



Victoria Government Gazette

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By Authority L. V. North, Government Printer Melbourne

SPECIAL

Subordinate Legislation Act 1962 NOTICE OF PREPARATION OF A REGULATORY IMPACT STATEMENT Land Act Regulations 1994

Notice is given under the **Subordinate Legislation Act 1962** that a Regulatory Impact Statement (RIS) has been prepared in relation to the Land Act Regulations 1994. The proposed Regulations are required to replace the Land Act Regulations 1984 which will sunset on 27 June 1994.

The Regulations provide for a range of matters which the **Land Act 1958** requires to be prescribed. These include prescribing the constitution, proceedings and functions of Local Land Boards, providing for the management of commons, making various provisions in relation to water frontages, prescribing forms for the purposes of the Act and prescribing fees in respect of applications, registrations, transfers, etc. and the grant or issue of various instruments under the Act.

The Department is currently undertaking a review of the **Land Act 1958**. It is anticipated that the review will result in many of the matters contained in the Land Act Regulations 1994 becoming redundant. It is therefore proposed that the Regulations will expire in two years.

The primary objectives to be achieved by the Regulations are to provide for the management of commons, to make provision for controlling public access on licensed water frontages in order to protect and conserve natural values and to prescribe fees as required under the **Land Act 1958**.

The subsidiary objectives to be achieved are to enable fees for agistment on commons to be expended on common management and defray part of the costs associated with legal transactions associated with Crown land tenures.

The RIS examined the impact of the regulations providing for the management of commons, the offences applicable to water frontages and the imposition of fees for a range of matters under the Act.

The RIS concluded—

- (a) in relation to commons, that the alternative of abolishing commons and enabling their re-reservation or sale would be of benefit to the State of Victoria;
- (b) in relation to water frontages, that the alternatives of fencing out frontages and voluntary codes of practice would result in significant costs to farmers and the Department, respectively;
- (c) in relation to fees, that the alternative of moving to full cost recovery was the most cost-effective method for the Department to undertake various land dealings.

The RIS concluded that changes to the **Land Act 1958** are desirable in order to implement the alternatives mentioned in paragraphs (a) and (c), but the proposed Regulations are considered the best means of achieving the stated objectives in the period until the review of the **Land Act 1958** is completed.

Public comments are invited on the RIS and accompanying Regulations. Copies may be obtained by contacting Mr Alan Northey on 412 4217. Written submissions will be received at the following address up to and including 4 July 1994: Alan Northey, Manager, Policy Section, Crown Land and Assets Division, 7th Floor, 250 Victoria Parade, East Melbourne, 3002.

All submissions will be treated as public documents.

ALAN THOMPSON

Secretary to the Department of
Conservation and Natural Resources

Gazette Services

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