

21 April 2021

Land Management Policy Division
Department of Environment, Land, Water and Planning (DELWP)
PO Box 500
East Melbourne VIC 8002

To the DELWP Land Management Policy Division

Proposed Land (Regulated Watercourse Land) Regulations

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a brief submission in response to the proposed *Land (Regulated Watercourse Land) Regulations*.

The *Parks and Crown Land Legislation Amendment Act 2020* (the Act) was passed by Parliament in late 2020. The Act delivers on an election commitment to remove the prohibition on camping on licensed Crown water frontages to provide the public with access to more areas for recreational fishing and camping.

Over the last several weeks a number of councils have contacted the MAV with questions and concerns about the legislative amendments. In addition to concerns about potential negative impacts on councils' own operations, they report significant disquiet among local residents who are concerned that the removal of prohibition on camping will lead to:

- Increased fire risk from unattended or inappropriate campfires
- Biosecurity risk from incursion by vehicles, peoples, animals or litter and risk to farmers' adherence to quality assurance schemes that allow access to international markets
- Risk to animal and waterway health from pollution of land and water from human faeces and litter
- Disturbance of animals, especially during birth and when vulnerable to mismothering
- Illegal removal of vegetation and firewood
- Risk to road users and stock when gates left open allowing stock onto public roads
- Trespass through private land to access licenced water frontage to collect firewood and hunt
- Risk to road users and stock when gates left open allowing stock onto public roads
- Financial burden on licence holders due to increased management requirements
- Risk to safety and wellbeing of animals, family members, workers and guests due to firearm use and trespass
- The need for signage to ensure that Crown land versus private freehold land are clearly delineated to reduce trespass issues.



We understand that a number of Victorian councils are intending to make their own submissions in response to the proposed regulations. We would recommend DELWP refer to Mansfield Shire Council's submission for a clear and concise summary of the key concerns of some of our rural shires and their local residents.

With much of last year dominated by COVID-19 related concerns, we question whether the State undertook sufficient consultation and communication regarding these changes with affected licence holders and other stakeholders. Noting that it is the Victorian Fisheries Authority (VFA) leading the charge, we also question whether other relevant agencies such as Agriculture Victoria, Fire Rescue Victoria and the Country Fire Authority were adequately consulted given the potential implications on their workloads.

Of particular concern to the MAV is the readiness, capability, and capacity of the relevant state agencies to educate licence holders, recreational fishers and campers, councils and the community about the proposed regulations. We also question the agencies' willingness and capacity to undertake compliance and enforcement action when the regulations are breached.

We understand that the regional offices of DELWP and Parks Victoria tend to have resource limitations and unlikely able or willing to respond to reports of non-compliance in a timely manner. This is of significant concern not only to councils but also to licence holders who fear that it will be left to them to educate campers, to intervene when regulations are not being complied with and to clean up any residual damage.

The MAV is also concerned that council local laws officers will be expected to take on some of the burden of compliance and enforcement action. There is little confidence that the VFA 24-hour hotline will be effective in addressing illegal or antisocial behaviour.

Based on feedback from our members it is clear these legislative changes and the proposed regulations are not well understood. It would appear that the information being provided by VFA and DELWP is not addressing community questions and concerns. Licence holders are reportedly anxious about the implications of the changes and seem unsure of what rights they have and who to turn to for assistance and advice.

We consider it important that additional engagement with affected licence holders occur as a matter of priority to address their questions and concerns. We also think it essential that a review of the social and environmental impacts of the removal of the prohibition on camping be reviewed after 12 months.

Should you have any queries about this matter, please contact Claire Dunn, Manager Built and Natural Environment at cdunn@mav.asn.au

Yours sincerely



Kerry Thompson
Chief Executive Officer