

Draft Victorian Rural Drainage Strategy

Feedback Report



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Aboriginal acknowledgement

The Victorian Government proudly acknowledges Victoria's Aboriginal community and their rich culture, and pays respect to their Elders past and present.

We acknowledge Aboriginal people as Australia's first peoples and as the Traditional Owners and custodians of the land and water on which we rely. We recognise and value the ongoing contribution of Aboriginal people and communities to Victorian life. We embrace the spirit of reconciliation, working towards the equality of outcomes and ensuring an equal voice.

The Victorian Government is currently developing a Victorian Rural Drainage Strategy to establish contemporary arrangements for rural drainage in Victoria.

The aim of the strategy is to:

1. Clarify the roles and responsibilities for managing rural drainage
2. Support landholders to make choices about how they manage rural drainage.

1. Developing the Strategy

In October 2016, the Victorian Government, through its *Water for Victoria* plan, committed to developing a Victorian Rural Drainage Strategy through an open and consultative process by the end of 2017.

The draft Strategy responded to the findings of the 2013 parliamentary Environment and Natural Resources Committee Inquiry into Rural Drainage in Victoria. The inquiry followed floods in Victoria from 2010 to 2012, which brought into sharp focus significant problems with the state’s networks of rural drains. Consultation on the draft Strategy builds on the extensive public consultation conducted for the parliamentary inquiry, which revealed significant community concern about the management, performance and maintenance of Victoria’s rural drainage.

The inquiry involved three public hearings, consulted 51 representatives in regional Victoria and Melbourne, conducted site inspections, and received briefings from the then Department of Sustainability and Environment and the Victorian Farmers Federation.

Seventy-four submissions were received from community members, representative groups, councils and government agencies. Key themes to emerge from the submissions were the need for:

- Recognition of the social, economic and environmental benefits of managing rural drainage
- A responsible rural drainage authority with clear funding guidelines
- Community acceptance of landholders’ ongoing need to manage and maintain rural drains.

The Victorian Rural Drainage Strategy is being developed in four phases (see Figure 1). With the publication of the draft Strategy, broader feedback was sought to help inform the development of the final Strategy.

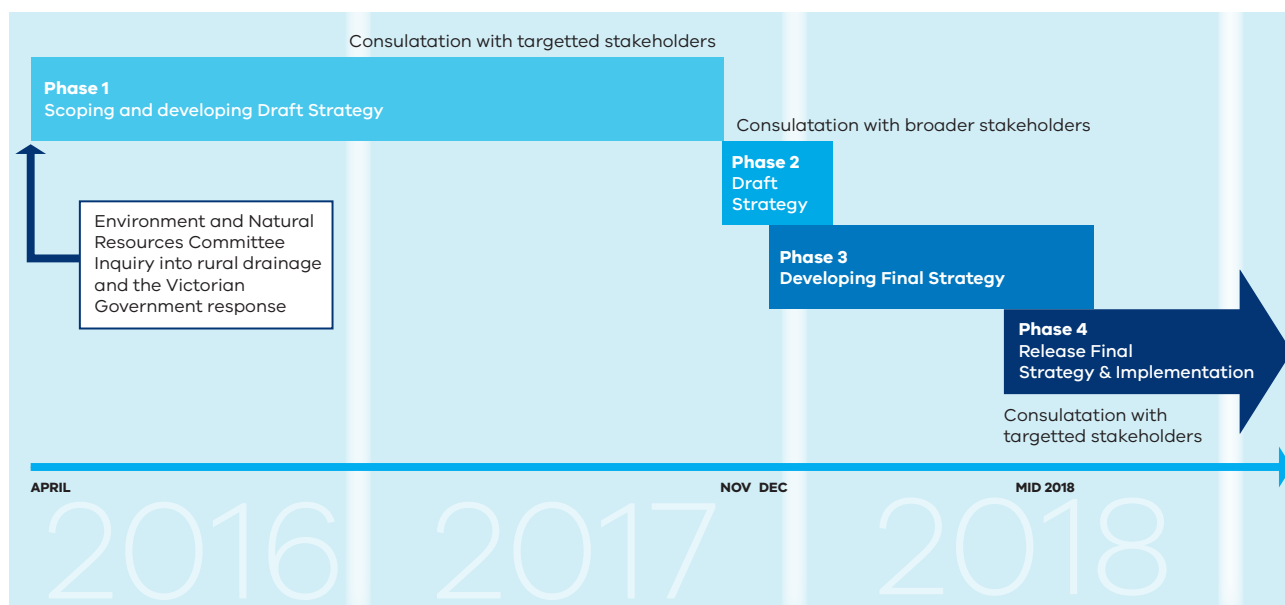


Figure 1: Four phases of the Victorian Rural Drainage Strategy development

Phase 1 – Developing the draft Strategy

To develop the draft Strategy, we began conversations with key stakeholders – people and organisations actively identified as having an interest in rural drainage or representing major interests. A Reference Group with representatives from councils, the Municipal Association of Victoria, catchment management authorities, the Victorian Catchment Management Council and the Victorian Farmers Federation provided oversight for the development of the draft Strategy.

Individuals and organisations that provided submissions to the parliamentary inquiry into rural drainage were contacted directly, and the project team toured the state to gain an understanding of the drainage issues in a local context. The team

visited various locations, some more than once, including:

- Corner Inlet, South Gippsland
- Trafalgar Flats and Kilmany Park drainage areas in West Gippsland
- Snowy Drainage District in East Gippsland
- Condah drainage area in the south-west
- Black Dog Creek in the north-east
- Woody Yallock and Lough Culvert in western Victoria
- Eumerella and Nullawarre in the south-west.

Phase 2 – Broadening the conversation: 25 October – 20 December 2017

On 25 October 2017, the Victorian Government invited the community and stakeholders to comment on the *draft Victorian Rural Drainage Strategy* through an eight-week public consultation period.

A wide range of people and organisations provided feedback about the plan through:

- The Government's *Engage Victoria* website
- State-wide community and stakeholder workshops
- Written submissions.

The draft Strategy provided an opportunity for the community to help determine what needs to be done to support the ongoing management of rural drainage in Victoria. The Government encouraged the involvement of as many Victorians as possible in helping to shape a final Strategy.

This document summarises the process and outcome of this phase of consultation.

Phase 3 – Refining the plan: December 2017 – Mid 2018

This phase will include:

- Continuation of work with key stakeholders, and the stakeholders represented on the Reference Group, to guide the response to the feedback, and to provide oversight to refine and finalise the Victorian Rural Drainage Strategy.
- Commencement of the Implementation Working Group with representatives from councils,

catchment management authorities, the Department of Environment, Land, Water and Planning, Traditional Owners and Aboriginal Victorians and landholders to ensure tools and templates are ready to support the release of a final Victorian Rural Drainage Strategy.

- Commencement of pilot projects to test how workable the proposed arrangements are, prior to finalising a final Victorian Rural Drainage Strategy.

Phase 4 – Implementation: Mid 2018 – ongoing

We will continue to work with key stakeholders and the community to put this plan into practice, and to

ensure that rural drainage is maintained on a sustainable basis into the future.

Community Charter

What you can expect from the Department of Environment, Land, Water and Planning

In all aspects of our work and interaction with the public over this Plan, we will:



Be available

Our community focus will be place-based

Talk to you where you live, work and play and be visible in local communities.

Accessibility

Make sure we are easy to contact and that our information is straightforward and available in a variety of ways.

Flexibility

Respect the way you want to work with us, and adapt our approach according to local needs.



Speak and listen

Active listening and understanding

Listen to and seek to understand your views and needs, and respect different opinions.

Transparency

Be honest about what's driving our priorities, what we can and can't promise to do, our timelines and why decisions have been made.

Clarity and purposefulness

Be clear about why and how we are engaging, making sure we give you real opportunities to influence and make a difference.



Take action

Timeliness

Talk to the community as early as we can, and respond quickly to issues and feedback.

Consistency

Be consistent in the way we approach decisions.

Openness

Inform communities about the outcomes of projects and, if our plans change, let you know when this happens and why.



2. Having your say

The Victorian Government invited the community and stakeholders to provide feedback on the *draft Victorian Rural Drainage Strategy* over an eight-week period in late 2017. The draft Strategy and Summary document were online for the community to read following their launch on the ABC's *Country Hour* on 25 October 2017.

Key stakeholders and individuals who expressed interest in the proposed new arrangements for rural drainage were directly targeted to inform them of the opportunities for them to get involved.

Community members were invited to have their say through:

- Attending one of several workshops held across Victoria
- Making written submissions to the draft Strategy
- One-on-one discussions with the project team.

Social media helped to promote community workshops across the state. Key agencies such as the Environment Protection Authority, councils and catchment management authorities shared information with their networks about the workshops and submission process. Landcare also reached out to its members. Articles about the draft Strategy were featured in local newspapers including the *Gippsland Times* and *Maffra Spectator*, the *Warrnambool Standard* and the *Bombala Times* in southern NSW.

At the community's request, Department officers visited Edenhope twice – on 10 November and 14 December 2017. The Department worked closely with the West Wimmera Council, which advertised the opportunity to attend the second workshop. A Department representative was interviewed on the local radio station to ensure community members were aware of the further opportunity to have their views heard.



Introduction to the draft Victorian Rural Drainage Strategy in Edenhope



Social media to promote consultation on the draft Strategy



3. Who contributed?

3.1 Engage Victoria online platform

The online web platform *Engage Victoria* captured a high level of community interest in the draft Victorian Rural Drainage Strategy (Figure 2), recording 2,122 views of the rural drainage webpage over the eight-week consultation period. There were 1,299 individual visitors to the site, some of whom visited more than once. In the end, 24 submissions to the draft Victorian Rural Drainage Strategy came via *Engage Victoria*.



Figure 2. Online engagement capturing 1,229 visitors

3.2 Attending regional workshops

Across Victoria, 160 people attended nine community and stakeholder workshops to contribute their views on the draft Strategy. The locations of the workshops and attendance across the state are shown in Figure 3.

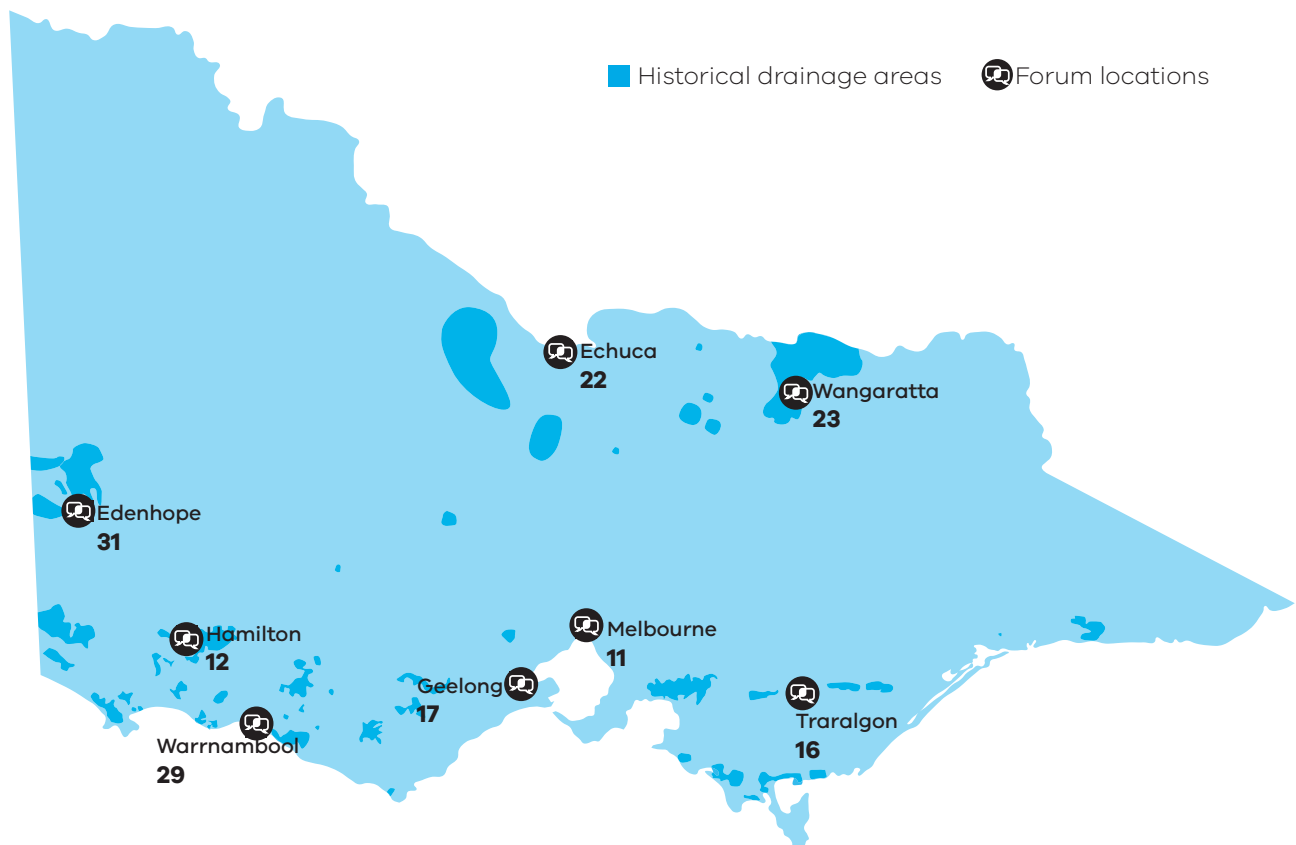


Figure 3. Regional workshops

A mix of stakeholders were represented at the workshops. The biggest attendees were: landholders (32 per cent), followed by councils (27 per cent) and catchment management authorities (18 per cent). Other represented groups included Landcare and environment groups, Government departments and agency representatives and industry groups such as the Victorian Farmers Federation (Figure 4).

Following an introduction to the draft Strategy and a question-and-answer session, table discussions provided a chance to delve more deeply into three key topics in the draft Strategy:

- The vision, overarching roles and responsibilities for rural drainage
- Drainage management approvals and drainage resource kit, including opportunities for restoration of environmental and cultural values
- A hands-on chance to test a generic tool to help landholders understand the costs and benefits of managing rural drainage.

3.3 Making submissions to the draft Strategy

Feedback through 49 written submissions captured comments on all aspects of the draft Strategy. The biggest percentage of submissions came from landholders (32 per cent of the total), followed by local councils (27 per cent) and catchment management authorities. Submissions were also received from environment groups including the Nature Glenelg Trust and the Hamilton Field Naturalists Club, and local groups such as the Yarragon and District Community Association and the Trafalgar Chamber of Commerce, which was particularly interested in how the draft Strategy would impact the local area (Figure 5).

The local area with a significant majority of responses came from the Gippsland region with 16 per cent of overall submissions mentioning the Trafalgar Flats drainage area. These responses were from a mix of landholders, local groups and the West Gippsland Catchment Management Authority.

To maximise the response rate, key stakeholders and the community were given the option to make submissions via the online web platform. Those who provided their submissions online (24 in total) were prompted to respond to specific questions on aspects of the draft Strategy.

Responses to the following questions were captured in the submission analysis:

1. Do you agree with the proposed vision statement? If not, what would you like to see change?
2. Do you agree with the intent that landholders would invest in rural drainage services where they can see merit/benefit in doing so? Please explain your response.
3. Do you think there are gaps in the roles and responsibilities proposed? Do you think there are opportunities to further strengthen roles and responsibilities?
4. Is there anything that landholders and agencies need to manage rural drainage that isn't covered in the draft Strategy?
5. What would landholders and agencies need to help them prepare for potential impacts of climate change on rural drainage?
6. Is there anything else that should be considered or addressed in the final Strategy?

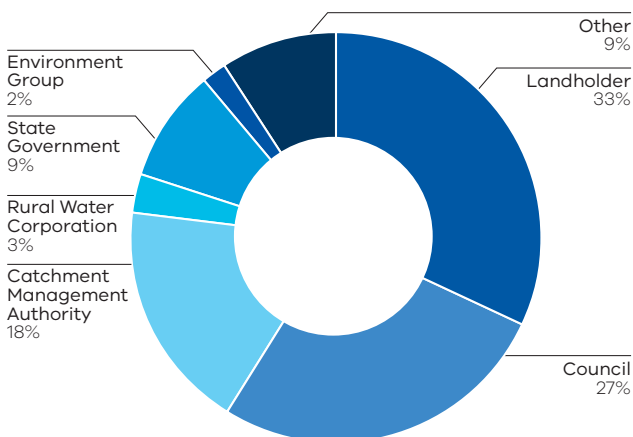


Figure 4. Workshop attendees by interest group

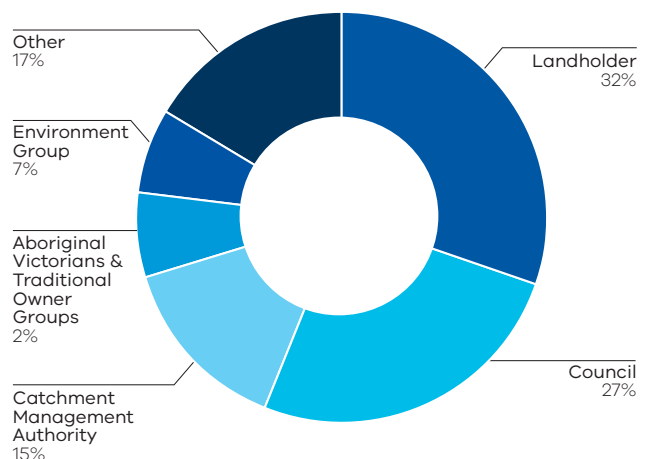


Figure 5. Breakdown of submitters

3.4 One-on-one discussions

Some stakeholders opted to contribute to the consultation by direct one-on-one engagement through:

- The Glenelg Hopkins Catchment Management Authority and the Nature Glenelg Trust
- On-site meetings with local landholder from the Kilmany Park drainage area
- A workshops with councils, the Municipal Association of Victoria and an Environment Protection Authority staff member
- A direct briefing with Municipal Association of Victoria CEO and staff
- A targeted workshop with the planning managers of the Department's Forest, Fire and Regions Group.



Introduction to the draft Victorian Rural Drainage Strategy in Wangaratta

4. What we did with your feedback

The Department captured feedback from each workshop, and noted any topics raised that were beyond the scope of the draft Strategy. Some of these out-of-scope topics included:

- Proposed changes to the waterway management framework. Participants were directed to the *Victorian Waterway Management Strategy*.
- Flooding. The interface between flooding and drainage was discussed, and participants were told they could find out more through the *Victorian Floodplain Management Strategy*. This issue is also being covered as part of the current development of regional floodplain management strategies.
- Irrigation drainage arrangements. Participants were advised that irrigation drainage is out of scope, but that opportunities to strengthen understanding of the interface between dryland drainage and irrigation drainage will be considered in a final Strategy.

More than 340 individual comments that are within scope have been captured. These comments have been categorised for each workshop into themes. A summary of the key five points for each workshop location is outlined in section 5.1.

Each submission was allocated a number, and the key comments from the submissions were categorised based on the key theme. The key themes, along with direct quotes from submissions, are covered in section 5.2 of this report.

The opportunities to improve the arrangements for rural drainage have been identified for consideration (Section 6).



Landholders meeting with DELWP and CMA staff in South Gippsland

5. What you said

5.1 Key themes from the regional workshops

Echuca

- Council representatives at the workshop were interested in how the roles and responsibilities clarified in the draft Strategy will be resourced.
- Participants requested simple and easy-to-follow materials to support the drainage strategy.
- The Loddon-Mallee region has a strong focus on irrigated agriculture, and participants suggested that the Strategy should make it clear that its scope is limited to rural drainage in dryland agriculture.
- Participants queried how Aboriginal Cultural Heritage would be managed in the new contemporary arrangements for rural drainage.
- Clarity was sought on how the strategy will help neighbours to reach agreement and manage disputes in situations where there has been a failure to reach agreement.

Wangaratta

- Where landholders can see a benefit in managing rural drainage works, some may already be doing works and are seeking support to protect these works from third party impacts such as water flows from neighbouring areas.
- The opportunity to involve other agencies in rural drainage was a significant focus of participants. The merits of organisations such as councils building their capacity to engage with communities was also discussed.
- It was suggested that landholders could be supported to manage disputes where agreement to manage rural drainage amicably cannot be reached.
- Participants discussed the opportunities to strengthen the compliance and enforcement arrangements for rural drainage.
- Many participants noted that the needs of agricultural production needs to be balanced with environmental needs, particularly in protecting wetlands.

Traralgon

- Landholders outlined the challenges of managing rural drainage downstream of significant upstream urban developments.
- It was suggested that lessons from how irrigation drainage is managed in the region could be applied to the management of dryland rural drainage.
- Participants were interested in broadening the technical understanding of the impacts of rural drainage, such as the impact on the water quality of the Gippsland Lakes.
- Proposals to promote improving environmental values where drainage was no longer required were supported.
- Participants sought clarity on all aspects of the strategy.

Edenhope x 2 workshops

- Participants focused discussions on key organisations, such as councils, catchment management authorities and Parks Victoria, the Department of Environment, Land, Water and Planning and the roles and responsibilities that they could undertake to support rural drainage.
- The unique landscape of the West Wimmera was emphasised, particularly the value of wetlands in the region. It was noted that any drainage works would impact on the watering regimes of the wetlands in the region, and that this should be acknowledged.
- Opportunities for resourcing rural drainage were discussed.
- Participants discussed the role of compliance and enforcement in protecting them from flooding, and suggested that contractors had a significant role to ensure works undertaken do not impact on third parties.
- A number of suggestions were provided to improve the vision for rural drainage in Victoria.

Hamilton

- Landholders from the region supported the existing arrangements for rural drainage and indicated they were very happy with the drainage service they receive from their council.
- Participants supported the proposal to streamline the approvals required to manage rural drainage.
- There was support for the proposal for a plan outlining the arrangements for managing and maintaining rural drainage in a system, and participants were interested in seeing an example of a drainage management plan for their local drainage area
- There was discussion about the importance of technical guidelines for the design of drainage systems that manage the impacts of high rainfall events.
- Landholders supported the proposal that they would continue to fund the maintenance and administrative support for rural drainage systems.

Geelong

- Workshop participants queried the proposed roles and responsibilities of councils.
- Opportunities to streamline environmental approvals and strengthen the compliance and enforcement around approvals were discussed.
- Participants called for education materials to increase agency and landholder understanding of how drainage systems work.
- Greater clarity was sought on how to proceed in cases where landholders are unable to agree on the amicable management of rural drainage.
- The importance of setting clear expectations about the level of service landholders will receive based on what they agree to fund was noted.

Warrnambool

- The roles and responsibilities of all agencies and landholders were discussed.
- Participants suggested the arrangements should be evaluated after the first year.
- There was particular interest in who would pay for drainage and how this would work.
- Some participants sought clarity on the mechanisms available to establish drainage arrangements in a system with multiple landholders, where not all landholders agreed to participate.
- There was support for opportunities to streamline approvals, with the timeframe for approvals currently thought to be long.

Melbourne

- There is an important role for facilitation of landholders in drainage areas, participants expected this could be like the role councils regularly adopt in strategic planning.
- Participants suggested education was important for agencies and landholders to manage the impacts of rural drainage. One example of where this was said to be working well was in the Koo Wee Rup drainage system.
- The management of the Koo Wee Rup drainage system was promoted as an example of the system working.
- Participants suggested that we should be clear in any guidance developed about how to manage impacts of drainage on infrastructure such as roads.
- Participants queried who would manage disputes where agreement to manage rural drainage amicably cannot be reached among landholders.

5.2 What we heard through written submissions

There was overwhelming support in written submissions for the development and overall intent of a Victorian Rural Drainage Strategy to establish contemporary arrangements for rural drainage (Figure 6).

Those who made submissions not only acknowledged the importance of a Victorian Rural Drainage Strategy, but sought as many opportunities as possible to be involved in its development. Some sought change to provide greater confidence that things would improve from the existing arrangements. Many submissions acknowledged the important role of rural drainage in promoting agricultural productivity, and others note opportunities to strengthen environmental values.

Recognition of the intent of the Strategy

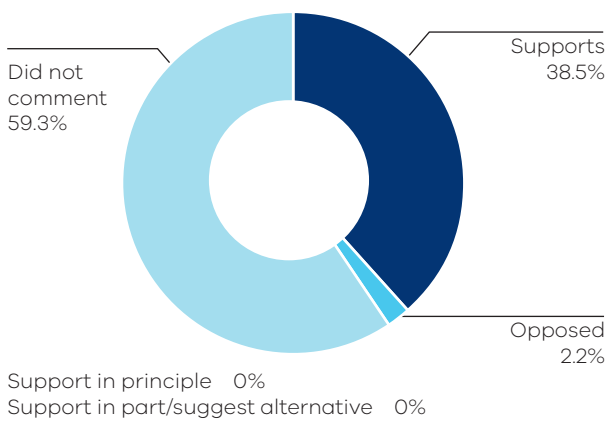


Figure 6. Level of support for development of a Victorian Rural Drainage Strategy

The North East CMA fully supports the intent of the policies and actions proposed in the draft Victorian Rural Drainage strategy.

North East Catchment Management Authority

To me the draft plan seems thorough and after 80 or so pages I had enough information to be comfortable.

Landholder – Burramine

Council's overall comment is that the release of the draft Strategy is very welcome. Rural drainage has been a sleeper issue for many years and has proven to be difficult to deal with from a policy perspective and from a practical perspective. The process in preparing the draft has been open and consultative as was committed in Water for Victoria

Victorian Catchment Management Council



The Municipal Association of Victoria welcomes the Victorian Government's commitment to developing a strategy for rural drainage, and we support many of the policies and action proposed

Municipal Association of Victoria

Council fully supports the aims and ambitions of the Strategy and wishes your reference group every success in achieving these

East Gippsland Shire

The Strategy is particularly important for Moyne Shire Council as there were 17 rural drainage schemes previously operating across the municipality during the mid-1990s

Moyne Shire

Looking forward to getting good things done in the future. Thanks for listening

Landholder – Gippsland

I have seen no advertising of this and the period to read and provide feedback has been short given the importance of the document

Submission No. 22

It would be good to see the strategy include a Strategy evaluation/assessment process to determine if the actions proposed actually deliver the outcomes aimed for by the department

Landholder – Wimmera

I believe in five years' time you will achieve what has been accomplished in the last ten. Nothing!

Landholder – Portland

I am very concerned that this report, given its implications to the broader community, not only communities within Victoria, but communities across the South Australian border that may have to deal with a greater volume of water should any of these drainage schemes be approved in the future

Landholder – Wimmera

I firstly wish to congratulate the authors of a report that in particular acknowledges the point of rural drainage, which is to make unproductive land productive for agriculture

Landholder – Wimmera

The Food and Fibre sector also underpins the economy of the Great South Coast; Corangamite Shire is a core contributor to this regional sector.

Corangamite Shire

How to prioritise between the relative merit of maintaining drains in high productivity agricultural settings, but also knowing when a wetland area that has been compromised by drainage would be more suitable to target for recovery to promote its environmental values

Nature Glenelg Trust



The following key themes were identified from the submissions:

1. Strategy vision statement
2. Opportunities for landholders to invest in rural drainage services
3. Opportunities to further strengthen the roles and responsibilities
4. Preparing for climate change
5. Streamlining environmental approvals
6. Supporting environmental and cultural values
7. Strategy gaps and opportunities
 - a. Compliance and enforcement
 - b. Dispute resolution
 - c. Local context

These themes capture the specific feedback sought through the online submission form and other matters raised in written submissions provided through both the online submission form and the draft Strategy email address.

Strategy Vision

The draft Strategy included the following vision statement:

Landholders and community partners are empowered to work together to improve management of rural drainage, while driving the agricultural sector's contribution to the Victorian economy and supporting positive cultural and environmental outcome.

The majority of submitters supported the intent of the vision statement, although some provided suggestions to shorten the vision and ensure it is achievable such as:

North Central CMA strongly supports the intent of the proposed vision statement. However, North Central CMA recommends streamlining the wording of the vision. eg: Landholders and community partners are empowered to work together to improve management of rural drainage, while balancing economic, cultural and environmental values

North Central Catchment Management Authority

Principles in the vision statement are fine but could perhaps be simplified to: Landholders and community partners will work together to improve the management of rural drainage, while balancing agricultural, cultural and environmental values

Corangamite Catchment Management Authority

The vision statement should include the word dryland.

Campaspe Shire



Opportunities for landholders to invest in rural drainage services

Sixty-five per cent of submitters commented on the proposal that those who benefit from rural drainage should pay, with 74 per cent supportive of the approach proposed in the draft Strategy (Figure 7).

Among those who do not support making landholders pay for drainage services, submissions – particularly from the Gippsland region – focused on the financial challenges for landholders where significant land use development upstream of the drainage area is seen to be contributing to the need for increased investment in drainage. The submissions from the Trafalgar Flats drainage area suggested a different funding model may help to address this. It should be noted that this is the only region that suggested an alternative could be a catchment-wide levy.

Beneficiary pays

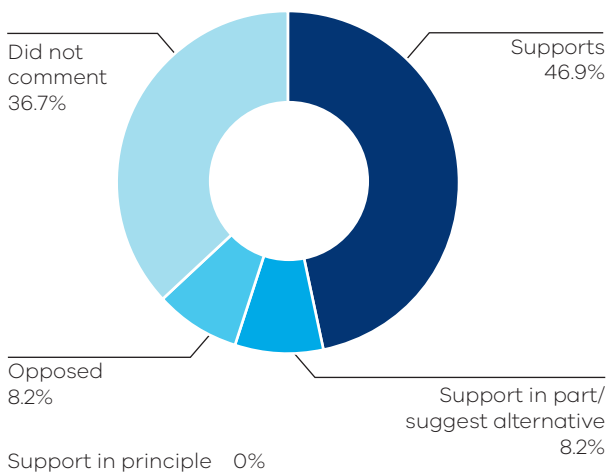


Figure 7. Level of support for beneficiary-pays approach

The committee agrees with the policy of 'beneficiary pays'. However, we maintain that ALL landholders in the WHOLE of catchment are beneficiaries, both rural and urban

Moe River Flats Drainage Committee

We believe a levy on all residents in the catchment area would be the fairest way to fund the much-needed regular attention our drainage system needs.

Yarragon and District Community Association Inc

In principle I agree that farmers should contribute, but I think there is a balance that needs to be struck between user pays and achieving the vision of the policy

Campaspe Shire

In the real world getting voluntary capital contributions from farmers will be difficult. Some farmers will already be in financial difficulties such as dairy farmers

Landholder – Portland

We agree with the intent that landholders would invest dryland drainage services where they privately benefit from such investment. This is the case in the irrigation drainage program...

Goulburn Broken Catchment Management Authority

If the benefits for self, environment and others are clearly understood and the cost is affordable then landholders are very likely to invest in drainage services

Community

I think landholders have been willing in the past to invest in draining their own property, where it has been a financial benefit along with an environmental benefit

Landholder – Gippsland

Council supports the principle that beneficiaries should fund infrastructure that is primarily for their benefit and should pay for the service in proportion to the extent that they benefit from the service

Surf Coast Shire

The basic requirement for landholders to pay for maintenance and administration costs associated with their drainage works is supported

Hamilton Field Naturalists Club

A review of the draft document contains a number of positive aspects including:

- *The intent of DELWP to develop a number of tools and guides to assist landowners develop scheme*
- *A cost recovery model that sees benefitting landowners share the costs of schemes that will increase the area of productive land*

Moyne Shire

Opportunities to further strengthen the roles and responsibilities

There was significant interest in this aspect of the draft Strategy, with 73 per cent of submissions commenting on the proposed roles and responsibilities. There was a range of views about how the roles and responsibilities for rural drainage were clarified (Figure 8).

Some who supported the proposals concerning roles and responsibilities also sought to include Traditional Owners and Aboriginal Victorians in the roles. Some who expressed in-principle support sought clarity about how the proposed roles may be resourced.

Some submissions supported a more limited role for councils in managing their infrastructure only, or their role in planning set out in the *Planning and Environment Act 1989* and sought strengthened roles for catchment management authorities. From the 29 per cent that do not support the proposals concerning roles and responsibilities, some suggested that catchment management authorities would be better placed to undertake a role, or that one lead agency is needed.

Roles and responsibilities

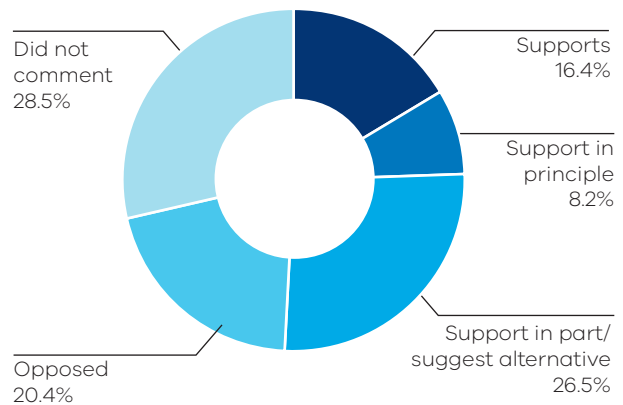


Figure 8. Range of views on the roles and responsibilities clarified for rural drainage

Of the 11 councils that provided submissions to the draft Strategy, all commented on the proposed roles and responsibilities for councils. One council suggested these roles seemed reasonable. The Municipal Association of Victoria also sought the views of its members in preparing its submission, with targeted feedback on the roles and responsibilities for councils, noting the concern of councils about being able to deliver the roles and responsibilities in the draft Strategy (Figure 9).

Roles and responsibilities (council submissions)

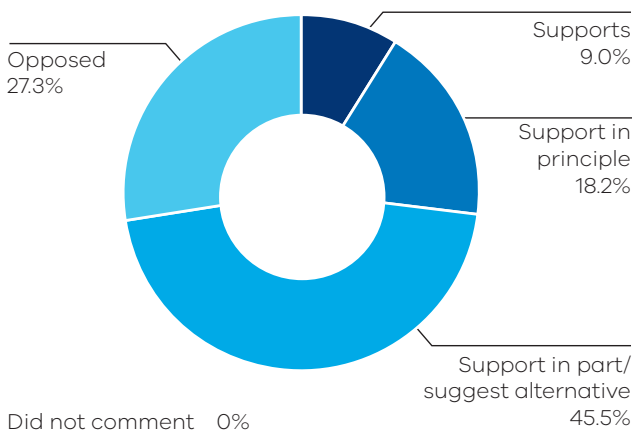


Figure 9. Range of views from council submissions on the roles and responsibilities clarified for rural drainage

The following comments highlight the range of views provided:

Whilst I fundamentally agree that local government have a role in assisting landowners and providing support to guide them through the process, it is unfair to add an additional administrative burden to already resource poor regional councils who are continually taking on additional state cost shifting activities – the resources need to be able to be handed over in a pack that farmers can take away and use easily and not need extensive one on one ‘consultation’ by Council staff to help farmers use the tools

Campaspe Shire

That council accepts responsibility for the administration of established schemes only on a cost recovery basis

Moyne Shire

Catchment knowledge is essential for determining participants in complex drainage systems, particularly at the commencement of discussions and investigations

Municipal Association of Victoria

Council fully supports and endorses the second responsibility which is line with those of VicTRack and VicRoads

East Gippsland Shire



Councils are the key.

They know who owns the land and who to send the bill to.

They can set a rate.

They can quarantine funds on the sale of a property to settle unpaid rates.

They are professional administrators.

They can advise on governance.

They have an engineer.

They have experience in drainage.

They often have Plant.

They are the next largest beneficiary of land improvement after the landholder

Landholder – Strathdownie

The role nominated for councils is also considered reasonable, on the basis indicated, that is, where landholders are prepared to pay for that service

Horsham Rural City

I think if agencies are willing to work with communities and develop strategies that all parties are happy with this will achieve the best outcomes

Landholder – Burramine

The role of Local government is not well defined in the draft Strategy. There appears excessive requirement for landowners to identify, negotiate, prepare and manage rural drainage management plans without a lead agency designated

Corangamite Shire

Preparing for climate change and climate variability

Some submissions recognised the uncertainty around climate change and outlined the need for better information to be available to landholders to understand the potential impacts of climate change and variability on rural drainage.

Understand how climate change is likely to impact the seasonal nature of rainfall and the impact on receiving water bodies such as wetlands

Water Technology

Climate and rainfall modelling on some of the catchments to identify areas of stress would be a benefit

Cardinia Branch – Victorian Farmers Federation

Some landowners would benefit from a guide to actions that would provide advice to assist limit the potential impacts of climate change on rural drainage

Gunawarra Shire

Not only have these wetland restoration projects, which have reversed rural drainage, had biodiversity benefits, but they have also reduced downstream flooding risk and improved the climate change resilience of these areas

Nature Glenelg Trust

With climate variability and the impact of weather events, these are significant infrastructure in assisting with minimising inundation of property and roads

Corangamite Shire

... as we see further changes in the climate, the drainage strategy will become increasingly valuable to support farmers in moving water sustainably within their catchments

Victorian Catchment Management Council



Environmental and cultural approvals

There is strong support for streamlining environmental approvals, with 100 per cent of submitters that commented on this aspect of the draft Strategy supporting the proposal to streamline approvals (Figure 10).

Submissions sought greater clarity about approvals for Aboriginal cultural heritage, and supported the intent that this is undertaken in collaboration with Traditional Owners. Submissions recognised that where this has not been undertaken well in the past, time may be required to get it right. A submission from Aboriginal Victoria provided background information on the specific requirements for considering Aboriginal cultural heritage.

Streamlining approvals

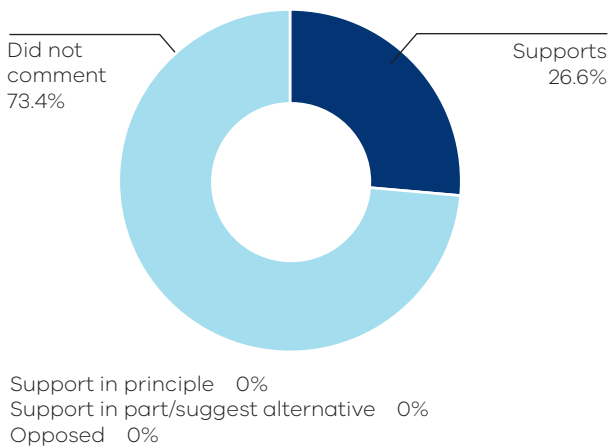


Figure 10. Level of support for streamlining environmental and cultural approvals

Clear definitions of what can and can't be done in the form of earthworks by individuals that may affect others

Landholder – Wimmera

My understanding of this community is that most landholders are exceptionally frustrated by the permit system and are more likely to undertake unpermitted works and hope they miss enforcement than to follow the permit system.

Landholder – Wimmera

Clear definitions of what can and can't be done by a group of landholders for the benefit of the group. Once again, the power to enforce solutions

Landholder – Springhurst

The goal of reducing bureaucratic red tape and assigning responsibilities to aspects of the strategy is great

Landholder – Wimmera

We support the need for clear and transparent pathways for cultural and environmental approvals

Goulburn Broken Catchment Management Authority

That the Strategy and guidelines be clearer in expectations of Cultural Management Planning (e.g CHMP's not required if only clearing existing drains)

Moyne Shire

While it would be good to involve TO's more in the process, this needs to be done in a way that is collaborative rather than causing more red tape for landholders

Landholder – Wimmera

Supporting environmental and cultural values

There were calls for a stronger emphasis on the environmental values of wetlands, with submitters seeking acknowledgement of drainage impacts on the environment. One submission sought emphasis on the value of waterways for Aboriginal Cultural Heritage.

The draft Strategy could be enhanced by incorporating an explanation as to the significance of Aboriginal places on public and private land in relation to rural drainage and how sound rural management practices can protect these values

Victorian Aboriginal Heritage Council

This ongoing risk to our biodiversity cannot be ignored in a strategy about rural drainage

Nature Glenelg Trust

A clear understanding of how to prioritise between the relative merit of maintaining drains in high productivity agricultural settings, but also knowing when a wetland area that has been compromised by drainage would be more suitable to target for recovery to promote its environmental values

Nature Glenelg Trust

We welcome the proposed collaboration with Aboriginal organisations, agencies and landholders to improve cultural heritage management and awareness

Municipal Association of Victoria

Based on the current waterway values in the region, it is considered unlikely that any alteration to the prioritising setting framework to incorporate rural drainage into the Regional Waterway strategy would result in any drainage areas being prioritised for restoration

North East Catchment Management Authority

... the rural aspects of drainage are well addressed. However, the environmental benefits (and dis-benefits) of drainage could be addressed in more depth in the final Strategy

Victorian Catchment Management Council



Strategy gaps and opportunities

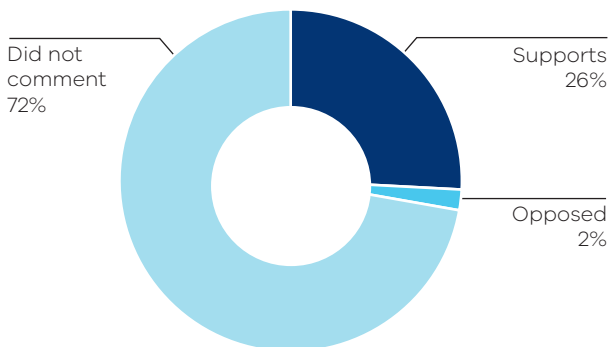
Stakeholders identified three main areas to focus on for a final Strategy to meet the expectations of stakeholders and the community.

These are: 1. Compliance and enforcement, 2. Dispute resolution and 3. Local context.

1. Compliance and enforcement

A strong theme emerged through requests for a stronger compliance and enforcement framework for drainage works. Of those that did comment, 93 per cent supported stronger compliance and enforcement and greater clarity on how dispute resolution will be managed (Figure 11). Concern was raised in submissions that if drainage approvals are too costly or too difficult to obtain, landholders might undertake works without approval, creating perverse outcomes that could lead to adverse impacts on neighbours or infrastructure. One submission was concerned about stronger enforcement because it will make drainage more costly. One submission also requested that compliance be extended to contractors.

Compliance and enforcement (includes dispute resolution)



Support in principle 0%
Support in part/suggest alternative 0%

Figure 11. Support for strengthening compliance and enforcement (includes support for strengthening the dispute resolution tools)

A concern would be when one property owner carries out works that greatly impact a neighbour causing inundation of crops ect

Landholder – Springhurst

Council has grave concerns landholders will not wish to pay for a service, resulting in increased incidence of drainage outside agreement impacting on adjoining landowners or public infrastructure

Corangamite Shire

[The Strategy needs] the ability to enforce fines or penalties as a deterrent to unreasonable behaviour by individual landholders

Landholder – Springhurst

What happens when works are not maintained satisfactorily? Who is responsible? How is it enforceable?

Gunawarra Shire

Can there please be more emphasis on education and compliance for contractors? These people have regular interaction with drains, and should be able to give accurate advice to landholders about whether their works are 'maintenance' or require permits

Landholder – Wimmera

2. Dispute resolution

Major concerns were expressed by stakeholders and community members about how disputes would be resolved.

There is no provision made for dispute resolution between adjoining property holders and also between property holders and government agencies. This is a major shortcoming in the Draft Strategy

Cardinia Branch – Victorian Farmers Federation

Most of the issues which occur around water and drainage are disputes between neighbours or disputes between landholders and government agencies. I have seen a number of disputes which have become intractable and one or both parties have had the viability of their farm impacted and their health badly affected.

Landholder – Cardinia

They [landholders] are unlikely to use the Dispute Settlement Service of Victoria where an adjoining landholder is uncooperative

West Gippsland Catchment Management Authority

We would envisage an Ombudsman type position that has the legislative power to resolve complaints independently

Cardinia Branch – Victorian Farmers Federation

3. Local context

Victoria and Victorian communities are unique, and submissions raised several issues unique to local areas. Submissions from West Wimmera emphasised the unique landscape and impacts of drainage on the watering regimes for the highly valued wetlands in the area.

Our drainage system is unique through very flat country with virtually no waterways, creeks or rivers, just a series of retreating ancient coastlines with very flat country in between

Landholder – Wimmera

The lack of drainage maintenance is currently causing major local flooding issues in the urban areas of the Baw Baw Shire and the slowdown of expansion of urban growth

Landholder – Trafalgar

The document in my view has been prepared with insufficient understanding of the makeup of natural drainage lines or depressions that occur on lands across the State and wetlands that are located well away from the coast such as the Wimmera

Landholder – Wimmera

West Wimmera Region has a unique physical landscape. This should be acknowledged in the strategy, as the area consists of chains of north south running wetlands, largely without rivers or creeks. This presents a number of unique challenges/opportunities

Landholder – Wimmera

6. What we are doing as a result of your feedback



We will continue to work with key stakeholders, and the stakeholders represented on the Reference Group will provide oversight to refine and finalise the Victorian Rural Drainage Strategy. The Reference Group will consider the following approaches and actions:

1. Revise the vision statement in line with the feedback.
2. Acknowledge the local context and the diversity of drainage across the state, with case studies and local pilot projects to be documented in a final Strategy.
3. Retain recognition of the importance of rural drainage to supporting agricultural productivity, while ensuring this is balanced against the need to protect environmental values.
4. Acknowledge the range of views expressed on roles and responsibilities, and revise the Strategy as needed.
5. Focus on improving communication and cooperation between state and local government, and seek to ensure that roles and responsibilities are clearly articulated and full financial considerations are made.
6. Understand and appropriately address the potential administrative burden for any proposed roles and responsibilities.
7. Clarify interaction with other infrastructure and assets, out of scope of this strategy, such as irrigation infrastructure, or flood mitigation infrastructure where required.
8. Provide further clarity on who are the beneficiaries of a drainage system. How would all affected landholders be required to participate in rural drainage systems?
9. Prepare clear and concise materials for landholders to manage rural drainage.
10. Progress opportunities to streamline environmental approvals.
11. Strengthen compliance and enforcement provisions to manage impacts of drainage on neighbours where they are undertaken outside the legislative framework.
12. Consider options to manage dispute resolution.
13. Establish the roles and responsibilities required for managing dispute resolution.
14. Document the arrangements for protecting Aboriginal cultural heritage.
15. Seek appropriate legislative mechanisms to support rural drainage.
16. Provide more information to help landholders prepare for climate change.

It should be noted that these items are just some of the changes that will be considered in response to common themes raised through the consultation period. Many smaller changes will be made in response to more specific and detailed issues raised in individual submissions and comments.

Public submissions have been uploaded on the Department's web page. Go to www.engagevictoria/ruraldrainage.

For more information, please contact the Project team at vrds.enquiry@delwp.vic.gov.au

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