

18 June 2018

SEPP Waters Manager
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By email: water.SEPPreview@delwp.vic.gov.au



**TRUST FOR
NATURE**

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Dear SEPP Waters Manager,

SEPP (Waters) Review

Thank you for the opportunity to respond to this review.

Trust for Nature is Victoria's dedicated private land conservation trust, established in 1972 by a Victorian Act of Parliament. Using its statutory powers, the Trust is able to preserve high quality native vegetation using conservation covenants that place protections and land-use restrictions on private land, forever. To date the Trust has permanently secured more than 100,000 hectares for future generations. We note that our covenants operate independent of the planning scheme.

The Trust supports the short term measures being proposed to streamline and clarify policy around SEPPs in this review. More importantly, the Trust supports recommendations made by the Independent Inquiry into the Environment Protection Authority to phase out SEPPs and split component parts into fit-for-purpose instruments which, among other things, will proactively adapt tools and instruments to prevent and reduce impacts and risks to the environment (Independent Inquiry Recommendation 5.5).

As part of this updated regulatory toolkit, **Trust for Nature strongly supports the explicit inclusion of conservation covenants** as a valuable tool for environmental protection by the EPA – whether in statutory codes, non-statutory implementation plans, or elsewhere. We recognise that this goes beyond the scope of the current SEPP (Waters) review, but would nevertheless like to flag the relevance of conservation covenants to agencies such as the EPA.

Conservation covenants could have application across a range of different environmental protection or prevention measures for the EPA. In the context of water, covenants could allow the EPA to more effectively carry out its obligations to deliver improved catchment health, including by covenanting private land in key catchment areas such as the Yarra River corridor and other waterways. This in turn would complement efforts to achieve an integrated and long-term approach to waterway health under the Water for Victoria plan.

An example of an effective use of conservation covenants in the context of water catchments is the New York Catskills watershed project, which allowed NYC to avoid building an expensive facility to filter its Catskill-Delaware water supply by keeping its surface water supply clean through land acquisition, regulations and city-funded, community driven environmental protection programs – including conservation covenants (see: www.cwconline.org).

If you would like to discuss our submission further, please contact

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Kind regards

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Victoria Marles
CEO, Trust for Nature