

13 March 2014



Mr Jason Fitts
Water Regulation
Essential Services Commission
Level 37/2 Lonsdale St
MELBOURNE VIC 3000

Dear Mr Fitts

Melbourne Water's Special Drainage Area's Price Review - Patterson Lakes

I am writing to the Commission to clarify Parks Victoria's position in relation to Melbourne Water's Special Drainage Area's Price Review dealing with Patterson Lakes. The contention by the City of Kingston in its letter to the Commission of 28 February 2014 that Parks Victoria has decided not to participate in the Steering Committee for the Implementation of the Patterson Lakes Review Panel Report is incorrect. Parks Victoria has been participating in the Steering Committee for more than twelve months. This can be confirmed through the Committee's executive officer.

Parks Victoria advised Melbourne Water and the Committee in mid 2013 that we are able to undertake the functions of waterway manager in Patterson Lakes tidal waterways as an extension of our existing waterway management responsibilities in the adjacent Patterson River. We also advised the parties that we are not in a position to enter into an agreement to take on management of the private jetties and dredging in Patterson Lakes, as suggested by the Panel. This is primarily because of commitments we have made to the Victorian Government to improve our financial sustainability through a focus on core responsibilities and cost reductions.

As we are not entering into an arrangement to manage the private jetties and dredging in the tidal waterways or services in the Quiet Lakes we have not made a submission to your Commission on the pricing of user-pays services associated with these facilities and services. If you require further information please contact Brian Doolan, Manager Park Planning and Procedures on 8627 4853 or brian.doolan@parks.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Nugent".

David Nugent
Acting General for Manager Environment and Heritage

4 March 2014

Mr Jason Fitts
Water Regulation
Essential Services Commission
Level 37 , 2 Lonsdale Street
MELBOURNE 3000

water@esc.vic.gov.au

Dear Mr. Fitts

Supplementary submission: Pricing Proposal for Patterson Lakes Special Drainage Area.

We refer to the letter dated the 28 February 2014 from Kingston City Council (KCC) to the Essential Services Commission and dispute what is being said by KCC in relation the functioning of the Patterson Lakes Independent Review Steering Committee (SC) and raise the following two points.

1. We dispute that KCC is working closely with the Melbourne Water and the Residents as part of the Steering Group as KCC has not in our view acted in good faith because their officers have not demonstrated a willingness to act in a constructive manner to achieve the outcomes of the Independent Review (IR).
2. We further dispute that Parks Victoria has decided not to be part of the Steering Committee because we have in fact reached agreement in accordance with the recommendation of the IR for the Tidal Waterways and are still active in discussions with the functions of the Quite Lakes. In addition Parks Victoria are still attending the SC.

We are also deeply concerned that whilst the IR recommended that certain functions be transferred from Melbourne Water to KCC, Melbourne Water (MW) has advised the ESC that they will NOT carry out these functions beyond 30 June 2014 and KCC is unwilling to accept it's responsibilities as identified by the IR.

We therefore request that ESC do one of the following:

1. Give MW authority to carry out these functions beyond 30 June 2014 until resolution has been reached by MW with KCC
- or
2. Allow MW to charge KCC under its powers of the Water Act for the identified functions.

If neither of these occur we believe that the maintenance of the assets carried out for 30+ years will quickly fall in to disrepair to the detriment of the community.

Yours faithfully

David Jordan, Andrew Meehan, Dr. Martin Cole, Anthony Moffatt.
Resident Members
Patterson Lakes Independent Review Steering Committee