound. It could be further streamlined, but the requirement results in each proposal being carefully considered and mitigates the risk of inappropriate use of reserves.

We have concerns that many recommendations in this review, which have been developed to simplify administration processes, do not acknowledge the full implications they may bring about. In particular the potential loss of protection for parks and gardens. Despite its faults, the CLRA and associated legislation has protected valuable public land from inappropriate use and loss. Without the CLRA and its predecessors, how many of our most valued parks would not exist today?

In respect to specific recommendations, we make the following comments:

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.

While the proposed changes to public land classification appears sensible, we are not clear how this would be used and how they link with the current reservations used in Council reserves. The language used in the table is not reflective of our current practice. While the terms used to describe the purpose of some of our reservations are old, we do understand them and they provide useful reminders of particular values when other purposes or uses are being considered.

We recommend providing an example of how this would be applied in the metropolitan context.

Recommendation 2. Legislation be amended in the short term and new legislation established within five years to reflect the recommended revised system of public land use categories, to streamline implementation of government accepted recommendations, and to improve management effectiveness.

It is our view that any review of legislation should be concurrent with this review of public land.

It appears the changes proposed for the CLRA are intended to speed up the efficiency of re-reserving incorrectly reserved parcels of land under various land categories. However, care must be taken not to simplify processes to achieve a task, and inadvertently dilute the protection the current processes afford the land that is correctly permanently reserved.

The review highlights the lack of resourcing to support Crown Land administration. There is no recommendation to increase resourcing to appropriate levels and to provide improved training. We would be supportive of recommendations to increase resourcing and training in the public land management area.

Recommendation 5 Standard regulations be developed for each public land category in the revised system, together with amendments to the Crown Land (Reserves) Act that provide a simplified means to revoke any existing regulations when new regulations are made.

We consider the regulations under the CLRA still meet a need and are used by this Council to assist in managing a number of reserves. For some years, we have been working with DELWP on a process to revoke and make updated regulations which will operate in conjunction with local laws under the *Local Government Act 1989*. One option we consider worth investigating is to amend the CLRA to allow regulations to be used to allow prescribed activities inconsistent with the reservation in appropriate circumstances.

Recommendation 16 Crown land information systems be consolidated, modernised and redeveloped.

Recommendation 17 A range of spatially referenced information products be developed for the public on activities on public land.

We agree that improvements to Crown land information systems are essential before a range of spatially referenced products can be made available. Land Managers of Crown land need to have confidence in the information that will ultimately be available to the public including; accepted use, use with consent, regulations, local laws and any land manager requirements and contact details.

We also note that Government gazette reservations should include the name and location of the "land unit" as well as parcel and parish details.

Given the very different experience and demands in the capital city, we would welcome the opportunity to discuss this letter and the VEAC review in further detail.

If you have any queries about the content of this letter and if you would like to arrange to discuss this further, please contact Cathy Kiss, Senior Open Space Planner on 9658 9776 or cathy.kiss@melbourne.vic.gov.au.

Yours sincerely

Martin Cutter
Acting Chief Executive Officer

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