

PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019

(Amendments made by the Legislative Council)

1. Clause 1, page 2, lines 14 to 16, omit "in respect of licensed and unlicensed water frontages" and insert "for recreational uses of certain land abutting watercourses".
2. Clause 2, line 16, omit "December 2020" and insert "September 2021".
3. Insert the following New Clause to follow clause 35—

35A Definitions

In section 2A of the **Land Act 1958**—

(a) **insert** the following definitions—

"licensed water frontage means water frontage which is under a licence under Division 8 of Part I or section 138;

municipal council has the same meaning as *Council* has in the **Local Government Act 2020**;

Parks Victoria has the same meaning as in the **Parks Victoria Act 2018**;

regulated watercourse land means Crown land within 200 metres of the bank of a watercourse within the meaning of Part XII which is not any one or more of the following—

- (a) under a lease or a residence area right;
- (b) vested in trustees or in a municipal council;
- (c) placed under the control of a public authority other than the Secretary or Parks Victoria;
- (d) land in respect of which a committee of management has been appointed under the **Crown Land (Reserves) Act 1978**;

water frontage means Crown land (including land temporarily or permanently reserved)—

- (a) which has a frontage to the sea or a watercourse within the meaning of Part XII; and

- (b) which is not under a lease, licence or residence area right; and
- (c) which is not reserved as a water reserve along any public road under the **Crown Land (Reserves) Act 1978**; and
- (d) which is not—
 - (i) vested in trustees or in a municipal council; or
 - (ii) placed under the control of a public authority other than Parks Victoria; or
 - (iii) land in respect of which a committee of management has been appointed under the **Crown Land (Reserves) Act 1978**.";
- (b) in the definition of *Traditional Owner Land Management Board*, for "1987." substitute "1987;".'.

4. Clause 36, lines 5 to 10, omit all words and expressions on these lines and insert—

'In section 3(1) of the **Land Act 1958**—

- (a) the definitions of *fence*, *Parks Victoria* and *water frontage* are **repealed**;
- (b) in the definition of *unused road*, for "400(1);" substitute "400(1).".

5. Clause 49, line 28, omit "purposes." and insert—

"purposes.

Note

Licensed water frontage land does not include certain Crown land, including leased Crown land, or freehold land.".

6. Clause 52, lines 14 and 15, omit "water frontages and licensed water frontages" and insert "regulated watercourse land".

7. Clause 52, lines 18 and 19, omit "water frontages and licensed water frontages" and insert "regulated watercourse land".

8. Clause 52, lines 23 and 24, omit "water frontages and licensed water frontages" and insert "regulated watercourse land".

9. Clause 52, after line 28 insert—
- '(3) After section 413(4) of the **Land Act 1958** insert—
- "(5) Regulations made under this Act may—
- (a) leave any matter or thing to be decided by a specified person or class of person; and
- (b) provide for the exemption of persons or a class of persons from any of the regulations."!
10. Clause 117, line 3, omit "December 2021" and insert "September 2022".

Certified -

Clerk of the Legislative Council