

Interim Scoping Commission on compensation issues

FOR THE LAND JUSTICE UNIT,
DEPARTMENT OF PREMIER AND CABINET
IN CONJUNCTION WITH THE
FIRST PEOPLE'S ASSEMBLY OF VICTORIA

Prepared by SLM Corporate

FINAL REPORT

Glossary

Term	Definition
BFS	Bushfires and Forests Services
CMAs	Catchment Management Authorities
DE	Department of Education
DEECA	Department of Energy, Environment and Climate Action
DH	Department of Health
DPC	Department of Premier and Cabinet
DTP	Department of Transport and Planning
DV	Development Victoria
EDRMS	Electronic Document and Records Management System (DTP)
FFMVic	Forest Fire Management Victoria
Land Manager	Agency responsible for the Parcel under licence / reserve
LUAA	Land Use Activity Agreement
PROV	Public Records Office Victoria
Review	First Principles Review, launched 14 February 2020, for the purpose of reviewing the rights, interest and financial payments available to Traditional Owners under the TOS Act
SPI	Standard Parcel Identifier
The Study	The Interim Scoping Commission on compensation issues, broadly the project for which SLM was briefed to undertake
Timber Creek decision	High Court decision on NT compensation Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones [2019]
TOS Act	Traditional Owners Settlement Act
VIDA	Victoria Infrastructure Delivery Authority
VSBA	Victorian Schools Building Authority

Disclaimer

SLM Corporate has relied on information provided to it in a series of interviews with departmental representatives and agencies, and information in document form provided to us (**information**).

Our findings and recommendations are based on the Information. Any analysis, estimates, projections or recommendations in this Report involve significant elements of subjective judgment and analysis, which whilst compiled with due care and professionalism, may or may not be correct.

Any liability, to the maximum extent permitted by law, is hereby expressly excluded and disclaimed.

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1. Executive Summary

1.1. Context /

As part of the First Principles Review (**Review**) of the Traditional Owner Settlement Act (**TOS Act**), the parties to the Review examined the calculation of compensation amounts paid under TOS Act agreements in light of the decision of Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones [2019] HCA 7 (**Timber Creek decision**).

The First Principles Review Committee (**FPRC**) recommended that a new compensation model be developed based on compensation for historical land use activities, plus interest payable. The proposed model will require access to, and analysis of, significant amounts of historical data.

This Interim Scoping Commission (**the Study**), which forms part of a broader commission investigating the development of a new compensation model, is expected to assist with understanding the comprehensiveness and reliability of data to be utilised in any such model. The expert is asked to broadly address the feasibility of including land use activities such as Major Public Works and Public Land Authorisations in such a model (for which the data availability is currently unknown).

1.2. The Brief /

SLM is asked to:

- a) investigate what sources of information are available for each of the following State Government activities from 1975 to May 2024 that occurred on public land and waters:
 - Public Works
 - Public Land Authorisations
 - Earth Resource Authorisations
- b) conduct interviews with relevant regional government offices (including but not limited to the Department of Energy, Environment, and Climate Action and the

Department of Transport and Planning) that may hold historical public land information.

- c) investigate, and conduct interviews with, any other potential holders of historical land use information, such as the Public Records Office Victoria.
- d) investigate, and conduct interviews with, the Valuer General's Office regarding historical public land valuation information.
- e) report on the accessibility and usability of each source of information.
- f) report on the usefulness of each source of information for the purpose of identifying historic land uses, historic land values, and the impact of activities on Traditional Owner Rights (as in Section 9 of the TOS Act).

1.3. Methodology /

In March 2025, the Department of Premier and Cabinet (**DPC**) formally initiated the Study and contacted the following entities:

Department	Agency
Department of Education	Education
Department of Energy, Environment and Climate Action	Bushfire and Forest Services
Department of Energy, Environment and Climate Action	Parks Victoria
Department of Energy, Environment and Climate Action	Public Land
Department of Energy, Environment and Climate Action	Water and Catchment Group
Department of Energy, Environment and Climate Action	Resources Victoria
Department of Health	Health
Department of Justice and Community Services	Justice
Department of Transport and Planning	VicTrack
Department of Transport and Planning	Roads / Development Victoria

Department	Agency
Department of Transport and Planning	VIDA
Public Record Office Victoria	PROV

- DPC coordinated introductory interviews between each entity's key contacts and the SLM team (led by Kuo ning Ho, supported by Barry Lewin and Jason So).
- These meetings introduced the Study's purpose, data requirements, and timeline, enabling entities to nominate appropriate contacts to liaise with SLM.
- Follow-up emails and additional interviews were conducted to confirm information requests.
- The information request focused on five main areas:
 1. **Availability** of critical data items.
 2. **Extraction** of that data.
 3. **Verification** of the data's existence and accessibility.
 4. **Sample extraction** of regional data to assess format, retrieval processes, and data quality.
 5. **Feasibility of bulk extraction**, including assessments of system capacity and resourcing needs.

In addition to the departments listed in the table above, SLM and DPC representatives held interviews with Coliban Water Corporation and Goulburn Murray Water Corporations using the same methodology, seeking the same information as listed above.

1.4. Findings /

Department	FD No.	Findings
General	FD 1	There is no centralised database that comprehensively captures all Crown Land assets held by the State across all departments.
General	FD 2	Information is fragmented across departments and, in many cases, further siloed within agencies where multiple entities act as Land Managers for significant Crown Land parcels.
General	FD 3	Title records for Crown Land parcels or lots appear to be the most complete and widely available. However, data relating to assets, activities, and the specific areas impacted by those activities is often maintained in separate datasets.
General	FD 4	Digital data is generally more accessible for the period from the early 2000s to the present, although exceptions exist.
General	FD 5	The structure and content of digital data vary significantly across systems, as records are typically maintained for operational purposes that differ from the objectives of this project.
General	FD 6	The siloed nature of departmental databases increases the likelihood of data duplication. Different systems may record the same activity using inconsistent labels, formats, or naming conventions.
General	FD 7	The Standard Parcel Identifier (SPI) is the only consistently applied identifier across datasets.
General	FD 8	Valuation data is primarily held by the Valuer General of Victoria. However, retrospective valuations are incomplete, as they are only available for assets that were specifically requested for valuation by individual departments.
BFS	FD 9.	Although the BFS agency covers a large area of Crown Land in Victoria, the associated BFS activities relevant to the scope are typically limited, impacting small areas of land that are not individually substantial, but can be when aggregated for the whole State. We note that some BFS activities fall under the jurisdiction of other departments and agencies, so that the data is sourced elsewhere.

Department	FD No.	Findings
BFS	FD 10.	Of the smaller portion of activities that related to BFS, the information pertaining to the individual land area impacted is indeterminable.
Parks Victoria	FD 11.	The GovMap upload data is a useful starting point, but it is limited in some data points such as start date and location.
Land Management	FD 12.	Landfolio serves as a comprehensive database tracking Crown Land activity. However, a key challenge lies in accessing the underlying detail beneath the summary-level data displayed, as it reflects only the information supplied by the respective Land Manager.
Land Management	FD 13.	Start date of data availability from 1990s.
Resources Victoria	FD 14.	We have found the data availability as it pertains to resource tenements to be of good accessibility and quality.
VicTrack	FD 15.	SLM confirms that the data can be seen for each lease or land parcel individually through RailMap. However, due to VicTrack being a separate corporation, rather than a Department agency, there is an additional layer of legal framework that needs to be cleared for bulk extract of data from the background underlying database. The procedure would have to be cleared by VicTrack with regards to any legal issues on sharing this data. Based on the preliminary discussion with VicTrack, we believe the request for access would encounter less hurdles if the request for bulk extract came from the appropriate State Government employee. Due to this access hurdle, and the timeframe limitations of the Study, upon confirmation that it was possible to have a direct extract of data from the underlying database, SLM did not proceed to acquire access to a bulk extract or a collated a sample extract of the data.
Water and Catchment	FD 16.	For the limited activities that are covered by this Agency, the activity type, start date and location can be identified. Actual land occupied by activity is only a small subset of the Lot identified by the SPI, and is unknown.

Department	FD No.	Findings
Water and Catchment	FD 17.	The Water Register does not cover water distribution assets and other Crown Land areas held available for water related use. The majority of water related activities is not captured within the Water Register.
Other Water Assets	FD 18.	The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. A cross check of each item with SPI to the Landfolio, or if the data is missing within that database, back to Titles within the VOTS.
Other Water Assets	FD 19.	SLM's review of the data provided by Coliban Water shows certain information such as activity, location, land size. Further work will be necessary to determine the Start dates.
Health	FD 20.	Data set for existing active assets on Crown Land is high and of good quality, but missing the critical information of the starting date.
Health	FD 21.	Date on upgrades, alterations and expansion of original usage plans are not available within the DH Portfolio Property List. However, DH explains the process to retrieve such data as follows: "This is the very difficult part of the exercise, requiring access to as built drawings for each site at 1975 and thereafter as each new capital project was completed. Many health services may have archival 'as built' drawings which may help. Otherwise, capital project files would need to be retrieved from PROV/DH Archives to access any 'as built' drawings that may exist."
Health	FD 22.	To retrieve files from PROV/Archives, we would need a specialist archivist to assist. Some recent VHBA PRJ ('project files') are identifiable in TRIM - but earlier records will require a specialist to identify at the PRO as the 'file series' naming conventions have changed over time (if the files still exist & have not been destroyed under the 7-year rule)."
Education	FD 23.	The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. VSBA's buildings register has a lot of the information about size of land, nature of activity, and start date from construction, but it lacks the ability to distinguish whether the school is on Crown Land, either solely or partially.

Department	FD No.	Findings
DJCS	FD 24.	SLM was not able to obtain direct land data from DJCS relating to their assets.
DJCS	FD 25.	The GovMap upload data relating to DJCS is a useful starting point, but it is limited in the totality of the required information.
Development Victoria	FD 26.	Development Victoria will develop a ratio-based on statistical analysis of a sample of large-scale developments-that reflects the typical proportion of Crown Land occupied by utilities within a standard Development Victoria project. This ratio can possibly be applied across the portfolio of DV projects to estimate the aggregate utility-occupied areas on Crown Land, serving as a justifiable proxy in place of direct measurement for each individual project.
Roads	FD 27.	Whilst some data relating to roads is available through Landfolio, SLM has not been able to obtain direct data from the EDRMS database. This database has records relating to the major roads of Victoria that are managed by the State of Victoria (DTP)
Valuer General	FD 28.	Details of valuations of Crown Land assets within the last 5 year cycle would be the most likely to be most available.
Valuer General	FD 29.	Records of historical valuations are subject to the quality of the record keeping by the recipient of the valuation.
Valuer General	FD 30.	Taken from the notes of the Financial Reports, the Valuer General may aggregate different data from a department to undertake the valuation, and does not typically take into account tenure type, etc.
PROV	FD 31.	PRVO has kilometres of data in physical hard copy format that can be requested and viewed at the Victorian Archives Centre in North Melbourne.
PROV	FD 32.	Whilst there is an online catalogue search function by record series, and SLM has been provided a number of high potential avenues to investigate, the sheer volume of data makes it an impossible task to sort through all of the data in order to aggregate and draw conclusions.

Department	FD No.	Findings
PROV	FD 33.	Furthermore, we had no confidence in any data sampling approach as the documents and records in each box could vary depending on the person that undertook the original archiving. Information found in one box cannot be extrapolated across an entire record series.
PROV	FD 34.	As mention under limitations of the dataset, the records within PROV are only as good as what was archived. Variations from agency to agency, different time periods and different individuals who performed the archiving, all contribute to the inconsistencies inherent within the archived records.

1.5. Recommendations within Scope of Study /

Department	FD No.	Recommendations
General	RC 1.	Bulk extract all the information in digital format that is available, primarily from Landfolio, Water, VicTracks, and Resources.
General	RC 2.	Overlay with Crown Land Titles from VOTS if that is not already available in Landfolio.
General	RC 3.	Valuer General to be provided a database of Crown titles and dates to check for valuations and provide new valuations for historical dates
General	RC 4.	Retrieve data from Water Corporations
General	RC 5.	Retrieve all outstanding data from Education, Parks, Roads, and BFS.
BFS	RC 6.	SLM recommends performing a full bulk extract of the BFS data.
BFS	RC 7.	The extracted dataset should then be cleansed and filtered to exclude activities outside the scope of the Study, such as maintenance on existing assets, flood recovery, vegetation control, culvert clearing, inspections, and similar works.
Parks Victoria	RC 8.	As of the time of this Report, we have not been able to ascertain the level of information that is available within Parks Victoria datasets. We recommend that the process of investigation with Parks Victoria continue beyond the finalisation of this Report.
Land Management	RC 9.	SLM further recommends investigating historical data that predates the records available in Landfolio, using available Titles information. This process may be time consuming, depending on whether the VOTS output is in a digitised document or database format. The majority of older records are likely to be in digitised document format. This exercise would serve to backfill much of the missing data related to the start dates of public activities on Crown Land and transitions from Crown Land to other tenures.
Land Management	RC 10.	Additionally, SLM recommends reviewing sales transactions for the relevant period to document the disposal of Crown Land. This information is likely to be part of the VOTS database.

Department	FD No.	Recommendations
Resources Victoria	RC 11.	We recommend making arrangements to undertake the bulk extraction of data.
VicTrack	RC 12.	SLM recommends that the necessary legal and administrative procedures take place to allow access to the bulk extract of data from RailMap by the DPC.
VicTrack	RC 13.	SLM would also recommend an examination of the historical data for construction projects post 1975 relating to current railways assets. Although it is noted that this information will be of limited availability and is likely to require much more resourcing as the examination will have to sort through digitalised documents and hardcopies.
Water and Catchment	RC 14.	SLM recommends speaking with all the eighteen water corporations in the State of Victoria, to source the required information on public activities on Crown Land post 1975. Whilst Coliban Water and Goulbourn Murray Water were contacted by SLM (see 4.2.7 Other Water Assets for details) late into the Study for a specific data sample, it would be more comprehensive of the broader population to review a bulk extract of the relevant information from each of the eighteen water corporations.
Other Water Assets	RC 15.	Continue to engage with Coliban Water and Goulburn Murray Water for direct data.
Other Water Assets	RC 16.	Engage with the other sixteen water corporations to extract the available data required within the scope.
Health	RC 17.	Cross reference the DH Portfolio Property List and with Landfolio and Titles for the starting dates of the assets.
DJCS	RC 18.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
DJCS	RC 19.	Subsequent to RC19, DJCS representatives may be able to assist with more specific enquiries for missing data points.
DJCS	RC 20.	As most of DJCS assets are likely to be in town centres (rural and regional), or new fringe suburbs within metropolitan areas, the value of the land areas impacted by these assets has greater

Department	FD No.	Recommendations
		potential to be of value compared to other activities. As such, we recommend further investigation and pursuit of this dataset.
Roads	RC 21.	Further investigation with DTP as to how the EDRMS database may be used to source data relating to roads in Victoria
Valuer General	RC 22.	Request and review all the valuation data that the Valuer General has within its records.
PROV	RC 23.	We recommend limiting the extraction of the data from PROV to: <ol style="list-style-type: none"> 1. Identifiable individual assets of significance; 2. Where the data in question covers a large land area; 3. Where the data in question covers a land area of significant value
PROV	RC 24.	We cannot recommend the use of PROV for bulk data extracts due to the time it would consume and the labour intensive requirement of the exercise.

1.6. Recommendations outside of Scope for Consideration /

Department	ARC No.	Recommendations
General	ARC 1.	Due to the lack of appropriate data, it may be necessary to formulate a compensation methodology for the activity in the period between 1975 to the start of digital databases. The retrieval of data from PROV is unlikely to produce a complete dataset, and will be time consuming, labour intensive and cost prohibitive.
BFS	ARC 2.	The cleansed dataset must be cross-referenced against Parks, Roads, and Landfolio data to eliminate double counting.
BFS	ARC 3.	Conduct statistical analysis across the various types of BFS activities to develop a matrix of average areas impacted, enabling reasonable area-based estimates.
Parks Victoria	ARC 4.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
Parks Victoria	ARC 5.	Subsequent to ARC 4, Parks Victoria representatives may be able to assist with more specific enquiries for missing data points.
Land Management	ARC 6.	Unused road licences are missing from Govmap reports as there is no Crown parcel assigned. This issue needs to be further investigated and resolved.
Land Management	ARC 7.	SLM recommends reconciling the Landfolio data with the VOTS to determine the original commencement dates of public activity on Crown Land.
Resources Victoria	ARC 8.	The extracted data from RC12 should then be collated and cross checked against the other databases for overlapping activities and records. This process is necessary to cleanse and integrate the data for functional use, in order to support the formulation of a compensation methodology.
VicTrack	ARC 9.	Subsequent to receiving the bulk extract from VicTrack, the information should be cross checked against the Crown Land database of Landfolio, and combined into an amalgamated dataset.

Department	ARC No.	Recommendations
Water and Catchment	ARC 10.	The Lot referenced in the dataset may not reflect the actual land occupied by the activity. SLM recommends establishing an index of the average area occupied by the various bores, pumps and dams respectively, and for a formula be applied to the lots to determine the total impacted areas.
Other Water Assets	ARC 11.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
Health	ARC 12.	Given it is such a significant undertaking, determine whether the data for upgrades and alterations to established assets is strictly necessary. It may be simpler and more efficient to do the exercise by exception for substantial redevelopments on the land area occupied. If it was necessary, engage in the planning process with Department of Health for the resourcing required to recover the upgrades and alterations data.
Education	ARC 13.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps on Start dates, location and land size.
Education	ARC 14.	Work with Department of Education to find an easier approach to reconcile the Crown Land data with the buildings database.
Development Victoria	ARC 15.	We recommend that the calculated estimate approach as detailed in FD 26 be tested for suitability to use as a proxy for actual data.
Valuer General	ARC 16.	Upon completion of the bulk data collection on impacted Crown Land parcels—including commencement dates, location, land size, and current use or activity—request a valuation as at the relevant date from the Valuer General to enable the retrofitting of historical valuation data.
PROV	ARC 17.	An alternative approach will be necessary for the historical data when the current data available within the respective Departments and agencies is insufficient.

2. Background

2.1. Context /

As part of the First Principles Review of the TOS Act, the parties to the Review examined the calculation of compensation amounts paid under TOS Act agreements in light of the decision of *Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones* [2019] HCA 7 (Timber Creek decision).

Below is a summary of the methodology for financial compensation as established in the Timber Creek decision (*Northern Territory v Griffiths*, 2019), often referred to when discussing the Timber Creek approach:

1. Three-Part Compensation Framework

The High Court clarified that compensation for extinguished native title rights should cover three distinct elements:

- **Economic Loss:** This is measured by assessing the loss in monetary terms. Essentially, the approach involves approximating the freehold value of the land at the time of the compensable acts and then determining what proportion of that value reflects the lost native title rights. In early assessments, the economic loss was initially quantified as a significant portion (for instance, around 80% of the freehold value), though subsequent appeals suggested adjustments (for example, reducing that percentage to around 65%) to more accurately capture the economic impact.
- **Simple Interest:** To account for the time value of money, simple interest is applied to the calculated economic loss. This ensures that compensation reflects the delay between the occurrence of the loss and its eventual financial redress, effectively restoring value over time.
- **Non-Economic (Cultural) Loss:** Recognising that native title is not solely an economic asset, the compensation scheme also incorporates an award for non-economic losses. This component addresses the loss of spiritual, cultural, and

traditional connections to the land—a recognition that the impact on indigenous communities extends beyond mere market values.

2. Valuation Techniques and Data Consideration

The methodology necessitates a robust valuation process:

- **Assessment of Freehold Value:** The economic loss is anchored primarily to property valuation principles—identifying the land's freehold market value at a relevant point in time and then estimating the proportion of that value attributable to the native title rights.
- **Use of Historical and Documentary Evidence:** Reliable data (e.g., historical land valuations and records evidencing the state of the land before and after extinguishing acts) becomes critical. This ensures that the compensation awarded is not only just but also reflective of the actual impact on the rights of holders.
- **Holistic Assessment:** Although the decision breaks down the award into separate components, there is a need to eventually adopt a more integrated, holistic approach. This would consider the interplay between economic calculations and the inherent cultural losses, moving away from a strictly binary separation.

3. Judicial Guidance and Equity Considerations

The Timber Creek decision is viewed as a significant step toward achieving substantive equality in native title claims. By explicitly recognising and quantifying culturally driven losses alongside pure economic damages, the court's determination set a benchmark:

- The award for cultural loss—often termed "*solatium*"—serves as a formal acknowledgment that indigenous peoples' connection to their land holds intrinsic value not captured by market mechanisms alone.
- This approach reinforces the idea that compensation should be both fair and comprehensive, ensuring that the financial redress fully addresses the breadth of the loss suffered by native title holders.

In summary, the financial compensation methodology from the Timber Creek case involves a detailed valuation that splits the award into economic loss (anchored in market value), an interest component (to reflect the delay in redress), and a non-economic or cultural component (to account for spiritual and cultural dislocation). This framework was designed to ensure that compensation moves beyond mere market valuations to embrace the full spectrum of losses resulting from the extinguishment of native title rights.

The FPRC recommended that a new compensation model be developed based on compensation for historical land use activities, plus interest payable. The proposed model will require access to, and analysis of, significant amounts of historical data.

This interim scoping commission, which forms part of a broader commission investigating the development of a new compensation model, is expected to assist with understanding the comprehensiveness and reliability of data to be utilised in any such model. The expert is asked to broadly address the feasibility of including land use activities such as Major Public Works and Public Land Authorisations in such a model (for which the data availability is currently unknown).

2.2. The Brief /

The purpose of the Study is to conduct an examination of State Records. The application of the Retrospective LUAA Method relies on a review of the State's records to identify Historical Land Use Activities.

The expert is asked to provide advice on the status of State records, including:

- a) What records does the State currently hold that would be useful for this process?
- b) Are there any difficulties in locating, collating or releasing this information?
- c) Is the information incomplete or inaccurate in any respects?

SLM is asked to:

- a) investigate what sources of information are available for each of the following State government activities from 1975 to May 2024 that occurred on public land and waters:
 - Public Works
 - Public Land Authorisations
 - Earth Resource Authorisations
- b) conduct interviews with relevant regional government offices (including but not limited to the Department of Energy, Environment, and Climate Action and the Department of Transport and Planning) that may hold historical public land information.
- c) investigate, and conduct interviews with, any other potential holders of historical land use information, such as the Public Records Office Victoria.
- d) investigate, and conduct interviews with, the Valuer General's Office regarding historical public land valuation information.
- e) report on the accessibility and usability of each source of information.
- f) report on the usefulness of each source of information for the purpose of identifying historic land uses, historic land values, and the impact of activities on Traditional Owner Rights (as in section 9 of the TOS Act).

2.3. Methodology /

The Department of Premier and Cabinet formally informed the relevant entities of the Interim Data Scoping Study process in March 2025. Subsequently, the Department of Premier and Cabinet made contact with the following is the list of entities:

Department	Agency
Department of Education	Education
Department of Energy, Environment and Climate Action	Bushfire and Forest Services
Department of Energy, Environment and Climate Action	Parks Victoria

Department	Agency
Department of Energy, Environment and Climate Action	Public Land
Department of Energy, Environment and Climate Action	Water and Catchment Group
Department of Energy, Environment and Climate Action	Resources Victoria
Department of Health	Health
Department of Justice and Community Services	Justice
Department of Transport and Planning	VicTrack
Department of Transport and Planning	Roads / Development Victoria
Department of Transport and Planning	VIDA
Public Record Office Victoria	PROV

The Department of Premier and Cabinet (**DPC**) coordinated a series of introductory interviews to connect the SLM team with key contacts across each of the relevant entities.

These meetings served to introduce the SLM team, outline the objectives of the Study, and provide an overview of the data requirements and Study's timeline. The purpose of these engagements was to enable each entity to nominate the most appropriate representative to liaise with SLM and support the information exchange process.

These interviews were conducted throughout March, April, and May 2025.

Following these initial meetings, the SLM team, led by Kuoning Ho and supported by Jason So, confirmed the information requests through follow-up emails and subsequent interviews with the designated contacts.

The information request focused on the following key areas:

1. Whether the list of critical data items was available;
2. The extent to which the data could be extracted;
3. Verification of the data to support the responses to the first two questions;

4. As part of the verification process, a sample extract of data was requested, limited to a specific region rather than the entire State of Victoria. SLM reviewed the sample to assess data availability, format, extraction processes, and the quality and reliability of the data, including supporting documentation;
5. SLM also inquired about the feasibility of bulk data extraction, including whether it could be achieved under current arrangements or if additional resourcing would be required.

In addition to the departments listed in the table on pages 21 and 22 above, SLM and DPC representatives also conducted interviews with Coliban Water Corporation and Goulburn-Murray Water Corporation using the same methodology and seeking the same information.

2.4. Information requested /

SLM requested critical items of data relating to all public acts on Crown Land between 1975 to May 2024.

The critical land related data items are:

- Commencement date of activities;
- Location (address, coordinates, SPI) of the activities;
- Land area occupied/assigned to the activity as it pertains to the tenure granted;
- Description or reference as to the Use / Activity; and
- Land values.

3. Findings and Recommendations

3.1. Findings /

SLM found that no single department or agency maintains a comprehensive, centralised database encompassing all State Government-owned assets and land holdings, either historical or current. There is no unified system that captures the full scope of property assets and the associated activities undertaken on those assets.

Instead, information is fragmented across departments and, in some cases, further compartmentalised in silos within individual agencies. For the purposes of this Study—which focuses specifically on Crown Land where certain activities have occurred since 1975 — SLM was required to engage directly with each relevant agency to assess the availability of the required data.

In some instances, departments were able to provide structured datasets with complete identifiers. However, in many cases, the requested information was not readily available in a format conducive to straightforward analysis. Frequently, data was embedded within GIS layers and mapping systems, supported by underlying databases that feed graphical interfaces. These systems are not typically searchable by the specific categories and identifiers required for this Study.

To extract meaningful insights, multiple layers of data had to be retrieved, cross-referenced, overlaid, and analysed. For example, spatial data showing agency activities was manually overlaid on title maps to identify the specific areas affected.

Across most departments and agencies, data availability was split between hard copy and digital formats. The transition to digital recordkeeping generally occurred in the early 2000s, although some entities began digitising earlier, while others continued relying on paper records until as late as 2015. This divide also reflects the distinction between historical and current data: historical records are predominantly in hard copy, with limited digitisation.

Hard Copy Data

Hard copy records are typically stored in boxes located in warehouses or storage facilities. The organisation and cataloguing of these records vary significantly, often depending on the individual responsible for the original archiving. As a result, reviewing historical data requires substantial time and manual effort to locate, interpret, and digitise relevant information.

Digital Data

The majority of SLM's findings are based on digital data extracted from databases or files. However, even within digital systems, there is no single authoritative source that consolidates all Crown Land holdings, activities, and historical transactions. Most digital databases are maintained on a current-use basis, with older records overwritten by the most recent licence, activity, or transaction. While some historical data may still exist, it is not readily accessible or usable without further investigation.

Overall findings on records held by the State:

- FD 1.** There is no centralised database that comprehensively captures all Crown Land assets held by the State across all departments.
- FD 2.** Information is fragmented across departments and, in many cases, further siloed within agencies where multiple entities act as Land Managers for significant Crown Land parcels.
- FD 3.** Title records for Crown Land parcels or lots appear to be the most complete and widely available. However, data relating to assets, activities, and the specific areas impacted by those activities is often maintained in separate datasets.
- FD 4.** Digital data is generally more accessible for the period from the early 2000s to the present, although exceptions exist.
- FD 5.** The structure and content of digital data vary significantly across systems, as records are typically maintained for operational purposes that differ from the objectives of this Study.

- FD 6.** The siloed nature of departmental databases increases the likelihood of data duplication. Different systems may record the same activity using inconsistent labels, formats, or naming conventions.
- FD 7.** The Standard Parcel Identifier (**SPI**) is the only consistently applied identifier across datasets.
- FD 8.** Valuation data is primarily held by the Valuer General of Victoria. However, retrospective valuations are incomplete, as they are only available for assets that were specifically requested for valuation by individual departments.

The following is a summary of findings for each of the Department and agencies we have reviewed.

Department	FD No.	Findings
BFS	FD 9.	Although the BFS agency covers a large area of Crown Land in Victoria, the associated BFS activities relevant to the scope are typically limited, impacting small areas of land that are not individually substantial, but can be when aggregated for the whole State. We note that some BFS activities fall under the jurisdiction of other departments and agencies, so that the data is sourced elsewhere.
BFS	FD 10.	Of the smaller portion of activities that related to BFS, the information pertaining to the individual land area impacted is indeterminable.
Parks Victoria	FD 11.	The GovMap upload data is a useful starting point, but it is limited in some data points such as start date and location.
Land Management	FD 12.	Landfolio serves as a comprehensive database tracking Crown Land activity. However, a key challenge lies in accessing the underlying detail beneath the summary-level data displayed, as it reflects only the information supplied by the respective Land Manager.
Land Management	FD 13.	Start date of data availability from 1990s.

Department	FD No.	Findings
Resources Victoria	FD 14.	We have found the data availability as it pertains to resource tenements to be of good accessibility and quality.
VicTrack	FD 15.	SLM confirms that the data can be seen for each lease or land parcel individually through RailMap. However, due to VicTrack being a separate corporation, rather than a Department agency, there is an additional layer of legal framework that needs to be cleared for bulk extract of data from the background underlying database. The procedure would have to be cleared by VicTrack with regards to any legal issues on sharing this data. Based on the preliminary discussion with VicTrack, we believe the request for access would encounter less hurdles if the request for bulk extract came from the appropriate State Government employee. Due to this access hurdle, and the timeframe limitations of the Study, upon confirmation that it was possible to have a direct extract of data from the underlying database, SLM did not proceed to acquire access to a bulk extract or a collated a sample extract of the data.
Water and Catchment	FD 16.	For the limited activities that are covered by this Agency, the activity type, start date and location can be identified. Actual land occupied by activity is only a small subset of the Lot identified by the SPI, and is unknown.
Water and Catchment	FD 17.	The Water Register does not cover water distribution assets and other Crown Land areas held available for water related use. The majority of water related activities is not captured within the Water Register.
Other Water Assets	FD 18.	The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. A cross check of each item with SPI to the Landfolio, or if the data is missing within that database, back to Titles within the VOTS.
Other Water Assets	FD 19.	SLM's review of the data provided by Coliban Water shows certain information such as activity, location, land size. Further work will be necessary to determine the Start dates.
Health	FD 20.	Data set for existing active assets on Crown Land is high and of good quality, but missing the critical information of the starting date.

Department	FD No.	Findings
Health	FD 21.	<p>Date on upgrades, alterations and expansion of original usage plans are not available within the DH Portfolio Property List. However, DH explains the process to retrieve such data as follows:</p> <p>"This is the very difficult part of the exercise, requiring access to as built drawings for each site at 1975 and thereafter as each new capital project was completed. Many health services may have archival 'as built' drawings which may help. Otherwise, capital project files would need to be retrieved from PROV/DH Archives to access any 'as built' drawings that may exist."</p>
Health	FD 22.	<p>To retrieve files from PROV/Archives, we would need a specialist archivist to assist. Some recent VHBA PRJ ('project files') are identifiable in TRIM - but earlier records will require a specialist to identify at the PRO as the 'file series' naming conventions have changed over time (if the files still exist & have not been destroyed under the 7-year rule)."</p>
Education	FD 23.	<p>The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. VSBA's buildings register has a lot of the information about size of land, nature of activity, and start date from construction, but it lacks the ability to distinguish whether the school is on Crown Land, either solely or partially.</p>
DJCS	FD 24.	<p>SLM was not able to obtain direct land data from DJCS relating to their assets.</p>
DJCS	FD 25.	<p>The GovMap upload data relating to DJCS is a useful starting point, but it is limited in the totality of the required information.</p>
Development Victoria	FD 26.	<p>Development Victoria will develop a ratio-based on statistical analysis of a sample of large-scale developments-that reflects the typical proportion of Crown Land occupied by utilities within a standard Development Victoria project. This ratio can possibly be applied across the portfolio of DV projects to estimate the aggregate utility-occupied areas on Crown Land, serving as a justifiable proxy in place of direct measurement for each individual project.</p>

Department	FD No.	Findings
Roads	FD 27.	Whilst some data relating to roads is available through Landfolio, SLM has not been able to obtain direct data from the EDRMS database. This database has records relating to the major roads of Victoria that are managed by the State of Victoria (DTP)
Valuer General	FD 28.	Details of valuations of Crown Land assets within the last 5 year cycle would be the most likely to be most available.
Valuer General	FD 29.	Records of historical valuations are subject to the quality of the record keeping by the recipient of the valuation.
Valuer General	FD 30.	Taken from the notes of the Financial Reports, the Valuer General may aggregate different data from a department to undertake the valuation, and does not typically take into account tenure type, etc.
PROV	FD 31.	PRVO has kilometres of data in physical hard copy format that can be requested and viewed at the Victorian Archives Centre in North Melbourne.
PROV	FD 32.	Whilst there is an online catalogue search function by record series, and SLM has been provided a number of high potential avenues to investigate, the sheer volume of data makes it an impossible task to sort through all of the data in order to aggregate and draw conclusions.
PROV	FD 33.	Furthermore, we had no confidence in any data sampling approach as the documents and records in each box could vary depending on the person that undertook the original archiving. Information found in one box cannot be extrapolated across an entire record series.
PROV	FD 34.	As mention under limitations of the dataset, the records within PROV are only as good as what was archived. Variations from agency to agency, different time periods and different individuals who performed the archiving, all contribute to the inconsistencies inherent within the archived records.

3.2. Recommendations within Scope of Study /

Overall recommendations on records held by the State:

- RC 1.** Bulk extract all the information in digital format that is available, primarily from Landfolio, Water, VicTracks, and Resources.
- RC 2.** Overlay with Crown Land Titles from VOTS if that is not already available in Landfolio.
- RC 3.** Valuer General to be provided a database of Crown titles and dates to check for valuations and provide new valuations for historical dates
- RC 4.** Retrieve data from Water Corporations
- RC 5.** Retrieve all outstanding data from Education, Parks, Roads, and BFS.

The following is a summary of recommendations for each of the Department and agencies we have reviewed.

Department	RC No.	Recommendations
BFS	RC 6.	SLM recommends performing a full bulk extract of the BFS data.
BFS	RC 7.	The extracted dataset should then be cleansed and filtered to exclude activities outside the scope of the Study, such as maintenance on existing assets, flood recovery, vegetation control, culvert clearing, inspections, and similar works.
Parks Victoria	RC 8.	As of the time of this Report, we have not been able to ascertain the level of information that is available within Parks Victoria datasets. We recommend that the process of investigation with Parks Victoria continue beyond the finalisation of this Report.
Land Management	RC 9.	SLM further recommends investigating historical data that predates the records available in Landfolio, using available Titles information. This process may be time consuming, depending on whether the VOTS output is in a digitised document or database format. The majority of older records are likely to be in digitised document format. This exercise would serve to backfill much of the missing data related to the start dates of public activities on Crown Land and transitions from Crown Land to other tenures.

Department	RC No.	Recommendations
Land Management	RC 10.	Additionally, SLM recommends reviewing sales transactions for the relevant period to document the disposal of Crown Land. This information is likely to be part of the VOTS database.
Resources Victoria	RC 11.	We recommend making arrangements to undertake the bulk extraction of data.
VicTrack	RC 12.	SLM recommends that the necessary legal and administrative procedures take place to allow access to the bulk extract of data from RailMap by the DPC.
VicTrack	RC 13.	SLM would also recommend an examination of the historical data for construction projects post 1975 relating to current railways assets. Although it is noted that this information will be of limited availability and is likely to require much more resourcing as the examination will have to sort through digitalised documents and hardcopies.
Water and Catchment	RC 14.	SLM recommends speaking with all the eighteen water corporations in the State of Victoria, to source the required information on public activities on Crown Land post 1975. Whilst Coliban Water and Goulbourn Murray Water were contacted by SLM (see 4.2.7 Other Water Assets for details) late into the Study for a specific data sample, it would be more comprehensive of the broader population to review a bulk extract of the relevant information from each of the eighteen water corporations.
Other Water Assets	RC 15.	Continue to engage with Coliban Water and Goulburn Murray Water for direct data.
Other Water Assets	RC 16.	Engage with the other sixteen water corporations to extract the available data required within the scope.
Health	RC 17.	Cross reference the DH Portfolio Property List and with Landfolio and Titles for the starting dates of the assets.
DJCS	RC 18.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
DJCS	RC 19.	Subsequent to RC19, DJCS representatives may be able to assist with more specific enquiries for missing data points.
DJCS	RC 20.	As most of DJCS assets are likely to be in town centres (rural and regional), or new fringe suburbs within metropolitan areas, the

Department	RC No.	Recommendations
		value of the land areas impacted by these assets has greater potential to be of value compared to other activities. As such, we recommend further investigation and pursuit of this dataset.
Roads	RC 21.	Further investigation with DTP as to how the EDRMS database may be used to source data relating to roads in Victoria
Valuer General	RC 22.	Request and review all the valuation data that the Valuer General has within its records.
PROV	RC 23.	We recommend limiting the extraction of the data from PROV to: <ul style="list-style-type: none"> 4. Identifiable individual assets of significance; 5. Where the data in question covers a large land area; 6. Where the data in question covers a land area of significant value
PROV	RC 24.	We cannot recommend the use of PROV for bulk data extracts due to the time it would consume and the labour intensive requirement of the exercise.

3.3. Recommendations outside of Scope for Consideration /

The following are additional recommendations that are outside of Scope for this study but are suggested for consideration in the next Phase of Studies.

ARC 1. Due to the lack of appropriate data, it may be necessary to formulate a compensation methodology for the period activity in the period between 1975 to the start of digital databases. The retrieval of data from PROV is unlikely to produce a complete dataset, and will be time consuming, labour intensive and cost prohibitive.

The following is a summary of additional recommendations outside of scope for Consideration, for each of the Department and agencies we have reviewed.

Department	ARC No.	Recommendations
BFS	ARC 2.	The cleansed dataset must be cross-referenced against Parks, Roads, and Landfolio data to eliminate double counting.
BFS	ARC 3.	Conduct statistical analysis across the various types of BFS activities to develop a matrix of average areas impacted, enabling reasonable area-based estimates.
Parks Victoria	ARC 4.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
Parks Victoria	ARC 5.	Subsequent to ARC 4, Parks Victoria representatives may be able to assist with more specific enquiries for missing data points.
Land Management	ARC 6.	Unused road licences are missing from Govmap reports as there is no Crown parcel assigned. This issue needs to be further investigated and resolved.
Land Management	ARC 7.	SLM recommends reconciling the Landfolio data with the VOTS to determine the original commencement dates of public activity on Crown Land.
Resources Victoria	ARC 8.	The extracted data from RC12 should then be collated and cross checked against the other databases for overlapping activities and records. This process is necessary to cleanse and integrate the data for functional use, in order to support the formulation of a compensation methodology.
VicTrack	ARC 9.	Subsequent to receiving the bulk extract from VicTrack, the information should be cross checked against the Crown Land database of Landfolio, and combined into an amalgamated dataset.
Water and Catchment	ARC 10.	The Lot referenced in the dataset may not reflect the actual land occupied by the activity. SLM recommends establishing an index of the average area occupied by the various bores, pumps and dams respectively, and for a formula be applied to the lots to determine the total impacted areas.
Other Water Assets	ARC 11.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.

Department	ARC No.	Recommendations
Health	ARC 12.	Given it is such a significant undertaking, determine whether the data for upgrades and alterations to established assets is strictly necessary. It may be simpler and more efficient to do the exercise by exception for substantial redevelopments on the land area occupied. If it was necessary, engage in the planning process with Department of Health for the resourcing required to recover the upgrades and alterations data.
Education	ARC 13.	We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps on Start dates, location and land size.
Education	ARC 14.	Work with Department of Education to find an easier approach to reconcile the Crown Land data with the buildings database.
Development Victoria	ARC 15.	We recommend that the calculated estimate approach as detailed in FD 26 be tested for suitability to use as a proxy for actual data.
Valuer General	ARC 16.	Upon completion of the bulk data collection on impacted Crown Land parcels-including commencement dates, location, land size, and current use or activity-request a valuation as at the relevant date from the Valuer General to enable the retrofitting of historical valuation data.
PROV	ARC 17.	An alternative approach will be necessary for the historical data when the current data available within the respective Departments and agencies is insufficient.

4. Study Investigation

4.1. Introduction /

Crown land is land owned by the State or Commonwealth Government. In Victoria, most Crown land is held by the Victorian Government.

Approximately one third of Victoria's land is Crown land, covering 8 million hectares across more than 100,000 parcels. The distribution is roughly as follows:

- 50% of Crown land in Victoria is national or state parks.
- 39% is State Forests.
- 4% is unreserved or Australian Government managed Crown land.
- 7% (550,000 hectares) is Crown land reserves.

When Crown land is in use but remains Crown land, it is designated as a Crown land reserve. There are more than 8,000 Crown land reserves in Victoria. These reserves include many public schools, universities and TAFE colleges, public hospitals, mental health and other community services, cemeteries, municipal buildings and land, public roads, government railways, parks, community halls, recreation reserves and racecourses.

The key legislation governing Crown land reserves in Victoria is the Crown Land (Reserves) Act 1978. Many Crown land reserves are managed directly by local government (shires/councils). Additionally, around 1,500 Crown land reserves are managed by voluntary committees of management with support and oversight from DEECA. Across Victoria, there are approximately 1,150 voluntary committees of management. Most committees manage one reserve while some manage two or more reserves. The majority of Crown land reserve committees of management are legally incorporated as organisations through the Crown Land (Reserves) Act 1978.

4.2. Data availability by Department /

4.2.1. Bushfires and Forest Services (DEECA)

The Bushfires and Forest Services (**BFS**) agency within Victoria's Department of Energy, Environment and Climate Action (**DEECA**) plays a central role in managing bushfire risk and forest health across public lands in Victoria. This work is primarily carried out through Forest Fire Management Victoria (**FFMVic**), a collaborative body led by DEECA and supported by Parks Victoria, VicForests, and Melbourne Water.

The core responsibilities of FFMVic are:

1. Bushfire Management

Prevention & Preparedness: Planning and delivering fuel management programs, including planned burns and mechanical treatments, to reduce bushfire risk.

Response: Acting as the control agency for bushfires on state forests, national parks, and protected public lands.

Recovery: Leading environmental recovery efforts post-bushfire, including wildlife welfare, habitat restoration, and infrastructure repair.

2. Fuel Management

Implementing a zoned approach to fuel management:

- Asset Protection Zone (APZ): Intensive treatments to protect life and property.
- Bushfire Moderation Zone (BMZ): Slows fire spread and intensity.
- Landscape Management Zone (LMZ): Balances ecological and fire protection goals.
- Planned Burning Exclusion Zone (PBEZ): Areas where fire is excluded due to ecological sensitivity.

3. Cultural Fire Management

Supporting Traditional Owner-led cultural burns, aligning with the Victorian Traditional Owner Cultural Fire Strategy.

Activities Covered

Types of Crown Land Assets Managed

1. Public Forests and Parks

Includes state forests, national parks, and conservation reserves.

These lands are used for biodiversity conservation, recreation, timber harvesting (in designated areas), and cultural heritage protection.

2. Infrastructure on Public Land

Roads, bridges, crossings, and walking trails are maintained and restored after bushfires and other emergencies.

Visitor assets such as picnic areas, signage, and amenities are reinstated post-disaster.

3. Strategic Fire Infrastructure

Includes fire control lines, fuel breaks, and access tracks used for bushfire suppression and prevention.

4. Cultural and Environmental Sites

DEECA works with Traditional Owners to protect and rehabilitate cultural heritage sites on Crown land.

Also responsible for threatened species habitats, native vegetation, and water catchments.

Whilst activities from item 1 and 2 above meet the criteria for relevant activities within the scope of the Study, these activities will be covered by data from Parks Victoria (DEECA) and Road (DTP). Therefore, only BFS activities from item 3 above on Crown Land under Strategic Fire Infrastructure are relevant for data extraction within our scope. These activities would create new infrastructure on Crown Land causing either

the establishment of a new licence or a modification of an existing licence, which is under the purview of a LUAA.

Data Availability

Data has been provided by Bushfires and Forestry covering a sample of activities in the Tambo District on Gippsland.

Category	Availability	Comments
Start Date	Yes	Date of Activity
Location	Yes	Site Name, Site Code, no SPI
Land Size (of Lot)	No	
Use / Activity	Yes	Short Description
Current / Past	Current	Seems to have been kept from 2000s, but need to confirm.

The data provided by BFS is very noisy with the majority of activity involving maintenance and has a number of identifiers that are not relevant to our scope. Furthermore, the data tables include all activities as mentioned under Activities Covered section (pages 38), whereas the primary focus of our activities are roads, tracks, bridges and public land assets constructed, plantation, quarrying, and fire infrastructure.

Limitations

SLM had attempted to seek further data and distinguish whether the data sampled is representative of the data available. This was not achieved within the timeframe of the Report.

We have also not yet been able to ascertain whether the land size data is available.

Findings

- FD 9.** Although the BFS agency covers a large area of Crown Land in Victoria, the associated BFS activities relevant to the scope are typically limited, impacting small areas of land that are not individually substantial, but can be when aggregated for the whole State. We note that some BFS activities fall under the jurisdiction of other departments and agencies, so that the data is sourced elsewhere.
- FD 10.** Of the smaller portion of activities that related to BFS, the information pertaining to the individual land area impacted is indeterminable.

Recommendations within Scope

- RC 6.** SLM recommends performing a full bulk extract of the BFS data.
- RC 7.** The extracted dataset should then be cleansed and filtered to exclude activities outside the scope of the Study, such as maintenance on existing assets, flood recovery, vegetation control, culvert clearing, inspections, and similar works.

Recommendations outside of Scope for Consideration

- ARC 2.** The cleansed dataset should be cross-referenced against Parks, Roads, and Landfolio data to eliminate double counting.
- ARC 3.** Conduct statistical analysis across the various types of BFS activities to develop a matrix of average areas impacted, enabling reasonable area-based estimates.

4.2.2. Parks Victoria (DEECA)

Parks Victoria is a statutory authority of the Victorian Government acting in accordance with the Parks Victoria Act 2018. Parks Victoria is responsible for managing a diverse estate of more than 4 million hectares including 3,000 land and marine parks and reserves making up 18 per cent of Victoria's landmass, 75 per cent of Victoria's wetlands and 70 per cent of Victoria's coastline. They oversee over 38,600 assets, including:

- Trails and pathways for walking, cycling, and hiking.
- Accommodation facilities such as cabins and lodges.
- Visitor amenities like toilets, BBQs, picnic shelters, and playgrounds.
- Sporting and recreational facilities including lookouts, camping grounds, and waterway access points.
- Utilities and infrastructure to support park operations and emergency services.

SLM and DPC held an introductory interview with Parks Victoria representatives.

The following was provided as a general overview of the nature of information organised.

- Data on Parks Victoria activity on Crown land has held in digital form by Parks Victoria from 2015.
- Prior to 2015, the data was the responsibility of Public Land (DEECA). Leases were administered by Public Land (DEECA) but transitioned to Parks Victoria upon renewal. Active leases remain recorded on Landfolio under DEECA if land management was centralised. Otherwise the data may be kept at regional field offices.
- Spatial data is generally available, including subcategories such as location, area size, users or activity type. The start date of the licence may not be the initial commencement date of activity in the area, but rather the effective date of the current active licence.

SLM has submitted follow-up enquiries requesting a sample extract to confirm information details of the Parks Victoria database, and availability of the key data items sought. SLM is currently awaiting a response to this request.

Activities Covered

The majority of the underlying parks on Crown Land were designed before the criteria timeframe post 1975. However, the conversion from Crown to other types of land, such as freehold for sale, Crown reserves for uses by other Government departments, construction of new assets on the area such as walking trails, bike paths lodging, driving tracks, bridges, utilities and infrastructure to support park operations, may have occurred post 1975.

The major land areas under Parks Victoria are:

- National Parks
- Regional Parks
- Historic Reserves
- Bushland Reserves
- Nature Reserves
- Hunting Reserves
- Marine/Coastal Park
- Streamside Area
- Conservation Reserve/Park
- Education Area
- Lakes
- Cemeteries
- Proposed Parks

Data Availability

The following data was extracted from GovMap Reserves data files.

Category	Availability	Comments
Start Date	No	Maybe through cross check via SPI
Location	Yes	Through cross check via SPI
Land Size (of Lot)	No	Maybe through cross check via SPI
Use / Activity	Yes	Description and legislation
Current / Past	Current	Assuming all data live in GovMap is current (TBC) Historic data is explunged from live system.

Some of Parks Victoria reserves were able to be accessed through Landfolio. However, licences transferred over to Parks Victoria post 2015 for management no longer reside in Landfolio.

Limitations

This dataset associated with GovMap uploaded data is limited by the lack of starting date, land size, and specific location identifiers. The data is recorded does not capture the start date the reserve was gazetted, only the purpose of the reserve.

We have not been able to engage with Parks Victoria beyond the preliminary conversation.

Findings

- FD 11.** The GovMap upload data is a useful starting point, but it is limited in some data points such as start date and location.

Recommendations within Scope

- RC 8.** As of the time of this Report, we have not been able to ascertain the level of information that is available within Parks Victoria datasets. We recommend that the process of investigation with Parks Victoria continue beyond the finalisation of this Report.

Recommendations outside of Scope for Consideration

- ARC 4.** We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
- ARC 5.** Subsequent to ARC 4, Parks Victoria representatives may be able to assist with more specific enquiries for missing data points.

4.2.3. Land Management (DEECA)

The Department of Energy, Environment and Climate Action (**DEECA**) has responsibility for administering legislation that establishes a range of entities that either manage Crown land, or provide advice about Crown land management. The Minister for Environment is accountable to Parliament for the performance of these entities.

DEECA has a Crown Land Information Management System called Landfolio.

- Landfolio is being used to manage more than 8 million hectares of public (crown) land for a range of uses including recreation, cultural, forestry, conservation and government services
- Landfolio went live in 2019, and as of May 2023 has around 700 users, from DEECA offices across Victoria
- Information in Landfolio relates to Crown Land Parcels, broken down into either Crown Reserves or Crown Tenure (Licences and Leases)
- Landfolio captures approximately 115 000 Crown Parcels – parcels of land owned by the State
- Landfolio is integrated with Victorian Online Titles System (VOTS) & VicMap – run weekly to import parcel attributes and spatial data into Landfolio

SLM and DPC held an introductory interview with representatives from DEECA. DEECA encompasses a broad range of entities, including Parks Victoria, Bushfires and Fire Services (Forestry), Resources Victoria, Land Management, and Water. Given the scope of activities and agencies involved, this preliminary meeting was general in nature. The following summarises the discussion.

- SLM outlined the purpose of the Study, the rationale and the intended objectives.
- SLM provided further guidance on the specific information required.
- SLM clarified that the purpose of the Study was not to extract entire datasets from the respective agencies, but to verify which of the required data elements were available and to understand the methodology for bulk extraction if needed in the future.

- SLM and DPC also clarified the definition of public works that would constitute relevant activity on Crown Land. The records of such activity are the focus of the Study.

Following the interview, SLM corresponded with [REDACTED] Senior Technical Support Officer (Crown Land), and gathered the following insights:

- The Landfolio database includes Crown land reserves, direct licences, and some indirect licences.
- Data on Crown land reserves and direct licences is generally current and of higher quality. The estimated number of individual, specific land areas is in the low single-digit thousands. Data fields include location, SPI, land area, land use, owner, and the last known start date of the current licence on the Crown reserve (which may not reflect the original start of use if the licence or reserve has rolled over).
- Additional data fields may be present depending on what was originally entered, such as Reservation Purpose, NT Claim Area, and NT Determination Area.
- The Landfolio database only captures current or active Crown land reserves. Consequently, it does not include historical activities or any land converted from Crown to freehold and sold since 1975.
- Indirect leases for entities such as the Department of Education, Department of Health, and Victoria Police may be partially represented in Landfolio.

To access historical titles, the Victoria Online Land Titles Register (**VOTS**) maintains a full archive of all land titles, including those for Crown land. SLM met with GovMap representatives and received a detailed demonstration of the platform, confirming the availability of Crown land title data. However, access to GovMap was not obtained due to the required administrative steps and limited time remaining in the Study.

SLM was informed that Crown land title data within GovMap is available under a commercial licence from SERV. It remains unclear whether the current licensing arrangement between SERV and the State would permit SLM to access this data for bulk extraction. In theory, the historical title data exists in digitised hardcopy format.

It is likely that the key information required — such as location, address, land size, event dates, transaction values, and owner/buyer details — sits within these digitised records, necessitating compilation into a structured database to support data aggregation and manipulation for the intended purpose.

Activities Covered

Currently approximately 12 500 Reserves are recorded in Landfolio. These are crown parcels that have been reserved for a specific purpose (eg National Park, Recreational Area, Education Area, Road, Hospital etc.)

In addition, some 50 000 Tenure (Licences & Leases) are recorded in Landfolio for the utilization of crown land for different purposes (eg Commercial, Grazing, Apiary (Beehive), water frontage, general community, and pipelines.

Data Availability

Category	Availability	Comments
Start Date	Only for start of last use	Inconsistent input
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	Yes	
Use / Activity	Yes	
Current / Past	Only current/last	Inconsistent input

The reserves recorded in Landfolio are a *one to one* or *one to part* relationship with a Crown parcel. Where regions have considered it appropriate, they have created a reserve record in Landfolio, such Health, Education or Police reserves. Where the reserve is part of the regional business as usual these will be maintained it is possible that reserve records for other govt agencies are not complete or don't exist in Landfolio.

Limitations

While the dataset is complete for existing assets on Crown Land, it is limited to information recorded at the time of the most recent recognition. Data on past land use, where the land is no longer in active use, is not available within Landfolio. Furthermore, the recorded commencement date refers to the current lease or the latest designation of the reserve, which may not correspond to the original lease or reserve start date.

Determining this earlier activity would require investigation into the underlying titles data held in the VOTS, which is managed under licence by SERV. Due to commercial licensing constraints associated with accessing this data, SLM did not pursue access as part of this Study.

The quality and completeness of the Landfolio data are dependent on the accuracy and consistency of data entry. Input controls are limited, with some categorical fields left unpopulated and the potential for errors in those that are.

Findings

FD 12. Landfolio serves as a comprehensive database tracking Crown Land activity. However, a key challenge lies in accessing the underlying detail beneath the summary-level data displayed, as it reflects only the information supplied by the respective Land Manager.

FD 13. Start date of data availability from 1990s.

Recommendations within Scope

RC 9. SLM further recommends investigating historical data that predates the records available in Landfolio, using available Titles information. This process may be time consuming, depending on whether the VOTS output is in a digitised document or database format. The majority of older records are likely to be in digitised document format. This exercise

would serve to backfill much of the missing data related to the start dates of public activities on Crown Land and transitions from Crown Land to other tenures.

- RC 10.** Additionally, SLM recommends reviewing sales transactions for the relevant period to document the disposal of Crown Land. This information is likely to be part of the VOTS database.

Recommendations outside of Scope for Consideration

- ARC 6.** Unused road licences are missing from Govmap reports as there is no Crown parcel assigned. This issue needs to be further investigated and resolved.
- ARC 7.** SLM recommends reconciling the Landfolio data with the VOTS to determine the original commencement dates of public activity on Crown Land.

4.2.4. Resources Victoria (DEECA)

Resources Victoria sits within the Department of Energy, Environment and Climate Action. Resources Victoria is made up of:

- Earth Resources Regulator
- Geological Survey of Victoria
- Resources Victoria Approvals Coordination.

The primary responsibility of Resources Victoria is to regulate the resources industry, effectively manage risks to the environment and community, and managing access to Victoria's resources for current and future use. To that extent, it coordinates the regulatory approval process for access, the cataloguing of geoscientific investigations and data record keeping. More broadly, Resources Victoria plays a role in policy development and regulatory reform.

Through the delivery of geoscience, policy and regulation, Resources Victoria enable industry to responsibly and sustainably develop Victoria's resources.

The primary data access points for geoscientific and data record keeping are GeoVic, and Licences Near Me. Data on all exploration tenements and mining tenements are available covering all of Victoria and dating back to 1975.

Through the spatial mapping database of GeoVic and Licences Near Me, SLM was able to verify that the data set includes location, land area size, holder of the licences, activity allowed under the licence, the duration of the licence, and date it was issued.

SLM has been able to verify and review the tenement information through these portals as at the date of this Report.

For bulk data extracts, we have been informed via [REDACTED] Acting Manager Regulatory Strategy at Resources Victoria, that direct access to the underlying database would require engagement with Geological Survey of Victoria to retrieve the raw dataset.

Having noted that this option is available and likely to be a straightforward task, we have not pursued further investigation into the process necessary for a bulk extract.

Data availability

It appears from our limited sampling that all of the information required is available. Even historical information appears to be digitalised and retrievable.

Category	Availability	Comments
Start Date	Yes	
Location	Yes	Coordinates and tenement number
Land Size (of Lot)	Yes	
Use / Activity	Yes	Including what actually occurred on the area if historical
Current / Past	Yes	Including previous licences over the area

Limitations

Bulk extract through the GeoVic portal is not available. Furthermore there are some limitations around the searchability of the data under categories through this portal.

However, these searchability and specificity requirements may be available through the bulk data process, or by manipulation of the bulk extracted data.

Findings

FD 14. We have found the data availability as it pertains to resource tenements to be of good accessibility and quality.

Recommendations within Scope

RC 11. We recommend making arrangements to undertake the bulk extraction of data.

Recommendations outside of Scope for Consideration

- ARC 8.** The extracted data from RC12 should then be collated and cross checked against the other databases for overlapping activities and records. This process is necessary to cleanse and integrate the data for functional use, in order to support the formulation of a compensation methodology.

4.2.5. VicTrack

VicTrack is a state-owned organisation created under statute in 1997, and governed by an independent Board responsible for overseeing its performance. The organisation reports to the Treasurer, the Minister for Transport Infrastructure, and the Minister for Public and Active Transport.

VicTrack's asset portfolio consists of rail transport, specifically the underlying land, buildings, infrastructure, and telecommunication networks. Furthermore, as the owner of the trams and trains, it also serves as the administrator of Rolling Stock Holdings, managing the leases for all classes of rolling stock (trams, trains).

Land, infrastructure, and rolling stock for tram and metropolitan and regional train services are leased to the Department of Transport and Planning, which operates public transport services through franchise agreements with transport operators.

These franchise agreements dictate the allocation of transport assets to operators such as Metro, V/Line, ARTC, and Yarra Trams, who are responsible for delivering public transport services and managing the assets. Transport assets not in active use remain under VicTrack's management, where efforts are made to commercialise them and reinvest the proceeds for transport-related purposes.

SLM and DPC met with VicTrack representatives and discussed the information request. SLM was provided access to RailMap and given a thorough demonstration by [REDACTED] Group Manager Property Service at VicTrack, and [REDACTED] (VicTrack). Most of the information sought has been digitalised from the late 1990s. The current active data is accessed through RailMap (spatial GUI), which is underpinned by a database that feeds the visual representation of the data.

All data relating to current tenures held by VicTrack (and leased out) are available in the RailMap system. SLM's review of the RailMap spatial database confirmed the quality and breadth of data regarding infrastructure corridors (such as rail lines), stations, and adjacent land parcels). Data on reserved parcels that have already been nominated and set aside for future use is also available.

As with the Landfolio, the start date is limited to the most recent record of the lease of the area in question. Any available historically data would form a research task based on various overlapping data category labels or reference labels such as the SPI.

Activities Covered

The RailMap database covers the following activities through:

- Rail track sub leases (to rail operators)
- Stations leases including the station building itself, associated infrastructure, and leases for land adjacent to station building which may be part of the sub lease associated with the rail operator.
- Rail infrastructure leases (Power, Water, Gas, Telecoms, paths, sewerage and drainage, signals, fire services)

Data Availability

Category	Availability	Comments
Start Date	Only for start of last use	Construction dates and details sources separately (through research) Recent leases most accurate. Prior to 2000s is less accurate but can be checked against source documents.
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	Yes	
Use / Activity	Yes	
Current / Past	Only current/last	Past data may be available, but requires further research, into other data sources.

Limitations

Data on old leases on the same area with a new lease is overwritten by the new lease. Historical/past leases that expire with nothing overwritten, remains available in the system.

Detailed land records do exist, stemming from railway construction acts and associated surveys. These records contain information about land occupation, including railway infrastructure, camps, and other features during the construction phase. However, these are digitalised documents, and the level of detail varies from project to project and document to document, as not all historical features are consistently documented.

Findings

FD 15. SLM confirms that the data can be seen for each lease or land parcel individually through RailMap. However, due to VicTrack being a separate corporation, rather than a Departmental agency, there is an additional layer of approval that needs to be achieved for bulk extract of data from the background underlying database. The procedure would have to be cleared by VicTrack with regards to any legal issues on sharing this data. Based on the preliminary discussion with VicTrack, we believe access would be easier if the request came from the appropriate State Government employee. Due to the access hurdle, and the timeframe limitations of the Study, upon confirmation that it was possible to have a direct extract of data from the underlying database, SLM did not proceed to acquire access to a bulk extract or a collated a sample extract of the data.

Recommendations within Scope

- RC 12.** SLM recommends that the necessary legal and administrative procedures take place to allow access to the bulk extract of data from RailMap by the DPC.
- RC 13.** SLM would also recommend an examination of the historical data for construction projects post 1975 relating to current railways assets. Although it is noted that this information will be of limited availability and is likely to require much more resourcing as the examination will have to sort through digitalised documents and hardcopies.

Recommendations outside of Scope for Consideration

- ARC 9.** Subsequent to receiving the bulk extract from VicTrack, the information should be cross checked against the Crown Land database of Landfolio, and combined into an amalgamated dataset.

4.2.6. Water and Catchment Group (DEECA)

The Water and Catchments Group works to ensure that Victoria has safe, sustainable and productive water resources. It primarily deals with licencing for water access rights in Victoria. This is distinct from the 5 Water Corporations that manage the catchment and supply of water throughout Victoria.

SLM and DPC had an introductory interview with Water and Catchment Group representatives.

The following was provided as a general overview of the nature of information organised:

- All records of licences became digital from 2009 to current

Activities are split between two categories being:

- the construction of assets to enable the use of the water rights; and
 - the access of land area necessary to use the water rights.
- Licences are usually approved on a 15 year term, with most usage being permanent in nature, so licences are generally renewed upon expiration. This data then overwrites the old licences.
 - Information from 1975 to 2009 will be harder to obtain due to the amalgamation of multiple departments and restructuring through that period. Physical data at best likely to be available in boxes from 1989 through to 2009.

Following on from this introductory interview, SLM held a follow up interview with [REDACTED] to discuss the requested information.

During this second interview, it was clarified that only water licences on Crown Land are relevant to this Study, regardless of who the end user is or whether the end use occurs on Crown Land. Any portion of Crown Land impacted by the licence, however small, is relevant to the Study.

On that basis, we requested a data sample extract of all information that was available, relating to the Bendigo region.

An attempt was made to identify the appropriate person to speak to regarding DEECA owned/operated dams on Crown Land. Unfortunately, we were not able to identify a person(s) at DEECA with ownership of this asset category. As a result, SLM was referred to Coliban Water and Goulburn Murray Water, to get a sample of the data available. Section 4.2.7 Other Water Assets below discusses our approach with these two water corporations.

Activities Covered

The Victorian Water Register covers all activities associated with water rights and access to water based on those rights. The relevant information sought is a subset of the data available on the Water Register. The targeted data relates to these activities on Crown land, primarily includes bores, pumps and dams on Crown Land across the state of Victoria. Activities on private land are also in the Water Register but are not relevant to the scope of this Study.

The Water Register records water entitlements and their associated works that move water from rivers, waterways, aquifers, away from the in-situ location, to be used for a different purpose. Where those activities occur on riverbanks and land adjacent to waterways, the Water Register includes these activities. However, if the riverbank is designed as a Crown Reserve or under licence for other purposes not related to water rights, then that classification is not covered by the Water Register.

As mentioned above, the Water and Catchment Group does not deal with the water infrastructure associated with the collection and distribution of water as part of the water system. These assets, including dams, water pipes, sewerage system, grey water drainage, run off basins, and other water assets, are primarily held by the relevant water corporations. The Department of Transport and Planning and relevant local councils also has information about easements.

Furthermore, drainage, runoff basins, and other such assets are not part of the Water and Catchment Group. Drainage and runoff basins on public land can be managed

by a range of managers including water corporations, local councils, CMAs, Department of transport and Planning, FFMVic and Parks Victoria.

Data Availability

Category	Availability	Comments
Start Date	Register showing issue date, from as early as 1/7/1991.	Licences are usually for 15 years. Data for current licence most reliable.
Location	Yes	Address and SPI number
Land Size (of Lot)	No	Can crosscheck lot size with GovMap data but no idea what area was occupied for the activity.
Use / Activity	Yes	
Current / Past	Current and past	Data for current / ongoing licences will be the highest reliability. Historic licences may include those superseded with new current licences.

Limitations

One of the key limitations of the Water Register, is the number of types of activities that are covered by the Water Register. It is not an exhaustive list of activities associated with water. All of the water distribution assets are not captured within the Water Register, despite dams and reservoirs covering the largest portion of water related activities on Crown Land.

Furthermore, whilst the activity can be narrowed to a relevant Lot (via SPI), and it is possible to determine the total area of the Lot (via the SPI and cross checking with GovMap), the Water Register lacks exact information on the land size occupied or affected by the activity. There is no exact record of area of land size impacted by the activities within the SPI designated lot.

The data as shown within the Water Register is limited to post 1/7/1991. This was the date when the records were loaded from paper records into the system that was the precursor to the Water Register. This date was then transferred into the Water Register when the system transitioned into the Water Register. It is believed that the older records would be able to be access if required, but this would be a manual process of reviewing paper records.

Findings

- FD 16.** For the limited activities that are covered by this Agency, the activity type, start date and location can be identified. Actual land occupied by activity is only a small subset of the Lot identified by the SPI, and is unknown.
- FD 17.** The Water Register does not cover water distribution assets and other Crown Land areas held available for water related use. The majority of water related activities is not captured within the Water Register.

Recommendations within Scope

- RC 14.** SLM recommends speaking with all the eighteen water corporations in the State of Victoria, to source the required information on public activities on Crown Land post 1975. Whilst Coliban Water and Goulbourn Murray Water were contacted by SLM (see 4.2.7 Other Water Assets for details) late into the Study for a specific data sample, it would be more comprehensive of the broader population to review a bulk extract of the relevant information from each of the eighteen water corporations.

Recommendations outside of Scope for Consideration

- ARC 10.** The Lot referenced in the dataset may not reflect the actual land occupied by the activity. SLM recommends establishing an index of the average area occupied by the various bores, pumps and dams respectively, and for a formula be applied to the lots to determine the total impacted areas.

4.2.7. Other Water Assets

Water distribution assets, such as pipelines, and other such assets are primarily held by the relevant water corporations.

A water corporation in Victoria is a state-owned statutory authority established under the Water Act 1989 to manage and deliver water-related services across the state. These corporations are responsible for ensuring the sustainable supply, treatment, and management of water resources for both urban and rural communities.

There are currently eighteen water corporations in Victoria.

Metropolitan	Regional	Rural
Greater Western Water	Barwon water	Goulburn-Murray Water
South East Water	Central Highlands Water	Grampians Wimmera Mallee Water
Yarra Valley Water	Coliban Water	Lower Murray Water
Melbourne Water	East Gippsland Water	Southern Rural Water
	Gippsland Water	
	Goulburn Valley Water	
	North East Water	
	South Gippsland Water	
	Wannon Water	
	Westernport Water	

Activities Covered

SLM has spoken to Coliban Water and Goulburn Murray Water Corporations about retrieving the same information request (as detailed in 2.4 Information requested /).

The water corporations have the mappings of the pipeline network and can determine where those pipelines are on Crown Land.

Aside from the direct data, GovMap reserves show water supply reserves, reservoirs, river frontage, spillways, drainage basins.

Data Availability

The following data was extracted from GovMap Reserves data files.

Category	Availability	Comments
Start Date	No	Maybe through cross check via SPI
Location	Yes	Through cross check via SPI
Land Size (of Lot)	No	Maybe through cross check via SPI
Use / Activity	Yes	Description and legislation
Current / Past	Current	Assuming all data live in GovMap is current (TBC) Historic data is explunged from live system.

Coliban Water indicated that it could undertake GIS analysis of pipeline data on Crown Land and provide this to SLM. As this request was made very late in the Study timeline, SLM has not received this information as of the date of this Report.

Goulburn Murray Water indicated they could provide a sample of the total information set for the region of Eildon. As this request was made very late in the Study timeline, SLM has received this information as of the date of this Report.

Limitations

The GovMap dataset is limited by the lack of starting date and land size. Specific location and commencement date information may be available through the SPI identifier via cross checking against other records databases.

Water corporations did not exist until 1992, so 1975 to 1992 data is unlikely to be available.

Coliban Water

Even though an asset is managed by the Coliban Water, identifying land managers for Crown Land parcels will be challenging. Without this identifier, the land data associated with the assets, is difficult to obtain.

Even if the records are in the system of Coliban Water, some of the data inputs are unknown, such is the nature of the very old asset base of the area covered by Coliban Water. For the older records, the information may be missing the start dates or have incorrect start dates.

Findings

FD 18. The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. A cross check is necessary of each item within SPI to the Landfolio, or if the data is missing within that database, back to Titles within the VOTS.

FD 19. SLM's review of the data provided by Coliban Water shows certain information such as activity, location, land size. Further work will be necessary to determine the Start dates.

Recommendations within Scope

RC 15. Continue to engage with Coliban Water and Goulburn Murray Water for direct data.

RC 16. Engage with the other sixteen water corporations to the extract the available data required within the scope.

Recommendations outside of Scope for Consideration

ARC 11. We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.

4.2.8. Department of Health

The Department of Health helps manage the public health system. The department acts as the system steward for Victoria's public health system, with responsibilities that include:

- Health system design and planning
- Public health protection and promotion
- Hospital and health service performance
- Mental health and wellbeing
- Emergency management and preparedness
- Workforce strategy and planning
- Digital health and eHealth infrastructure
- Funding and commissioning of health services

It also administers a wide range of health-related legislation, including the Mental Health and Wellbeing Act 2022, and regulations covering communicable diseases, environmental health, and health service standards.

SLM and DPC spoke to representatives of Department of Health Heidi Matkovich (Director Asset Planning, DH) and [REDACTED] (Manager Strategic Land Management, DH). The following is a summary of the key points:

- The majority of the dataset will be for cemeteries and health services related activities.
- New infrastructure in development would sit with VIDA.
- Cemeteries are automatically Crown Land. It is managed by a separate team.
- DH has a spreadsheet that covers the portfolio of assets, with every piece of land tenure with an existing structure.

Activities Covered

The department has leadership responsibility for:

- acute health services
- public health

- primary, community and dental health
- health regulation
- ambulance services
- mental health
- drug services
- ageing, aged and home care.

As of October 2024, there are 401 assets on Crown Land under the umbrella of the responsibilities listed above. This data is tracked under the DH Portfolio Property list.

Data Availability

Category	Availability	Comments
Start Date	Not available	Need to cross reference to DEECA Landfolio or Titles via SPI
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	Yes	
Use / Activity	Yes	
Current / Past	Only current/last	Upgrades that would trigger a LUAA not covered by database, but information may be available through additional research
Valuations	Yes (30/6/2019)	For land value, improvement value, and insurance value
Sold Assets	Yes (from 1986/87 to Oct24)	Details of: Sale Date Land size Price Location

Limitations

The data set whilst complete for the existing assets on Crown Land, it is limited to what was recorded at last recognition. Data on past use of land area, no longer in use, is not available within the DH Portfolio Property List, however, sales transactions on Crown land properties sold from 1986 is available and contains information on date of sale, land size, location, sale price.

Findings

- FD 20.** Data set for existing active assets on Crown Land is of good quality, but missing the critical information of the starting date.
- FD 21.** Date on upgrades, alterations and expansion of original usage plans are not available within the DH Portfolio Property List. However, DH explains the process to retrieve such data as follows:
“This is the very difficult part of the exercise, requiring access to as built drawings for each site at 1975 and thereafter as each new capital project was completed. Many health services may have archival ‘as built’ drawings which may help. Otherwise, capital project files would need to be retrieved from PROV/DH Archives to access any ‘as built’ drawings that may exist.”
- FD 22.** To retrieve files from PROV/Archives, we would need a specialist archivist to assist. Some recent VHBA PRJ (‘project files’) are identifiable in TRIM – but earlier records will require a specialist to identify at the PRO as the ‘file series’ naming conventions have changed over time (if the files still exist & have not been destroyed under the 7-year rule).”

Recommendations

- RC 17.** Cross reference the DH Portfolio Property List and with Landfolio and Titles for the starting dates of the assets.

Recommendations outside of Scope for Consideration

- ARC 12.** Given it is such a significant undertaking, determine whether the data for upgrades and alterations to established assets is strictly necessary. It may be simpler and more efficient to do the exercise by exception for substantial redevelopments on the land area occupied. If it was necessary, engage in the planning process with Department of Health for the resourcing required to recover the upgrades and alterations data.

4.2.9. Department of Education

The Department of Education (Victoria) is the government agency responsible for delivering education and development services across the state of Victoria.

The Department oversees:

- Early childhood education
- Primary and secondary schooling
- Adult and community education

It provides services directly through government schools and indirectly by regulating and funding non-government schools and early childhood services

The Department of Education in Victoria manages a significant portfolio of land and property assets, primarily through the Victorian School Building Authority (VSBA) and the Asset Information Management System (AIMS).

Overview of Land and Property Assets

1. Asset Information Management System (AIMS):

AIMS is a centralized, web-based platform used by all Victorian government schools to manage their land and building assets.

It provides a "single source of truth" for asset data, including land size, building condition, asbestos audits, and maintenance schedules 1.

AIMS replaced over 20 legacy systems and integrates with platforms like CASES21 and eduMail.

2. Scope of Assets:

The Department owns land across all state school campuses in Victoria.

This includes primary, secondary, and special development schools, as well as early childhood facilities and teacher housing in some rural areas.

3. Public Dataset:

A dataset titled "Victorian State Schools – Land Area 2013" provides historical data on land owned by the Department across all state school campuses.

It includes land area measurements and is available in XLSX format under a Creative Commons license.

SLM and DPC spoke with Department of Education many representatives, including [REDACTED] (Senior Mgr Property VSBA), [REDACTED] (Records Mgr), [REDACTED] (Team Leader Records Mgt Team), [REDACTED] (Mgr – Records), [REDACTED] (Team Mgr - digital records), Donna Luker (Director – Systems and Oversites), Sonja Steffen (Director – VSBA). The following is the summary of the key points:

- Database under AIMS System, stemming from VSBA as of 2019. Likely to be good quality information.
- Data prior may be digitalised between 2015-2019.
- Beyond that period, the information is harder to track down.
- There was no guarantee that historical information is available prior to 2015.
- Land titles office may have better information on land data
- There are approximately 1,600 government schools and an estimated 1/3 of these schools are on Crown Land.
- Many school campuses contain a large number of individual parcels (up to 40-50) which can involve a mixture of Crown and freehold land, and so it is not simple to delineate the native title impact, particularly as the land boundaries often do not align with the location of buildings on site (ie. half a building may be on Crown land and half may be on freehold land). The total number of school sites in this configuration is not known.
- In the above scenario, AIMS provides only a campus-level view of assets and does not specifically link buildings to land parcels, so this would need to be analysed manually on a campus-by-campus basis by comparing GIS data with AIMS.
- To extract data from AIMS on a single school site takes approximately 1 hour. This time would increase to approx. 2 hours if there is a mix of Crown and freehold land. DE has 1828 active school campuses in its system.

- The scale of undertaking an analysis on the whole portfolio would be an immense task. As a rough estimate based on the above, it would take a dedicated full-time staff member close to 2 years to undertake this data extraction process. DE notes that this does not include assessing historical information, which would be many times greater due to the lack of automation and reliance on paper files. This cannot be accommodated within DE under current resourcing.

Activities Covered

In relation to land activities, the Department of Education:

- undertakes land acquisition, disposals, and leasing licencing for educational facilities;
- issue leases under the Education and training Reform Act
- manages the construction and maintenance of schools which are on Crown Land;

Assets of the Department of Education include primary, secondary, and special development schools, as well as early childhood facilities and teacher housing in rural areas.

SLM commentary subject to review of data, not yet received as at the time of this Report.

Data Availability

The following data was extracted from GovMap Reserves data files.

Category	Availability	Comments
Start Date	Only for start of last use	Date of building construction
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	Yes	Building size and footprint
Use / Activity	Yes	Building type and use
Current / Past	All on register	

Limitations

The GovMap dataset is limited by the lack of starting date and land size. Specific location and commencement date information may be available through the SPI identifier via cross checking against other records databases.

VSBA's buildings register does not explicitly detail whether the buildings are on Crown Land or Freehold. The sites could be a mixture of one or the other, or both. Without examining each site plan, it would not be possible to tell from the database alone.

Findings

FD 23. The GovMap upload data is a useful starting point, but it is limited in the totality of the information in the single file. VSBA's buildings register has a lot of the information about size of land, nature of activity, and start date from construction, but it lacks the ability to distinguish whether the school is on Crown Land, either solely or partially.

Recommendations outside of Scope for Consideration

ARC 13. We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps on Start dates, location and land size.

ARC 14. Work with Department of Education to find an easier approach to reconcile the Crown Land data with the buildings database. To do so, a common identifier would have to be determined first.

4.2.10. Department of Justice and Community Services

The Department of Justice and Community Safety (DJCS) is one of the key government departments in Victoria, Australia. It plays a central role in maintaining a just, safe, and resilient society by delivering justice services, overseeing community safety, and managing emergency response and recovery efforts.

The DJCS is responsible for a wide range of services and policy areas, including:

- Courts and tribunals
- Corrections and prison management
- Youth justice and parole
- Emergency management and response
- Consumer affairs and business licensing
- Gambling and liquor regulation
- Human rights and anti-discrimination law
- Births, deaths, and marriages registration
- Crime prevention and victim support

SLM and DPC spoke with DJCS representatives Kirsty Hess (Director – Project Mgt Corporate Services and Infrastructure) and [REDACTED] (Mgr – Information Archive). The following is the summary of the key points:

- Majority of the information being sought was transferred to the Land Justice Unit (now with DPC) or DEECA.
- Adoption of digital record keeping only from the 2000s. Prior to those dates, all records were kept as a hard copy. Digital versions or database would most likely be non-existent.
- DJCS only holds digital records for the last 7 – 8 years. Prior to this, they are most likely to all be manual records in boxes, with a reference document listing the type of information contained.
- For data on current usage of land parcels, DJCS suggested we start with DEECA and then come back to DJCS for greater detail.

- For data on historical usage of land parcels, DJCS suggested we start with PROV and then come back to DJCS for greater detail.

Activities Covered

The following activities are covered by DJCS:

- Justice Service Centres
- Training Centres
- Police Stations (mostly under VicPol)
- Correction Centres
- State emergency services sites
- Prisons
- Coroners Court
- Courts (under Court Services Victoria)

Data Availability

The following data was extracted from GovMap Reserves data files.

Category	Availability	Comments
Start Date	No	Maybe through cross check via SPI
Location	Yes	Through cross check via SPI
Land Size (of Lot)	No	Maybe through cross check via SPI
Use / Activity	Yes	Description and legislation
Current / Past	Current	Assuming all data live in GovMap is current (TBC) Historic data is expunged from live system.

Limitations

The GovMap dataset is limited by the lack of starting date and land size. Specific location and commencement date information may be available through the SPI identifier via cross checking against other records databases.

Findings

- FD 24.** SLM was not able to obtain direct land data from DJCS relating to their assets.
- FD 25.** The GovMap upload data relating to DJCS is a useful starting point, but it is limited in the totality of the required information.

Recommendations within Scope

- RC 18.** We recommend cross checking the defined items from the GovMap data via the SPI with Landfolio and VOTS to fill in the gaps with Start date, location and land size.
- RC 19.** Subsequent to RC 19, DJCS representatives may be able to assist with more specific enquiries for missing data points.
- RC 20.** As most of DJCS assets are likely to be in town centres (rural and regional), or new fringe suburbs within metropolitan areas, the value of the land areas impacted by these assets has greater potential to be of value compared to other activities. As such, we recommend further investigation and pursuit of this dataset.

4.2.11. Development Victoria (DTP)

Development Victoria (**DV**) is the project manager for other Agencies. Whilst the project is being constructed and managed by Development Victoria, the asset is in their possession. However, upon completion the asset returns to its owner agency, or is sold to a third party. Very few of these assets will permanently reside with Development Victoria.

SLM and DPC spoke initially with DTP representatives [REDACTED] (A/Principal Policy Advisor, DTP) and [REDACTED] (Senior Mgr First Peoples Partnerships, Development Victoria), for an initial introduction to the Study, and the information that was sought. SLM and DPC had a follow up meeting with DV representatives Janneke Newson (Director First Peoples Partnerships, Development Victoria) and [REDACTED] (Records Management Specialist, Development Victoria). The following is a summary of the key points:

- DV has only existed since 2017, with predecessor organisations complicating record access.
- DV is holding records dating back to the early 1970's. The electronic records start around early 1990's – 2000's. This is when DV had both hardcopy and electronic records. DV is fully digital now.
- DV have not destroyed project records at all, even temporary ones. So, if the document exists, DV will have the records.
- DV acts as a fee for service project manager without owning the title on the land that it develops, although for a short period during the construction phase, the land title might transfer into DV.
- Because of this, double counting may be an issue, and cross checking based on SPI will be key to mitigating this issue.
- DV projects by and large are on freehold, with minor Crown Land areas for connections of utilities.

Currently, SLM has the following data request awaiting a response:

- information for all activities on Crown Land

- a sample of projects where utilities installation took place on Crown Land as part of the project. It is hoped that the percentage of area impacted by such activities will be identifiable as a ratio of the total project area. Using the identified ratio, it is hoped that the ratio could be applied across all the development projects where Native Title is a factor

Activities Covered

DV being a project manager for property development, does not hold land assets over the long term. However, it is often responsible for:

- Utility easements for new developments where such areas are areas separately titled as Crown Land.
- Other Crown Land parcels held for sale or underdevelopment

Data Availability

Category	Availability	Comments
Start Date	Yes	Tied to overall development
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	No	Statistical analysis to create an estimate
Use / Activity	Yes	
Current / Past	Yes	But have to be manually researched

Limitations

Such activities and the relevant Crown Land area is not data that is captured separately within a database. Some research on each individual project is necessary to identify whether such an asset existed on development, and to make a calculation/determination as to the area occupied.

Findings

FD 26. DV will develop a ratio based on statistical analysis of a sample of large-scale developments that reflects the typical proportion of Crown Land occupied by utilities within a standard DV project. This ratio can possibly be applied across the portfolio of DV projects to estimate the aggregate utility-occupied areas on Crown Land, serving as a justifiable proxy in place of direct measurement for each individual project.

Recommendations outside of Scope for Consideration

ARC 15. We recommend that the calculated estimate approach as detailed in FD 26 be tested for suitability to use as a proxy for actual data.

4.2.12. Roads (Department of Transport)

The Department of Transport and Planning (**DTP**) in Victoria is the central government agency responsible for managing and developing the state's transport network, including roads, public transport, freight, and active transport systems. It also integrates land use and planning functions, aiming to create thriving places and connected communities.

Under the Minister for Roads and Road Safety, the roads portfolio oversees the planning, construction, maintenance, and safety of Victoria's road network. This includes:

- Strategic road planning and investment
- Major road infrastructure delivery (via Major Road Projects Victoria)
- Road safety policy and programs (via Road Safety Victoria)
- Ongoing road maintenance and rehabilitation
- Traffic management and intelligent transport systems
- Heavy vehicle and freight route planning

SLM and DPC spoke with DTP representatives [REDACTED] (A/Principal Policy Advisor, DTP) and [REDACTED] (Team Leader Records Management Business Partnering, Roads DTP). The following is a summary of the key points:

- The records management system for roads (**DTP**) uses SharePoint and DMS (for diagrams and drawings).
- From mid 1990s documents should be stored at centralised storage area. Noting that some documents may be located in filing cabinets or even on someone's desk.
- The older records are held at a central warehouse archiving, but the quality of records is inconsistent.
- Searches of the record management system is limited to 10,000 items. Therefore, the search has to be specific in what it is retrieving.
- There have been some changes over the last 18 months in the record keeping area that manages these records, so the record keeping may be a challenge.

Activities Covered

The Roads Portfolio covers the following activities:

- Roads
- Transport Infrastructure
- Public and Active Transport
- Ports and Freight

Data Availability

Category	Availability	Comments
Start Date	NA	
Location	NA	
Land Size (of Lot)	NA	
Use / Activity	NA	
Current / Past	NA	

We have been in communications with DTP but have not been able to extract the appropriate data from the records management system EDRMS.

Limitations

The EDRMS is an independent system that is not linked to any mapping / asset management tool. This makes it a difficult task to cross referencing across the two platforms.

Findings

FD 27. Whilst some data relating to roads is available through Landfolio, SLM has not been able to obtain direct data from the EDRMS database. This

database has records relating to the major roads of Victoria that are managed by the State of Victoria (DTP).

Recommendations

- RC 21.** SLM recommends further investigation with DTP as to how the EDRMS system may be used to source data relating to road in Victoria.

4.2.13. Valuer General

The Valuer-General Victoria (**VGV**) is the state's independent authority on statutory valuations, operating under the Valuation of Land Act 1960. It plays a critical role in ensuring the integrity, consistency, and transparency of land and property valuations across Victoria.

The Valuer-General is responsible for:

Statutory Valuations:

- Oversees council rating valuations, which are used to calculate local government rates.
- Provides valuations for land tax, vacant residential land tax, and windfall gains tax.

Government Property Transactions:

- Conducts or oversees valuations for government land sales, purchases, leases, and acquisitions.
- Supports financial reporting by valuing public assets for departments and agencies.

SLM and DPC spoke with the Valuer General Robert Marsh. The following is a summary of the key points:

- The Valuer General office undertakes valuations for all departments for financial reporting purposes. These valuations are done on a rolling 5 year cycle. However, valuation is only done for the assets that are requested by the departments. The Valuer General does not have a complete list of all assets held by the State of Victoria. Therefore, if the departments leave out any assets to be valued, they will be missed in the valuation cycle.
- Valuations of land are used for many purposes (e.g. easement for public land). Valuation of such kind will mainly be in excel spreadsheets and go back 20 years. But whether records are kept maybe questionable. Individual valuation for land

tax purposes will be in fill books or excel stored in council's office. Last 5 years will be in report format (word).

- The valuation data will come in the form of spreadsheets and go back approximately 20 years. But the record keeping may be questionable.
- The Valuer General normally aggregates the data from different departments to do valuations but doesn't take into account tenure type, etc.

SLM made a requested for some samples of valuation data over the past 20 years for the relevant departments, as per figures in the Annual Reports relating to Crown Land holdings. We are uncertain if this will be released to SLM, but believe that the data in some form should be available.

Activities Covered

Theoretically all Crown Land has a value ascribed. The question is whether that valuation comes in the form of individual valuation of the parcels, or from a matrix of valuation rates that apply across different locations, land types, and tenures.

SLM have made enquires as to the valuation approach and is awaiting a response as of the date of this Report.

Data Availability

Category	Availability	Comments
Start Date	Date of valuation	5 year cycles with indexation in between
Location	Yes	Coordinates and SPI number
Land Size (of Lot)	Yes	From asset list
Use / Activity	Yes	From asset list
Current / Past	Last 20 years	Possible Inconsistencies in the aggregate of assets LUAA's from 2019 are reports by Valuer General

SLM yet to receive a response to its enquires. Conclusions in table above from initial conversation with the Valuer General.

Limitations

Crown land is not valued on an individual basis unless there was a reason to do so, usually by request for a transaction such as a LUAA, or for a special project such as the Dja Dja Wurrung Clans ILUA audit in 2020.

Pre 2000s asset valuations are an exception rather than the rule and would generally not be available.

Findings

- FD 28.** Details of valuations of Crown Land assets within the last 5 year cycle would be the most likely to be available.
- FD 29.** Records of historical valuations are subject to the quality of the record keeping by the recipient of the valuation.
- FD 30.** Taken from the notes of the Financial Reports, the Valuer General may aggregate different data from a department to undertake the valuation, and does not typically take into account tenure type, etc.

Recommendations within Scope

- RC 22.** Request and review all the valuation data that the Valuer General has within its records.

Recommendations outside of Scope for Consideration

- ARC 16.** Upon completion of the bulk data collection on impacted Crown Land parcels—including commencement dates, location, land size, and current use or activity—request a valuation as at the relevant date from the Valuer General to enable the retrofitting of historical valuation data.

4.2.14. PROV

Public Record Office Victoria (PROV) is the official archive of the State and local government in Victoria, Australia. Established under the Public Records Act 1973, PROV is responsible for preserving and providing access to public records of enduring value. It holds approximately 100 kilometres of hard copy records and over 600,000 digital records, dating from 1836 to the present day.

PROV's core functions include:

- Setting mandatory recordkeeping standards for Victorian government agencies.
- Advising and assisting agencies in complying with these standards.
- Preserving public records deemed to have permanent value as part of the state archives.
- Ensuring public access to these records, either online or through its Reading Rooms.

The office also supports researchers, runs public programs and exhibitions, and offers grants and awards. It operates from the Victorian Archives Centre in North Melbourne, which features public facilities, exhibitions, and research services.

SLM and DPC met with PROV representatives [REDACTED] (Senior Manager, Government Recordkeeping, PROV), [REDACTED] (Manager Documentation and Transfer, PROV) and [REDACTED] (Manager Koori Records Unit, PROV). The following is a summary of the key points:

- Confirmed that PROV hold digital and physical records from 1836 to the present day (accessible online or onsite Reading Rooms).
- The PROV team sought clarification on the definition the public works and public land.
- Data is kept and catalogued based on who was the originator (Department or agency).
- Data is not catalogued by topic or nature of activity.
- All data is in hard copy physical form.

- With certain information, there is a regulatory requirement for information to be kept, such as notices in the gazette. These are digitised, which is a scanned copy of the physical document.
- Physical archiving of data to PROV is not pre-determined, but only occurs when it is required. The requirement usually happens when there is a specific event that impacts the Department or agency, that leads to a need to transfer documentation that was previously stored onsite with the Department or agency, requiring a new home. As this trigger event is not time bound, it is difficult to know precisely the starting point of archiving for each Department.
- It was also noted that financial transaction records are not kept permanently.

Data Availability

SLM received a list of all the likely departments and agencies that would hold the information that was requested. This determination was subjective and undertaken by the team at PROV.

Within the list of departments and agencies, there was a date range for when the agency was active, and suggested record series codes that may be relevant and available. In all, 79 agencies were highlighted as holding potentially relevant information.

For each of these 79 agencies, PROV provided a list of the record series that PROV holds for that agency. The agency identified may have been the creating agency for the records or they may be the agency that was responsible at the time the records were archived. Some records series show up across multiple agency listings.

Each record series is assigned a VPRS (Victorian Public Record Series) identifier. Within a record series, there are individual record items such as a plan or a file. The catalogue is searchable by the VPRS number.

Limitations

The large number of agencies and record series identified by PROV highlights the enormous task and volume of documents that would have to be sorted through in order to distil the information into a useable database.

The records are in physical form, with no telling if a file box would have the requested data contained within or not. It could be every data item required, or it could be just one item, or nothing at all.

Any data found would then have to be catalogued and digitalised into a database.

Even if all recorded data is found within the records, it is not guaranteed that the data is complete and captures all activities on Crown Land.

Findings

- FD 31.** PRVO has kilometres of data in physical hard copy format that can be requested and viewed at the Victorian Archives Centre in North Melbourne.
- FD 32.** Whilst there is an online catalogue search function by record series, and SLM has been provided a number of potential avenues to investigate, the sheer volume of data makes it an impossible task to sort through all of the data in order to aggregate and draw conclusions.
- FD 33.** Furthermore, we had no confidence that any data sampling approach we adopted would form the basis for extrapolating across a record series. This is due to the variability in the contents of each box (i.e. the quality of data, the right documents), being largely dependent on the approach of the person that undertook the original archiving.
- FD 34.** As mentioned under limitations of the dataset, the records within PROV are only as good as what was archived. Variations from agency to agency, different time periods and different individuals who performed the archiving, all contribute to the inconsistencies inherent within the

archived records. The return for effort and resources spent is uncertain and difficult to justify.

Recommendations within Scope

RC 23. We recommend limiting the extraction of the data from PROV to:

1. Identifiable individual assets of significance;
2. Where the data in question covers a large land area;
3. Where the data in question covers a land area of significant value

RC 24. We cannot recommend the use of PROV for bulk data extracts due to the time it would consume and the labour intensive requirement of the exercise.

Recommendations outside of Scope for Consideration

ARC 17. An alternative approach will be necessary for the historical data when the current data available within the respective Departments and agencies is insufficient.

Attachment A – Terms of Reference to SLM

Terms of Reference for an interim scoping commission on compensation issues

Background

As part of the First Principles Review of the Traditional Owner Settlement Act, the parties to the Review examined the calculation of compensation amounts paid under Settlement Act agreements in light of the decision of *Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones* [2019] HCA 7 (Timber Creek decision).

The First Principles Review Committee (the Traditional Owner party to the Review) recommended that a new compensation model be developed based on compensation for historical land use activities, plus interest payable. The proposed model will require access to, and analysis of, significant amounts of historical data.

This interim scoping commission, which forms part of a broader commission investigating the development of a new compensation model, is expected to assist with understanding the comprehensiveness and reliability of data to be utilised in any such model. The expert is asked to broadly address the feasibility of including land use activities such as Major Public Works and Public Land Authorisations in such a model (for which the data availability is currently unknown).

Brief

The expert is asked to:

1. Investigate what sources of information are available for each of the following State government activities from 1975 to May 2024 that occurred on public land and waters:
 - a. Public Works
 - b. Public Land Authorisations
 - c. Earth Resource Authorisations

2. conduct interviews with relevant regional government offices (including but not limited to the Department of Energy, Environment, and Climate Action and the Department of Transport and Planning) that may hold historical public land information.
3. investigate, and conduct interviews with, any other potential holders of historical land use information, such as the Public Records Office Victoria.
4. investigate, and conduct interviews with, the Valuer General's Office regarding historical public land valuation information.
5. report on the accessibility and usability of each source of information.
6. report on the usefulness of each source of information for the purpose of identifying historic land uses, historic land values, and the impact of activities on Traditional Owner Rights (as in section 9 of the TOS Act).