

LOWER YARRA RIVER

Recommendations on
Future Funding, Governance
and Strategic Considerations
for Management of the
Lower Yarra River



Report to the
Minister for Energy,
Environment and Climate Change

Prepared by the
Lower Yarra River
Management Advisory Committee

June 2018

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1. EXECUTIVE SUMMARY

The Lower Yarra Management Advisory Committee (LYRMAC) was formed in December 2016, by the State Government as an outcome of the Lower Yarra River Users Future Direction Group (LYRUFDDG) recommendations. The Committee's Terms of Reference required the membership of the Committee to comprise one Board member from Parks Victoria, a Councillor from the City of Melbourne and a person nominated by the private sector.

The LYRMAC formally adopted the shared vision developed by the LYRUFDDG:

“The Lower Yarra is a central feature of one of the world’s most liveable cities – Melbourne. The future development of its facilities, activities and natural values need to support Melbourne’s role as a leading world city.”

This shared vision was used to guide the advice and leadership provided in delivering on the following outcomes:

1. Alignment of work effort between Parks Victoria and City of Melbourne;
2. Strategy for commercial berths;
3. Commercial berth allocation process; and
4. Advice to the Minister regarding future funding, governance and strategic considerations.

The LYRMAC consulted with stakeholders including staff from both Parks Victoria and the City of Melbourne and commissioned two planning reports to inform its discussions. The reports commissioned were a Visitor Experience Review, Lower Yarra River, November 2017, undertaken by AALTO and a Planning and Legislative Review, Lower Yarra River, May 2018 undertaken by SGS Economics and Planning.

The report provides recommendations to the Minister to improve the environment for business which allows for stability and investment, coupled with an environment that allows the Lower Yarra River to change and adapt with the vibrancy of a growing city and allows for the community, recreation and activation of the river.

LYRMAC has identified several opportunities for improving management of the Lower Yarra River (Appendix 1) for both industry and the community. The recommendations within this report will enable these opportunities and are underpinned by the development of a ten-year strategy driven by an independent River Management Committee involving both the City of Melbourne and Parks Victoria to ensure alignment along the city stretch of the river. The strategy will focus on future investment, improving and aligning berthing agreements, broader activation including events and aligning policy and promotion. An important part of the strategy is the development of back of house facilities out of the busy city stretch of the river and the development of a commercial berth at South Wharf.

The report identifies actions to ensure the allocation of berths along the river and the development of licences is transparent and equitable. The licensing mechanism must also drive activation and a professional and diverse visitor experience on the Yarra River. The recommended 10-year tenure of the licences is important to provide both security of tenure for businesses to invest while also creating a competitive business environment.

The work of the LYRMAC has synergies with the Yarra Strategic Plan being developed by Melbourne Water in accordance with the *Yarra River Protection (Willip-gin Birrarung Murrong) Act 2017*. The outcomes of this report will form a submission to the Yarra Strategic Plan to ensure a consistent approach to planning for the Yarra River.

2. INTRODUCTION

2.1. Background

Over the last ten years the Government has sought to define a shared vision and strategy for the Yarra River. In 2014 the Government brought together key government agencies and stakeholders to develop a shared vision for the use of the Lower Yarra River and make recommendations in relation to improved governance arrangements, licensing policy for berthing of commercial passenger boats, waterway management, event approvals, and funding. This group was called the Lower Yarra River Users Future Directions Group (LYRUFDG). The LYRUFDG made recommendations to the Ministers in November 2015.

In response to these recommendations, the Minister for Environment and Climate Change announced several immediate actions to improve management of the waterway including providing Parks Victoria with funding to:

- establish and support a new three-person committee to advise and provide input to the management of the Lower Yarra River, and the allocation of commercial berths, over the (following) two years;
- engage an independent consultant to work with the committee to develop a strategy for and advise on the allocation of the commercial berths;
- fund a probity officer to oversee the berth allocation process;
- support a renewed focus on engagement and collaboration with stakeholders in the management of the waterway;
- employ additional staff to support this work as needed; and
- develop floating berths at Southgate Wharf.

The Parks Victoria Board established the three-person committee, to be known as the Lower Yarra River Management Advisory Committee (LYRMAC) in December 2016 with Terms of Reference (appendix 1) approved by the Department of Environment Land, Water and Planning (DELWP) and the Minister for Energy, Environment and Climate Change.

2.2. Lower Yarra River Management Advisory Committee

The Terms of Reference required the membership of the Committee to comprise one Board member from Parks Victoria, a Councillor from the City of Melbourne and a person nominated by the private sector.

The LYRMAC comprises of the following members:

Ms Christine Trotman (Committee Chair)

Parks Victoria Board Member

Ms Linda Weatherson

City of Melbourne, Director City Operations

Mr Jonathan Metcalfe

Industry Representative

2.3. Planning Context

The LYRMAC formally adopted the shared vision developed by the LYRUFDDG:

“The Lower Yarra is a central feature of one of the world’s most liveable cities – Melbourne. The future development of its facilities, activities and natural values need to support Melbourne’s role as a leading world city.”

This shared vision was used to guide the advice and leadership provided in delivering on the following outcomes:

- Alignment of work effort between Parks Victoria and City of Melbourne;
- Strategy for commercial berths;
- Commercial berth allocation process; and
- Advice to the Minister regarding future funding, governance and strategic considerations.

Throughout its tenure the LYRMAC commissioned two planning reports to inform its discussions. The first was the Visitor Experience Review, Lower Yarra River, November 2017, undertaken by AALTO. This report reviewed the opportunities to enhance the visitor experience along the Lower Yarra River corridor and included direct engagement with 30 stakeholders representing regulators, state and local government, business associations, recreational clubs and private operators.

The second report was the Planning and Legislative Review, Lower Yarra River, May 2018 undertaken by SGS Economics and Planning. This report assessed and reviewed the current commercial, planning and legislative arrangements on the river and provided some advice regarding governance and legislative frameworks. The report also analysed two case studies of rivers in Brisbane and London.

3. COMMERCIAL BERTHS

3.1. Commercial Berths Strategy

The current Parks Victoria commercial berths are in three locations along the river; Southgate, Federation Wharf and Banana Alley. The City of Melbourne manages commercial berths and sea bed leases in the Docklands precinct and Marinas on the Lower Yarra River.

In addition to these commercial berths, berthing is available to commercial operators at the World Trade Centre (WTC). There are also commercial pick up and drop off berths along the river managed by Parks Victoria that do not require a formal agreement. Recreational boaters can also access public berths at various destinations along the Yarra.

Commercial berthing along the Yarra River, at high profile locations, is considered premium real estate by many commercial operators, particularly at Southgate. For many tourists this is the first experience they have of the Yarra River. Currently competition for passengers at these locations is highly competitive and sometimes creates an uncomfortable environment for tourists with operators touting for business. Many of these facilities are also old and of low aesthetic and functional quality, particularly in terms of all ability access, shelter and utilities.

“Back of House facilities” where commercial operators can load and unload catering and equipment, fuel and pump out sewerage or undertake minor maintenance are also poorly catered for along the river. Most of the berth holders undertake these activities at key tourist locations along the river, detracting from the river experience and creating inefficiencies and risk issues. There is a need for better serviced and more appropriate

back of house facilities and overnight storage berths. The Docklands Waterways Strategic Plan 2009-2018, City of Melbourne highlights this and identifies a location near Bolte Bridge as a likely location.

The land and visitor uses bordering the river have changed over the last ten years since these berths were offered, with new areas identified such as South Wharf and increased use and focus of the north side of the river at places like Federation Square and Banana Alley. What was once an acceptable standard of operation at some locations is no longer appropriate. Likewise, areas such as Birrarung Mar and North Wharf have grown in focus and where once no commercial service was offered there may now be new opportunities and markets. The Docklands precinct is a maturing destination, yet it remains poorly connected to the Yarra River in terms of services and thematic linkages.

Investment in berthing infrastructure has been limited in the last ten years, however with the recent Government investment in Southgate of \$2m for floating infrastructure, a new standard for operation will be set. The Planning and Legislative Review states that case study locations which underwent Government investment in infrastructure saw improvements in the quality and number of commercial operations.

Physical access to berths and established cruise routes have also been an issue for commercial operators. Siltation along the river restricts access to some sites particularly at Herring Island, the Turning Basin, Melbourne Park Landing, Collins Landing and the Crown Casino berths.

A dredging study undertaken by Parks Victoria in 2016, states the minimum requirements for safe navigation and access in the Lower Yarra River as identified in the Long Term Sustainable Dredging Strategy (Parks Victoria, 2007) are not being met due to ongoing siltation. Dredging in the lower Yarra River has been limited since the late 1990s with only minor campaigns occurring near the Herring Island meander.

3.1.1. Recommendations

The LYRMAC provides the following recommendations for the development of a Commercial Berths Strategy:

- i. Parks Victoria and the City of Melbourne work together to develop a ten-year berthing strategy for the Lower Yarra River, including:
 - Undertake a health and environmental audit on current commercial boating procedures with advice from Environmental Protection Agency.
 - Preparing a business case to the State Government seeking funds for improved infrastructure at South Wharf and Victoria Harbour to link commercial services with other sites on Southgate and Federation Wharf, including floating infrastructure.
 - Preparing a business case to progress delivery of a marine precinct upstream of the Bolte Bridge to serve all commercial vessels in Docklands and the Lower Yarra River including back of house and overnight vessel storage.
- ii. Parks Victoria prepare a business case for future funding considerations to ensure access and egress to key priority sites along the river through investment of a comprehensive dredging operation and ongoing maintenance dredging for the Yarra River.
- iii. State Government supports the Docklands Waterways Masterplan, including development of Melbourne City Marina as a major hub for boating.

3.2. Commercial Berth Allocation

Parks Victoria's current berthing agreements on the Lower Yarra River were formed in 2005 through an Expression of Interest (EOI) process for commercial berthing licences. The current licencing arrangements at Southgate, Federation Wharf and Banana Alley are ten-year licences under the *Water Industry Act 1994*. They were extended until April 2019 to enable the Government to further develop a berthing allocation strategy.

In 2005 Parks Victoria sought a valuation from the Valuer-General Victoria for the applicable annual rent for the berths, to be used as a bench mark to measure the responses to the competitive expression of interest process. EOIs were then advertised offering two types of berths; an exclusive access berth which allowed berthing 24 hours, 7 days a week access and a scheduled use which allowed operators to book timeslots by the hour. The configuration and sizes of the berths were pre-determined by Parks Victoria, with access to ticket booths also a part of the process. Proponents only lodged bids for the exclusive berths

A due diligence process carried out as part of the assessment process, the EOIs were then assessed for best fit against a set criterion. Operators believed that the fees too high and the EOI process to be neither fair nor transparent, with a view that fees set based on one inflated EOI price was unjust.

In its consultation for the Planning and Legislative review SGS found that the previous EOI process eroded trust between Parks Victoria and the commercial operators. There was a belief amongst the commercial operators that the process artificially inflated costs and this has meant that berth holders claim they are operating with small profit margins and as a result there is low levels of business reinvestment and consequently poor or declining quality of services and poor visitor experiences

The Planning and Legislative Review acknowledged that berth holders had concerns that a short tenure could be a barrier to reinvestment in their businesses. The review however identifies a need to negotiate terms that did not lock in business for long durations to ensure a competitive tension to drive quality of businesses and offer. The recommended 10-year tenure of the licences is important to provide both security of tenure for businesses to invest while also creating a competitive business environment.

Compliance by berth holders to licence conditions is an ongoing issue for Parks Victoria and was raised by berth holders themselves as an issue in the Planning and Legislative Review.

Currently, licences in respect of waterways land, which consists of the bed, soil and banks of any Crown land within the metropolitan area and any land which is within 20 metres of such land, are issued pursuant to section 135A of the *Water Industry Act 1994*. This Act limits the term of any licences to ten years and imposes onerous conditions on the Minister in relation to termination of a licence.

To terminate a licence, including for failure to comply with the terms and conditions of the licence, the Minister must first give the licensee a reasonable opportunity to be heard and then, prior to terminating the licence, must declare, by notice published in the Government Gazette, that the licence is cancelled. This process creates extensive delays that limits the power of Parks Victoria to enforce licence conditions.

The Planning and Legislative Review recommends that the setting and enforcing of standards for performance and quality should be priority. This is better catered for under agreements issued under the Land Act than the Water Industry Act.

Over the last 20 years there have been very few commercial boat businesses offering different experiences beginning operation throughout the main tourist locations of the river such as Southgate this is despite the tourism market growing and becoming more sophisticated. Any new operators have purchased vessels from

other outgoing operators which has seen the diversity and quality of services offered remain stagnant on the river.

This has been attributed to the perceived barriers into the market such as limited permanent berths, vessel design requirements due to low bridges, complex governance and agreement process. The requirement for operators to have a Tour Operators Licence in addition to the berthing licence is seen by some as overly complicated. There were also issues raised about the inconsistency with the Tour Operator Licence, for example ferry services do not require such a licence, however cruise operators do require one, even though many of the ferry services are providing a tourism experience.

3.2.1. Recommendations

The LYRMAC provides the following recommendations for the allocation of a Commercial Berths:

- iv. Parks Victoria to undertake a single stage EOI for commercial berthing at four sites on the Yarra River offering a ten-year Land Act licence incorporating stringent performance criteria and based on a fee set by the Valuer General. Locations to include Southgate, South Wharf, Federations Wharf and Banana Alley. The performance criteria may include but not be limited to customer satisfaction surveys, vessel presentation criteria and staff standards; the EOI is to be advertised and marketed extensively and time given to allow new businesses to enter the market and encourage ongoing investment in the industry by interested proponents.
- v. Parks Victoria to work with DELWP on the review of the Licence Tour Operator Permit and investigate integration with berthing licence to reduce duplication and ensure equity and consistency across all maritime tourism operations.

4. MANAGEMENT OF THE WATERWAY

4.1. Yarra Strategic Plan

The Yarra River is the centre piece of Melbourne's beautiful city. It provides opportunity for community and industry and is culturally significant for the Aboriginal community. As Waterway Manager for the Yarra River, Parks Victoria has direct responsibility for the management of recreational activities on the river. There are also several other authorities who also have significant management responsibilities for the river and its environs. With the significant growth in demand by river users, particularly in the major tourist and entertainment areas of the Lower Yarra, competing uses must be balanced with the need to provide a safe and less congested waterway.

One of the key outcomes of the consultation was the perception that the river was layered with complicated governance and approvals for anyone wishing to engage with it and that there was no clear government direction or single strategy for the river.

In December 2015 the Minister for Planning and the then Minister for Environment, Climate Change and Water established the Yarra River Protection Ministerial Advisory Committee (Yarra MAC) to provide independent advice to government about improving governance arrangements for protecting the Yarra River.

In 2016 the Yarra MAC made recommendations to the State Government regarding the future management of the entire Yarra River. The Victorian Government responded with the Yarra River Action Plan. The Action Plan detailed 30 actions to ensure the long-term protection of the Yarra River, its environs and parklands.

The Action Plan nominated Melbourne Water as the lead agency for seven actions including the development of a 50-year Community Vision for the Yarra, which will become the foundation for an overarching Yarra Strategic Plan (YSP). The YSP will give effect to the community's long-term vision for the Yarra and provide the basis for the future planning of the river corridor and each of its reaches.

Landmark legislation has been introduced to the Victorian Parliament to deliver the Action Plan (including the YSP) to protect the Yarra River for future generations. In an Australian first, the *Yarra River Protection (Willipgin Birrarung Murrong) Act 2017*, identifies the Yarra River and the many hundreds of parcels of public land it flows through as one living, integrated natural entity for protection and improvement.

The YSP will essentially become Governments overarching strategy for the river that the community have been seeking. Parks Victoria has been working closely with Melbourne Water to provide updates on the progress with of the LYRMAC to ensure all consultation and strategy is aligned with the outcomes of the YSP.

4.1.1. Recommendation

The LYRMAC provides the following recommendations for the management of the waterway:

- vi. That the LYRMAC report form a formal submission to the Yarra Strategic Plan to ensure a whole of government approach to the river.

4.2.Parks Victoria and City of Melbourne Alignment

The City of Melbourne and Parks Victoria are the key authorities in the Lower Yarra River when dealing with commercial operators, event organizers and groups seeking to activate the river. There is a perception that the two organisations are working independently in setting direction and strategy for the river. At an on-water operation level the relationship between the two organisations is collaborative however it is informal and not based on a set structure of engagement, a shared vision, strategy or program. With so many different points of required interaction between the organisations and the recent dynamic nature of staff and structure it is difficult to identify where alignment is occurring.

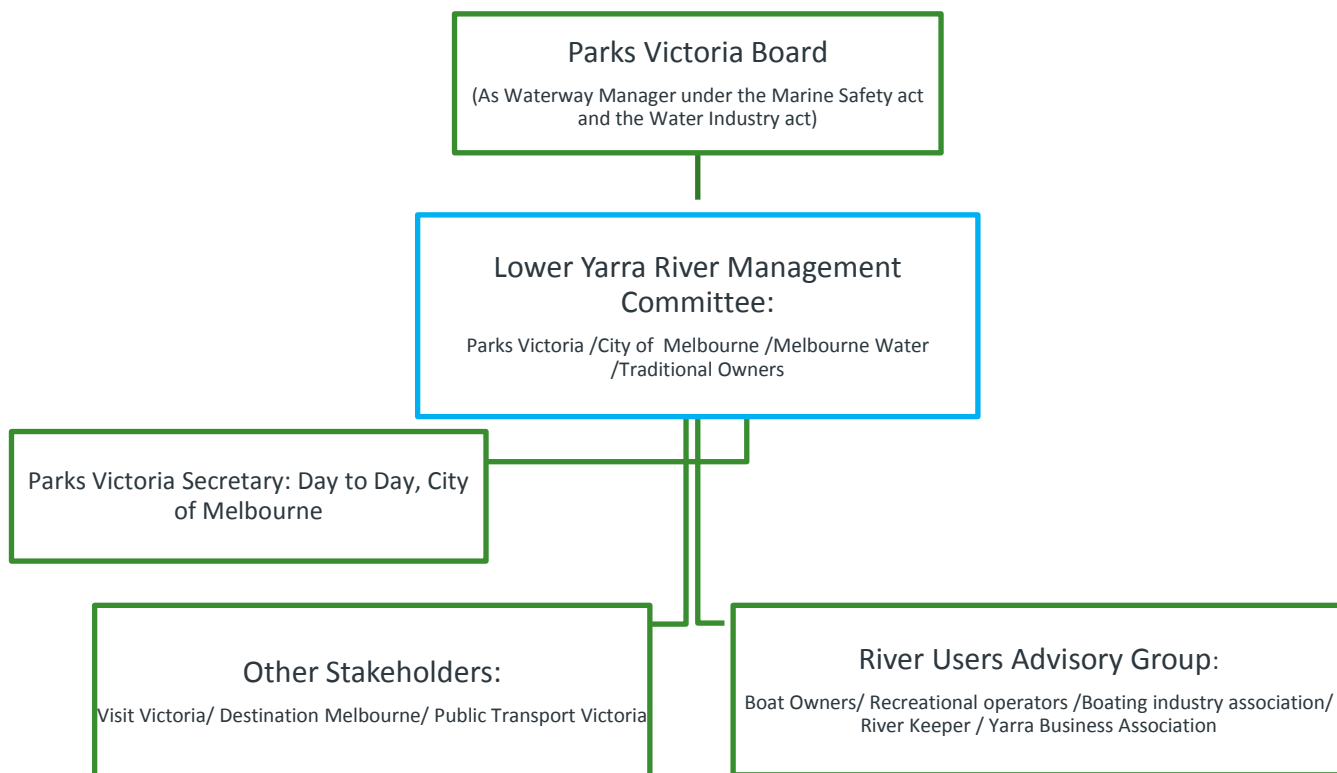
Strategically and geographically the Docklands, Lower Yarra River and the Maribyrnong are not well integrated and work needs to be done to better align the efforts of Parks Victoria and the City of Melbourne. The alignment of promotion and marketing for all areas is one of the key recommendations of the Planning and Legislative review. Physically the development of North Wharf will reduce the barriers between the Lower Yarra and Docklands and opportunities for commercial operators to move seamlessly between both areas needs to be incorporated into the planning of both organisations.

The work of the Committee over the last 2 years, supported by a dedicated Parks Victoria senior manager has greatly improved the relationship and alignment with the City of Melbourne and a variety of other stakeholders. It has also allowed resources for a more strategic approach to operations on the Yarra and Maribyrnong and provided input and dialogue at the appropriate level with Melbourne Water on the Yarra Strategic Plan.

The LYRMAC with both Parks Victoria and City of Melbourne representation has seen a better alignment between the organisations and has allowed a forum for greater strategic alignment to develop. This was evident recently at a joint workshop that was convened because of the Committees work.

The Planning and Legislative Review identified a need for a high level strategic group with representation form City of Melbourne and Parks Victoria to drive a single strategy and aligned programs of work for the River (Diagram 1).

Diagram 1: Proposed Governance Structure for Lower Yarra River



4.2.1. Recommendations

The LYRMAC provides the following recommendations for the management of the waterway:

- vii. The Minister consider the formation of a Yarra River Management Committee comprising Parks Victoria, City of Melbourne, Melbourne Water and Traditional Owners. The key terms of reference for this committee would include:
 - Driving the development of a ten-year strategic plan for the Lower Yarra River focussed on commercial berthing, events and activation and infrastructure investment;
 - Driving the alignment of Parks Victoria and CoM annual works programs;
 - Overseeing the implementation of the outcomes of the Yarra Strategic Plan for the Lower Yarra River.
- viii. Parks Victoria Waterways District and City of Melbourne Waterways Operations Group develop a small working group to meet regularly to progress alignment in particular:
 - Develop partnership agreement that is clear about how the two organisations collaborate, and giving clear messaging, which is endorsed by CEO's;
 - Develop a step by step guide on the requirements to obtain a commercial berthing licence and run a commercial boat business on the waterways;
 - Develop a joint strategy on Berthing, Events, and Commercial Development; and
 - Undertake a joint Stakeholder mapping project with CoM and Parks Victoria.
- ix. The State Government provide \$500k per annum for the next five years to assist in realising the opportunities identified in the report and to ensure Parks Victoria maintains focus on stakeholder management and planning for the river.

5. ACTIVATION AND EVENTS

While the Yarra River has always had a long standing commercial boat industry operating in the lower stretches and has long been a vibrant event space, there is now a broader interest in how the river can be activated for people wishing to have an experience based on the water. The emergence of food and beverage opportunities like the success of the recent trial of floating food and beverage offers and the strong community interest around a swimming pool and helicopters, has seen the opportunities for river activation expand. Furthermore, the number of businesses with new and engaging concepts seeking to invest in or develop on or along the Lower Yarra River has grown exponentially.

The LYRMAC commissioned consultants, AALTO to undertake a Visitor Experience Review. The Review identified that intensive residential and commercial development throughout the Lower Yarra corridor, from Herring Island in South Yarra to Fisherman's bend is bringing the River into sharp focus. While the role of the Yarra River as a drawcard for events and tourism generally is still untapped. The River is also seen by tourism agencies as a complement to other destinations rather than a primary driver itself.

The increase in residential developments both up stream around Richmond and downstream in the Docklands has prompted the discussion of a commuter ferry service along the Yarra River. The Port Phillip Ferry now operates from Portarlington into the Docklands precinct and has been successful in changing people's commuter habits and is building up a loyal cliental of regular commuters. Ferry services further upstream are challenging due to infrastructure limits, bridge heights, speed limits and the high use of the river by rowers at commuter times. This does not mean a commuter service should be discounted but any service proposal will need to be well considered. An analysis of the case studies in the Planning and Legislative Review of the Brisbane and Thames Rivers identify two essential elements to the success of the commuter services in these cities. The first was significant government investment in infrastructure prior to the services starting and secondly that both these services are operated under a joint arrangement between Government and Private Industry.

5.1. Recommendations

The LYRMAC provides the following recommendations to manage activation and events:

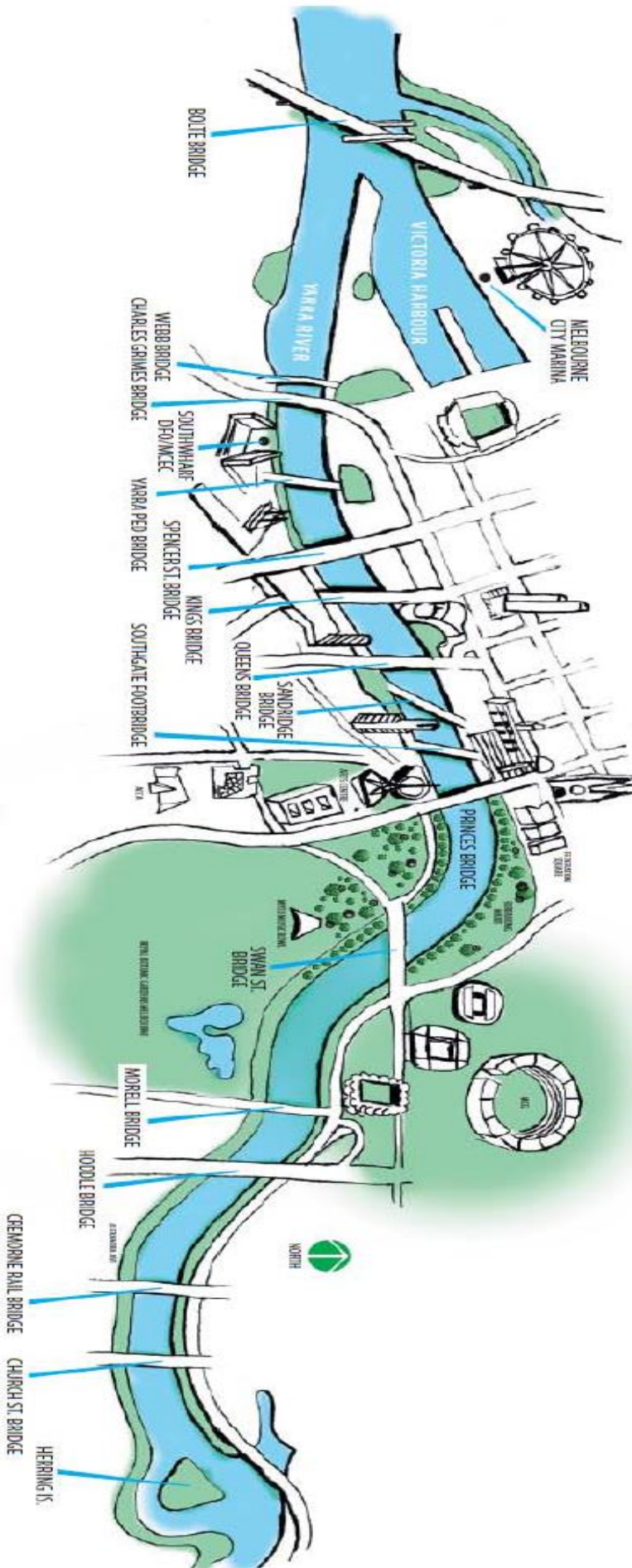
- x. Parks Victoria to undertake a two stage EOI process inviting options for broader short-term (five year) activation opportunities on the Lower Yarra River.
- xi. State Government consider recent and future growth prospects, review previous plans for commuter services along the Yarra River, as part of a wider public transport network.
- xii. Parks Victoria, Melbourne Water and the City of Melbourne work together to ensure that options to develop future public sites and services are preserved from privatisation within development footprints. Examples include Sea Port at the edge of North Wharf and the maritime precinct at the western end of Yarra's Edge.

6. SUMMARY OF RECOMMENDATIONS

- i. Parks Victoria and the City of Melbourne work together to develop a ten-year berthing strategy for the Lower Yarra River, including:
 - Undertake a health and environmental audit on current commercial boating procedures with advice from Environmental Protection Agency.
 - Preparing a business case to the State Government seeking funds for improved infrastructure at South Wharf and Victoria Harbour to link commercial services with other sites on Southgate and Federation Wharf, including floating infrastructure.
 - Preparing a business case to progress delivery of a marine precinct upstream of the Bolte Bridge to serve all commercial vessels in Docklands and the Lower Yarra River including back of house and overnight vessel storage.
- ii. Parks Victoria prepare a business case for future funding considerations to ensure access and egress to key priority sites along the river through investment of a comprehensive dredging operation and ongoing maintenance dredging for the Yarra River.
- iii. State Government supports the Docklands Waterways Masterplan, including development of Melbourne City Marina as a major hub for boating.
- iv. Parks Victoria to undertake a single stage EOI for commercial berthing at four sites on the Yarra River offering a ten-year Land Act licence incorporating stringent performance criteria and based on a fee set by the Valuer General. Locations to include Southgate, South Wharf, Federations Wharf and Banana Alley. The performance criteria may include but not be limited to customer satisfaction surveys, vessel presentation criteria and staff standards; the EOI is to be advertised and marketed extensively and time given to allow new businesses to enter the market and encourage ongoing investment in the industry by interested proponents.
- v. Parks Victoria to work with DELWP on the review of the Licence Tour Operator Permit and investigate integration with berthing licence to reduce duplication and ensure equity and consistency across all maritime tourism operations.
- vi. That the LYRMAC report form a formal submission to the Yarra Strategic Plan to ensure a whole of government approach to the river.
- vii. The Minister consider the formation of a Yarra River Management Committee comprising Parks Victoria, City of Melbourne, Melbourne Water and Traditional Owners. The key terms of reference for this committee would include:
 - Driving the development of a ten-year strategic plan for the Lower Yarra River focussed on commercial berthing, events and activation and infrastructure investment;
 - Driving the alignment of Parks Victoria and CoM annual works programs;
 - Overseeing the implementation of the outcomes of the Yarra Strategic Plan for the Lower Yarra River.
- viii. Parks Victoria Waterways District and City of Melbourne Waterways Operations Group develop a small working group to meet regularly to progress alignment in particular:
 - Develop partnership agreement that is clear about how the two organisations collaborate, and giving clear messaging, which is endorsed by CEO's;
 - Develop a step by step guide on the requirements to obtain a commercial berthing licence and run a commercial boat business on the waterways;
 - Develop a joint strategy on Berthing, Events, and Commercial Development; and
 - Undertake a joint Stakeholder mapping project with CoM and Parks Victoria.

- ix. The State Government provide \$500k per annum for the next five years to assist in realising the opportunities identified in the report and to ensure Parks Victoria maintains focus on stakeholder management and planning for the river.
- x. Parks Victoria to undertake a two stage EOI process inviting options for broader short-term (five year) activation opportunities on the Lower Yarra River.
- xi. State Government consider recent and future growth prospects, review previous plans for commuter services along the Yarra River, as part of a wider public transport network.
- xii. Parks Victoria, Melbourne Water and the City of Melbourne work together to ensure that options to develop future public sites and services are preserved from privatisation within development footprints. Examples include Sea Port at the edge of North Wharf and the maritime precinct at the western end of Yarra's Edge.

Appendix 1: Map of the Lower Yarra River



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Lower Yarra River Management Advisory Committee

Terms of Reference

1. Context

The Lower Yarra River Use Future Directions Group (LYRUFDDG), established by the Department of Environment, Land, Water and Planning (DELWP), brought together key government agencies and stakeholders to develop a shared vision for the use of the Lower Yarra River and make recommendations in relation to improved governance arrangements, licensing policy for berthing of commercial passenger boats, waterway management, event approvals, and funding.

In response to the LYRUFDDG's recommendations, the former Minister for Environment and Climate Change announced several immediate actions to improve management of the waterway including providing Parks Victoria with funding to:

- establish and support a new three-person committee (the committee) to advise and provide input to the management of the Lower Yarra River, and the allocation of commercial berths, over the next two years;
- engage an independent consultant to work with the committee to develop a strategy for and advise on the allocation of the commercial berths;
- fund a probity officer to oversee the berth allocation process;
- support a renewed focus on engagement and collaboration with stakeholders in the management of the waterway;
- employ additional staff to support this work as needed;
- develop floating berths at Southgate Wharf.

2. Role/Purpose

The role of the Lower Yarra River Management Advisory Committee (the committee) is to provide strategic direction and leadership on delivering the Shared Vision:

“The Lower Yarra is a central feature of one of the world’s most liveable cities – Melbourne. The future development of its facilities, activities and natural values need to support Melbourne’s role as a leading world city.”

The Lower Yarra River Management Advisory Committee sets out to achieve, in particular:

- Alignment between the work efforts of Parks Victoria and the City of Melbourne to deliver the Shared Vision;
- Development of a strategy for the commercial berths on the Lower Yarra River;
- Providing advice on the allocation process for the commercial berths on the Lower Yarra River (e.g. Southgate, Princes Wharf and Banana Alley); and
- Provide advice to the Minister for Energy, Environment and Climate Change (or delegate) on the future funding needs and any potential improvements to the governance arrangements

(subject to the outcomes of the Yarra River Protection Act, Ministerial Advisory Committee process, and other reviews endorsed by Government).

3. Term

The committee is effective from the date of appointment and continues until **30 June 2018**.

The committee may be terminated by agreement between the parties **or** by direction from the Minister for Energy, Environment and Climate Change (or delegate).

4. Membership

- The committee is established by the Parks Victoria Board and will comprise the following members:
 - Board Member, Parks Victoria
 - Councillor, City of Melbourne
 - Private sector nominated position.

5. Roles and Responsibilities

- The committee will be appointed by the Board of Parks Victoria and provide advice to the state government as requested.
 - The committee will provide a mid-term progress report to the government on the outcomes set for the committee.
 - At the conclusion of the process the committee will provide advice to the government on berthing arrangements, berthing fees and any potential improvements to the governance of berthing arrangements.
- The committee is accountable for:
 - Working with City of Melbourne and Parks Victoria to develop a more collaborative approach to management of the Lower Yarra River precinct.
 - Through the life of the committee, work to actively deliver the Shared Vision and Purpose/Role
 - monitoring factors outside the committee's control that are critical to its success, and work where possible to influence those factors.
- The members of the committee will commit to:
 - attending scheduled committee meetings and if necessary nominate a proxy
 - wholeheartedly champion the Role/Purpose for the committee
 - collaboratively share all communications and information across all committee members
 - make timely decisions and take action so as to ensure delivery of the Role/Purpose of the committee
 - notifying members of the committee as soon as practical, if any matter arises which may be deemed to affect the Role/Purpose of the committee
- Members of the committee can expect:
 - that each member will be provided with complete, accurate and meaningful information in a timely manner
 - to be given reasonable time to make key decisions
 - to be alerted to potential risks and issues that could impact on the Role/Purpose, as they arise
 - open and honest discussions,
 - ongoing 'health checks' to verify the overall status and 'health' of the committee.

At the commencement of the committee, Parks Victoria will provide the relevant background and context information. Parks Victoria will facilitate contact with other government departments as required.

6. Meetings

- A meeting quorum will be three members of the committee
- Decisions are made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice).
- Meeting agendas and minutes will be provided by Parks Victoria, this includes:
 - preparing agendas and supporting papers
 - preparing meeting notes and information
- Meetings will be held once every two months (or as agreed by the committee) at a location to be advised prior to the meeting.
- If required, subgroup meetings will be arranged outside of these times at a time convenient to subgroup members.
- If required, the committee may request presentations by internal/external subject matter experts.

7. Amendment, Modification or Variation

- This Terms of Reference may be amended, varied or modified in writing after consultation and agreement by the committee members, their agencies or at the request of the Minister for Energy, Environment and Climate Change (or delegate).

8. Financial Arrangements

- Sitting fees will be paid by Parks Victoria in accordance with Sitting Fee advice from DELWP.
- Any reasonable meeting and travel expenses will be reimbursed by Parks Victoria.

Appendix 3: Timeline of planning and consultative Committees for Yarra River 2001-2018

- 2001 - Yarra River Traffic: Managing Access a Review of the Yarra River Regulatory Framework; The Office of Regulation Reform on behalf of the Department of State and Regional Development
- 2001 - Lower Yarra River, Future Directions Plan and Recreational Guidelines; Parks Victoria
- 2001 - Melbourne Docklands Water Plan; Docklands Authority
- 2004 - Yarra River Traffic Study; Maunsell for Parks Victoria
- 2004 – Two Rivers review of regulatory framework; Price Waterhouse Coopers
- 2004 – Two Rivers review of Commercial Operations; Price Waterhouse Coopers
- 2004 - Reforms to Public Land Tour Operator Licensing, Draft Actions and Implementation Timeframe; Department of Sustainability and Environment
- 2005 - Licence Allocation Process Expression of Interest; Parks Victoria
- 2006 - The Two Rivers Traffic Management Plan; GeoDimensions Pty Ltd
- 2007 - Maribyrnong and Yarra Rivers Water and Land Access Plan (Two Rivers Project);
- 2009 - Docklands Waterways Strategic Plan
- 2010 – City of Melbourne Charter Boat Industry Analysis; SGS Economics & Planning
- 2011 – Docklands Waterways Vessel Traffic Study; GeoDimensions Pty Ltd
- 2012 – Consultation Draft DSE Review of Policy Framework for Yarra River Berthing Licences; Department of Sustainability and Environment
- 2014 - Lower Yarra River Use Future Directions Group formed
- 2015 - Recommendations for the management of the Lower Yarra and Maribyrnong Rivers; Lower Yarra River Use Future Directions Group
- 2016 - Lower Yarra River Management Advisory Committee formed
- 2016 - Yarra River Protection Ministerial Advisory Committee recommendations to Ministers
- 2016 - Safe and Accessible Victorian Waterways; Department of Economic Development Jobs Transport and Resources
- 2017 - Yarra River Protection (Willip-gin Birrarung Murrong) Act
- 2017 – Yarra River Action Plan; Melbourne Water
- 2017 - Healthy Waterways Strategy; Melbourne Water
- 2018 - Yarra Greater Urban Parks; Department of Environment Land Water and Planning

Appendix 4: List of ACRONUMS

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| CoM | City of Melbourne |
| DELWP | Department of Environment, Land, Water and Planning |
| EOI | Expression of Interest |
| LYRMAC | Lower Yarra River Management Advisory Group |
| LYRUFDG | Lower Yarra River Users Future Directions Group |
| PV | Parks Victoria |
| WTC | World Trade Centre |
| Yarra MAC | Yarra River Protection Ministerial Advisory Committee |
| YSP | Yarra Strategic Plan |