



Property Law for Victorian Water Authorities

*A series of one-day professional development courses
mapping the twists and turns of the law...*

Participants: *professional officers from water authorities, already competent in their own discipline, but in need of a clear, sound introduction to other related fields.*

Objective: *to enhance water authorities' corporate knowledge, to assist their staff career paths and, above all, to help them deliver better service to stakeholders.*

*Tuesday 17 April 2018
or by arrangement in your own offices*

Land Law for Water Authorities

For details see page 2

*Friday 4 May 2018
or by arrangement in your own offices*

Planning Law for Water Authorities

For details see page 3

*Friday 18 May 2018
or by arrangement in your own offices*

Roads Governance for Water Authorities

For details see page 4

*Tuesday 12 June 2018
or by arrangement in your own offices*

Environmental Law for Water Authorities

For details see page 5

Cost *\$550 including GST, course notes, working lunch
discounts for host organisations*

Venue *Russell Kennedy, Lawyers, 469 La Trobe Street, Melbourne
or by arrangement in your own offices*

**Presented by The Public Land Consultancy in
conjunction with Russell Kennedy, Lawyers**



*Tuesday 17 April 2018
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Land Law for Water Authorities

*Water Authorities have a direct interest in land.
They may own it, control it, manage it, or just make use
of land belonging to somebody else...*

Presenters:

*Astrid Di Carlo – Russell Kennedy, Lawyers
David Gabriel-Jones – The Public Land Consultancy*

Land Status in Victoria

- Crown land and freehold land
- Native title and Aboriginal Heritage
- The complexities of the Cadastre
- The Role of DELWP and the Surveyor General

More about Crown Land

- The Crown Reserves system
- Delegated Management
- Crown tenures – Leases and Licences
- Use and Development of Crown land

More about Freehold Land

- Titles: the Torrens and Old Law systems of Title
- Indefeasibility and Adverse Possession
- The Transfer of Land Act
- Subdivisions and Sales of land
- Interests in Land
- Easements, caveats and covenants

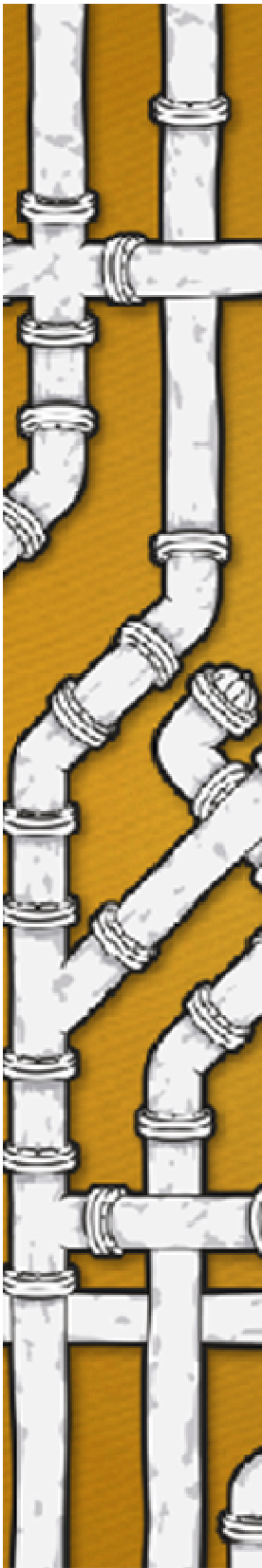
Water Authority Land

- Utility conduits: Roads, Railways, Pipeline
- Rivers, Estuaries, Coasts
- Reservoirs, Channels, Stormwater systems

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469 La Trobe Street, Melbourne*

*We can also present these courses in-house
at your own offices.*

Enquiries Jacqui Talbot (03) 9534 5128 jacqui@publicland.com.au



*Friday 4 May 2018
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Planning Law for Water Authorities

Water Authorities may initiate proposals to develop or use land, or may have to respond to proposals made by developers, councils, or the community...

Presenters:

***Astrid Di Carlo – Russell Kennedy, Lawyers
Grant Arnold – The Public Land Consultancy***

Planning Law – The Statutory Framework

- Planning law in the context of other laws
- The Planning and Environment Act
- The Subdivision Act 1988

Planning Law – Roles, Responsibilities, Processes

- The Minister and the Department
- Councils as Planning Authorities
- Councils as Responsible Authorities
- Making planning scheme amendments
- Obtaining, amending and enforcing permits

Role of Water Authorities

- Referral Authorities – Determining and Recommending
- Section 55 Referrals and section 52 Notices
- Statutory obligations of referral authorities
- Permit conditions –ensuring effectiveness and enforceability

Planning Law – the Legal System

- VCAT and the Courts
- Enforcement, penalties and authorised officers
- Planning Panels and hearings

Doing things better

- Reducing unnecessary or low-value referrals
- Analysing the need
- Agreements with Councils
- Planning scheme amendments

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Roads Governance for Water Authorities

Roads are vital conduits for water authorities. That's where you find so many water mains and sewers. They intersect with so many watercourses, drains and irrigation channels...

Presenters:

Astrid Di Carlo – Russell Kennedy, Lawyers
Grant Arnold – The Public Land Consultancy

What is (and what's not) a Road

- The several statutory definitions of 'road'
- 'Public Highways' and the common law
- Easements and common property roadways
- Closed roads, discontinued roads and unused roads

How Roads are Owned and Controlled

- Disaggregating ownership, control, and management
- The roles of councils, VicRoads and service utilities
- Road Authorities and the Road Register
- A road authority's duty of care and risk exposure

The 'Registered Proprietor' Trap

- Ownership of roads in pre-1988 subdivisions
- Utilities' problems with pre-1988 roads

Dealings with Roads

- How roads are created and discontinued
- How they may be used for non-road purposes
- Unused rural roads held under grazing licences
- Controls over vegetation, heritage and aboriginal sites
- How planning schemes deal with roads

Roads as Workplaces

- The case DPP v VicRoads and Downer EDI
- The OH&S Act and regulations
- The Road Safety Act and regulations

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Graphics - Igor Petrovic

*Tuesday 12 June 2018
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Environmental Law for Water Authorities

*Water and the environment are critically linked at every stage
of the water cycle ... from rain falling in the catchment to the
outfall of the sewage treatment plant...*

Presenters:

Grant Arnold – The Public Land Consultancy

Astrid Di Carlo – Russell Kennedy, Lawyers

- The sources of environmental rights, powers and obligations
- The legislative framework – federal, state and municipal responsibilities
- An introduction to specific areas of law:
 - Land law – catchment management
 - Water law – environmental flows, reservoirs and farm dams, irrigation systems
 - Biodiversity – native vegetation, weeds, the EPBC Act
 - Planning law – environment protection overlays
 - Heritage protection; Aboriginal heritage protection
- An overview of agency roles – Catchment Management Authorities, Water Authorities, DELWP, the Environment Protection Authority
- Legal processes: the roles of VCAT and the courts
- The bigger picture: climate change and carbon trading

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