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Please select an option regarding your submission:

I am making this submission on behalf of an organisation or group.

Which organisation or group are you representing?

Melbourne Water

Discussion Paper

The discussion paper is structured as follows: • Chapter 1: Introduction • Chapter 2: Background on public land in Victoria • Chapter 3: Public land classification • Chapter 4: Current reservation status of public land • Chapter 5: Public land values Please use the fields below to comment on material in any or all of the five chapters. There is also space for general comments to be made on the discussion paper at the end of this section of the form. No character limit applies.

Chapter 1 - Introduction (includes consultation)

No Answer

Chapter 2 - Background on public land in Victoria

No Answer

Chapter 3 - Public land classification

No Answer

Chapter 4 - Current reservation status of public land

No Answer

Chapter 5 - Public land values

No Answer

Do you have any general comments on the Discussion Paper?

No Answer

Upload any additional documents by clicking on the "Choose File" button below and selecting the file from your computer.

No Answer

Draft Proposals Paper

The 19 draft recommendations presented in the draft proposals paper have been grouped into five themes: • public land classification (R1) • legislative reform (R2-R10) • priorities for further assessment or review (R11-R15) • improved information and information systems (R16-R18) • supporting community-based committees of management (R19) Please use the fields below to comment on any or all of these draft recommendations. There is also space for general comments to be made on the Draft Proposals Paper at the end of this section of the form. No character limit applies.

Draft recommendation R1 relates to public land classification in Victoria.

Consistent with our 22 June 2015 submission, Melbourne Water supports the consolidation of public land categories to create a clear and effective system, providing we can work with VEAC and other State agencies to minimise any operational implications. The Implications are especially significant in areas where there are complex management agreements in place. Sometimes these involve multiple parties, such as bushfire or water quality risk management where joint approaches are required to manage high consequence scenarios.

Draft recommendations R2 to R10 relate to legislative reform.

Melbourne Water supports the recommendation to amend the Crown Land (Reserves) Act 1978 and requests Section 18 of the Crown Land (Reserves) Act be amended to allow agencies appointed thereunder to utilise the lease and licence provisions available to section 14 Committees of Management. While Section 132 of the Water Act 1989 indicates that Melbourne Water is empowered to issue leasing and licencing tenures over Crown land that it manages; our understanding is that the Water Act does not meet the requirements of section 8 of the Crown Land Act. The advice that we have received is that, as a consequence, the power under section 132 may not be available. This is seemingly due to the 1993 amendment of section 8 of the Crown Land Act. The legislation was amended to limit the ability of other Acts to authorise dealings in reserved Crown land. Section 8 now provides that 'reserved Crown land may be sold, leased or licensed only pursuant to an Act which expressly, and not merely by implication, authorises the sale, leasing or licensing of such land'. Therefore Melbourne Water cannot legally use section 132 of the Water Act to issue leases or licences for reserved Crown land that it manages. Melbourne Water notes the clause proposed in recommendation 3(f) poses a risk to the health of the waterway within the reserve if the use were related to activities that were not aligned to the protection of river health. Referring the proposed issue of licences to Melbourne Water for review where a waterway is situated within the crown land would allow for comment and advice on impact of proposed use. This could be managed through our regular statutory referrals processes.

Draft recommendations R11 to R15 relate to priorities for further assessment or review.

Melbourne Water supports the compilation of an inventory, and mapping, of significant native vegetation values for riparian public land. Melbourne Water supports the development of an inventory of State Government-owned freehold land to identify distribution, values and uses of this land. In addition, we propose a number of changes to this recommendation: 1) Extending this recommendation to cover all public land, not just State Government-owned freehold land. 2) That the inventory identify the land manager alongside the land owner. These can be distinctly different parties. 3) Providing a co-funded position across government to allow public land data to be regularly updated and made publicly available. A web-based browser and downloadable spatial files are examples of the form that this data could take. Melbourne Water is open to contributing to such a position. 4) Rationalisation of small, ad hoc or irrational public land parcels. It is difficult to manage small pockets of land within larger pockets owned by other parties (for example with weed control, bushfire management etc.) We encourage the rationalisation of land holdings to provide consistency of ownership so that the land can be managed more effectively. Melbourne Water is dedicated to working with VEAC and other agencies to establish recommendations in relation to this process.

Draft recommendations R16 to R18 relate to improved information and information systems.

Melbourne Water supports the development of increased spatially referenced information products and contends that the land manager should be included as part of the information recorded. Melbourne Water is able to assist in the development of these products.

Draft recommendation R19 relates to supporting community-based committees of management.

Melbourne Water also supports community-based committees of management supported by a system of regional coordinators located in the Department.

Do you have any general comments on the Draft Proposals Paper?

As noted in the Discussion Paper, Victoria is fortunate that most of the frontages of permanent streams have been retained as public land and most of these contain native vegetation. Despite legislation that has been in place since the 1880s to secure Crown land along waterway frontages, the majority of Victoria's river frontages are in freehold ownership. There are 85,000kms of rivers and creeks, 170,000kms of waterway frontage and about 30,000kms having Crown frontage (Pg. 122 of the Discussion Paper). Urbanisation of land surrounding Melbourne and other regional centers presents an opportunity to convert the associated freehold land along waterway frontages to crown land. This will help in turn secure the riparian land for river health benefits and for the many social benefits afforded by greater public access along waterways. Improved clarity in relation to the responsibilities for land ownership and management following urbanisation allows Victoria to make the most of these opportunities. Melbourne Water recommends reviewing the ownership and management of waterway corridor land. Developing

agreed principles will help provide appropriate direction when urbanisation occurs regarding the appropriate ownership and management of river frontages. Melbourne Water understands that this is consistent with the long-standing intent of Victorian legislation to secure Crown land along significant waterways. Melbourne Water's final comments relate to a long-standing issue in the context of one of our grants programs. Titled, the Stream Frontage Management Program, a licencing cost is incurred for landholders to change their licence from a grazing licence to a riparian management licence when seeking to fence and revegetate crown land frontages. This cost is sometimes prohibitive when the grant is associated with funding for environmental improvements benefitting waterways and removing grazing from frontages. Melbourne Water has proactively referred crown land licences for review to DELWP whenever an application is received as part of this grants program in the Yarra Catchment. However, this service isn't consistently provided in all catchments. Expanding this approach to review licences for all of our SFMP participants on crown land will derive significant ecological benefit. Melbourne Water contends that costs for change of licence-type from grazing to environmental should be waived as Melbourne Water has covered this fee for landholders to facilitate adoption of the grant activities.

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No Answer