

Statutory Reconfiguration

Statutory reconfiguration refers to the powers provided to an Authority under the *Water Act 1989* to reconfigure its water delivery system by the adoption of a reconfiguration plan.

Statutory reconfiguration allows us to proceed with work on Goulburn Murray Water (GMW) assets even if agreement cannot be reached with all landowners associated with a particular proposed modernisation solution.

What we mean by statutory reconfiguration

Statutory reconfiguration refers to powers available under the Water Act that enable GMW to reconfigure its water delivery system via the adoption of a *reconfiguration plan*.

A reconfiguration plan that has been adopted by GMW is a map that shows the new location of GMW assets and/or channels.

Before we adopt a reconfiguration plan, we will follow a process of consultation with affected landowners and other bodies (if required).

It is important to note that statutory reconfiguration only applies to GMW assets, such as channels and meters.

It does not apply to any privately owned infrastructure or assets (i.e. on-farm infrastructure that connects you to the water delivery network).

It will **not be used** to terminate a water delivery service.

In some cases, where we are unable to reach agreement with the owner of the affected property, there may be an interruption to service delivery to a property.

Why we need to use statutory reconfiguration

Until now, the Connections Project has been seeking voluntary agreements with landowners to carry out modernisation-related works.

We've also been making upfront payments to landowners to carry out their own on-farm works.

We know that while many landowners have completed their works and received the benefits of modernisation, there are also many who have waited, sometimes for years, to see any progress.

One of the reasons for the delay has been the inability of the project to reach agreement on the modernisation solution for their water delivery service. Sometimes, one landowner's refusal to engage with the project team holds up several other landowners on the same channel.

This has resulted in time delays as well as frustration on the part of landowners.

Statutory reconfiguration is a tool that can be used when other methods have not worked.

An integrated approach

We have incorporated statutory reconfiguration into our new eight-step landowner engagement process so that we can provide better quality information to landowners and reduce the time taken from start to finish of the modernisation process.

Our new landowner engagement process includes:

1. Getting started - we give you an information pack which outlines how we'll work with you from start to finish.
2. Concept planning – we invite you to a 'kick-off' channel meeting and give you a copy of a concept reconfiguration plan (desktop plan) which is a map showing our initial thinking on reconfiguring the channel or channels that supply water to you.
3. Consulting and refining – we work with you to refine both the concept reconfiguration plan and the Connections Agreement for on-farm works you need to reconnect to your water delivery service.

4. Final plans - we give you a copy of the Draft Final Reconfiguration Plan. We also give you a copy of the Connections Agreement for your on-farm works for you to review and sign.
5. Your review - you have 30 days to review the Draft Final Reconfiguration Plan and sign the Connections Agreement (if there are on-farm works). During this time, you may make a submission on the Draft Final Reconfiguration Plan.
6. Our review - we review any submissions we've received. We've also included an independent review process.
7. Adopt the plan - we formally adopt the Reconfiguration Plan. We provide a copy of the plan to the Minister for Water and we publish a notice in the *Victoria Government Gazette*. We then provide a copy of the Reconfiguration Plan to you.
8. Building - we carry out the reconfiguration works on the GMW water delivery network and your on-farm works (if agreed). How long this takes will depend on the scale and complexity of what we need to build.

Independent review

The engagement process allows 30 days for landowners to make submissions on the Draft Final Reconfiguration Plan (see step 5 above).

Submissions received will be reviewed by the project team.

We have established an additional external independent review process at this stage so that landowners have the option to get the decision reviewed.

While recommendations of the independent reviewer are legally non-binding, they will carry considerable weight.

On-farm works

For 'uncommitted' works (i.e. where no agreement has been signed), the on-farm works associated with reconnecting a water supply will now be carried out by the project instead of the landowner (subject to a legal agreement being executed).

If this applies to you and you don't agree with our proposed solution and don't sign a Connections

Agreement, you will need to undertake the works at your own cost and seek compensation in accordance with the Act.

We will give you reasonable time to complete your on-farm works before we start the reconfiguration works. This time will depend on your particular circumstances (for example, timing may be dictated by your irrigation needs).

Seeking professional advice

We recommend that you seek independent professional advice on any matters that you are unsure about.

We have a program in place to contribute to the cost of seeking professional advice in relation to Connections Project legal agreements (to a maximum of \$1000).

Voluntary agreements encouraged

The project encourages landowners to reach voluntary agreement for reconfiguration and on-farm works so that we can start the works as soon as possible.

Where agreement cannot be reached with all landowners on a channel, the project will use the powers available to ensure works are not held up.

More information

A new web portal called My Connections Update has been created to show you progress on the channel or channels that supply you with water.

Enter your outlet number in the portal on the Connections Project website (www.connectionsproject.com.au).

Or you can call us on 1800 013 357 or email connections@gmwater.com.au.