

Your ref. SAPL

Our ref. PAI 17611

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Victorian Environmental Assessment Council
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Dear Sir/Madam,

Statewide Assessment of Public Land - Discussion Paper and Draft Proposals Paper

Thank you for the opportunity to provide comment on the issues raised in the Discussion Paper and Draft Proposals Paper, released for comment 19 August 2016.

This submission is made on behalf of the Coliban Region Water Corporation, trading as Coliban Water. We maintain and operate over 50 reservoirs and water storage basins and associated infrastructure to deliver water. This infrastructure provides water and wastewater services to over 140,000 rural and urban customers across 16,550 square kilometres of Central and Northern Victoria.

As one of Victoria's 16 non-metropolitan urban water corporations, Coliban Water is principally concerned with the protection of human health, by ensuring the supply of safe drinking water to its customers, and the cost-effective provision of water and sewerage infrastructure to its customer base.

The use of public Crown Land has a critical role in providing raw and treated potable water, and sewage services. Strengthening the relationship between the *Water Act 1989* and the categorisation of public crown land through the four primary land Acts currently governing the use of Crown Land in Victoria is important for the legal basis of its control and management.

Coliban Water generally supports the recommendations listed in the Proposals Paper, but would like to provide the following comments:

General comments

Supply of drinking water to communities is very reliant on the quality of the raw water supplied to the state's water treatment plants. As such, we would like to see greater recognition of the critical community value of riparian land on waterways, channels and storages for water supply purposes. Additionally, there are currently very limited opportunities for water corporations to enter into long-term management agreements with private land owners. Changes to Land Management legislation to provide the ability for public authorities to enter into agreements on title, such as section 173 agreements in the *Planning and Environment Act 1987* would provide great public health benefit to the broader Victorian community.

Recommendation comments

R3 – Coliban Water would welcome the streamlining and re-categorisation of the public Crown Land categories, and would strongly support a more effective and efficient method for the reservation and revocation of Crown Land proposed under R3(c) and R3 (d). Particular matters include:

- Careful consideration should be given to the implications of reclassifying 'Natural Features Reserves – streamside area' and 'Natural Features Reserve – stream frontage, bed and banks' to 'Natural Features Reserve' and 'Water Frontage, bed and banks' respectively, on the potential creation of section 8 water 'riparian rights' under the *Water Act 1989*. This has the potential to impact raw drinking water supply storages by creating rights for third parties.
- Crown Land parcels that are reserved in part for the purpose of 'Victorian Water Supply /Water Production', and in part for 'Public Purposes'. It is unclear how land with multiple reservation statuses will be reclassified through the proposed framework.
- Crown Land parcels that are unreserved, partially un-reserved, or have partial public reservation status require a clear pathway forward for re-categorisation identified in the proposal paper.
- It is unclear from the Proposal Paper whether the reclassification of land is intended solely for Crown Land, or whether it is likely to extend to freehold land managed by services and utilities.

R5 – Coliban Water supports the development of standard regulations for each public land category, and would welcome opportunities to be involved in this discussion, to help ensure that

any revised regulations appropriately reflect and capture the multiple land use types and purposes managed by water corporations.

R14 - Coliban Water supports the findings that linear public land outside the reserve systems, such as riparian frontages, streams reserves, and road frontages, provide significant native vegetation and biodiversity values. Water corporations and other utilities across Victoria manage significant public land assets that can be both linear (channels) and otherwise in nature (reservoirs), which can retain and contain areas of biological significance. We would encourage the analysis and inclusion of these public lands (where appropriate), in proposed significant native vegetation mapping and the creation of an inventory for biological values that exist outside the protected area system.

R17 - The development of spatially-referenced information and tools for public use regarding activities that can be undertaken on public land is supported; however, care should be taken to insure that mapping is appropriate and provides clear messages as to access and use. Confusion currently exists within the community relating to existing "public land" mapping datasets and the meaning of these as to whether lands are for public access and/or the types of activities that can be undertaken on them. This is a particular issue around raw water supplies used for drinking water purposes or public land associated with important operational assets.

We look forward to the final recommendations report and further opportunities to participate in the improvement of land management in Victoria.

If you have any questions regarding this matter, please contact Barry Floyd on (03) 4408 5411 or email on barry.floyd@coliba.com.au

Regards



David Sheehan

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