

## **Committees of Management - Submissions**

Balnarring Foreshore and Parks Reserve

Barwon Coast CoM

Bellarine Bayside

Gippsland Ports CoM

Great Ocean Road Coast Committee

Merricks Beach Foreshore Reserve CoM

Point Leo Foreshore

Shoreham CoM

Tooradin Foreshore CoM



## **Balnarring Foreshore Parks and Reserves Committee of Management Inc.**

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The Honourable Lily D'Ambrosio MP  
Minister for Energy, Environment, Climate Change and Suburban Development

20<sup>th</sup> October 2016

RE: SUBMISSION ON THE MARINE AND COASTAL ACT CONSULTATION PAPER

Dear Minister,

I write to you on behalf of the Balnarring Foreshore Parks and Reserves Committee of Management (CoM). Our CoM is responsible for managing 80ha of public land abutting Westernport Bay.

The CoM have considered the consultation paper and generally support the eight objectives and seven drivers for change identified in the paper (Q.4).

The CoM agree that some rationalisation of the governance arrangements at a regional level will reduce the complexity of management arrangements and contribute to efficiency. The existing approvals processes for works undertaken by smaller CoM's are onerous and duplicitous compared to Local Government and Parks Victoria when they act as CoM (Q.2). Ensuring that any new governance arrangements and legislative changes simplify and streamline approvals processes would be strongly recommended by the CoM (Q.16).

The transitioning of smaller CoM's to larger CoM's at a local level may also contribute to management efficiency (Q.9). The process should involve local communities, existing CoM's, existing staff and include a cost benefit analysis. The cost benefit analysis should include an analysis of the economic, environmental and social impacts of any changes.

We would also like to recognise the value of the human resources that exist within the existing CoM's and their staff (Q.9). Any transition should seek to make best use of the formal and informal knowledge that exists within committee members and staff (Drivers 6 & 7).

The CoM has considered options for the transition to a larger CoM within the local area (Q.9). We feel that the inaugural larger CoM would benefit from involvement of existing smaller CoM's members. We also feel that sub committees established by the larger CoM could call upon the knowledge of members of the existing smaller CoM's. Any transitional arrangements should also include suitable safeguards for employees of the CoM's.

We thank you for the opportunity to contribute to the future arrangements for management of the marine and coastal areas in Victoria.

Yours sincerely,  
Belinda Williams  
President  
Balnarring Foreshore Parks and Reserves CoM

# Barwon Coast response to MACA consultation paper – November, 2016

## Barwon Coast Committee of Management response

### Marine and Coastal Act – Consultation Paper

10/11/2016

#### Executive summary

On behalf of Barwon Coast Committee of Management (BCCoM), a significant and well respected coastal manager and Category 1 CoM, we submit this response to the MACA consultation paper as a fair representation of our considered and collective views.

Overwhelmingly, BCCoM members and BC staff are very positive and supportive of MACA and the formation of the new VMCC. MACA is a high level, strategically important matter which required input from both our most experienced CoM members and our most senior management personnel.

We attended the Torquay Practitioner workshop on 11<sup>th</sup> Oct., and facilitated internal discussions in smaller groups amongst the CoM members and amongst our senior management.

Our previous draft response is again submitted as **Attachment 1** and simply contains verbatim comments from individuals before any analysis or further discussion was possible. **The various colours of text are deliberately linked to different responses from individuals and small CoM sub groups.**

We have now had more time to discuss MACA issues in greater detail and gain a collective view on where we stand which is contained in this final response. To develop this collective view, a score sheet was produced, which summarised all views presented by individuals as per our draft response. This score sheet was circulated and returned to give a combined master scoresheet which we have now included with this response. Together, this now represents the considered views of our 6 most experienced CoM members and 4 of our most senior managers.

Our main priorities are clearly stated and highlighted in **green** - these achieved an averaged agreement score of greater than 4 on our 1-5 scale. Items with an average score of between 3 and 4 are highlighted in **orange** and are still very important considerations.

We hope this collective Barwon Coast view is now quite meaningful, easy to read and makes your task in summarising our feedback quite straightforward. The more detailed comments in our draft response (**see Attachment 1**) can be referred to if any of our summarised items on our scoresheet are not clear.

We look forward to viewing the report on all responses to this paper and confirm that we are keen to be considered in future targeted consultation discussions.

Regards,



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## Barwon Coast response to MACA consultation paper – November, 2016

### General comments not covered under other MACA headings

CoM and BC comments	Average score out of 5
Greater recognition of Victorias M&C leadership position and the many strengths of the current management system should be included in MACA	3.30
Past budgetary constraints have reduced the effectiveness of good M&C governance and management eg RCBs and if MACA and the new VMCC are to be successful, adequate recurrent funding must be included	4.40
38 recommendations agreed by State govt in response to VEAC Marine Investigation need to be included in marine management section of MACA	2.20
There is a need for increased enforcement of breaches and power to deliver PINs by land management personnel	4.30
The responsibility for monitoring and reporting on water quality in waterways and into the sea needs to be explicit	3.80
Local ports need to be defined and identified as distinct from private and commercial ports	3.30
Need clarification on how MACA will link with other Acts such as Crown Lands Act	4.10



## Barwon Coast response to MACA consultation paper – November, 2016

### 3. Clearer governance and institutional arrangements & 3.1 Establishing a Marine and Coastal Council

CoM and BC comments	Average score out of 5
Agree with Marine responsibilities being under VMCC	3.50
VMCC Board members skills should be broad based but not legislated	3.30
Need for regional representation and/or regular regional engagement with VMCC	4.00
Need for senior agency reps on VMCC eg DELWP; Parks Vic, CMAs, RCBs	3.90
VMCC to encourage and support coastal & marine scientific research	4.40
Legislate requirements of the Minister to ensure adequate resourcing	3.40
<b>3.2 Preparing state-wide policy and strategy for marine and coastal areas</b>	
All key marine and coastal sectors are considered in VMCS including fisheries and transport	3.50
Strong support for whole of government ownership of VMCS and VMCC as the lead in develpt.	2.40
Support policy and strategy separation but policy to be linked to strategy not party politics	4.20
VMCS should also address biodiversity and sustainability priorities	4.30
Marine Spatial Planning should focus on increasing marine protected areas	2.30
<b>3.3 Boosting the role of coastal Catchment Management Authorities</b>	
Adding CMAs as a new entity adds complexity to Coastal Land Management contrary to aim of simplification	2.90
This requirement is not core business for CMAs and would require much resourcing and up skilling	2.40
CMA coastal land should be allocated to experienced adjacent M&C Managers rather than create duplication of M&C managers	3.40
CMAs better placed to focus on Regional Catchment Strategies on coastal and marine NRM issues	3.60
CMAs also better placed to focus more on providing flooding/coastal erosion/pest management and water quality information	3.00

<b>3.4 Providing for Regional and Strategic Partnerships (RASPs)</b>	
RASPs a sensible approach but requires leadership and administrative coordination	2.90
Appointment of RASPs by Minister on advice from VMCC seems centralised and may be less responsive to regional needs	2.60
RCBs well placed to be administrator/coordinators of RASPs	1.60
<b>3.5 Phasing out Regional Coastal Boards</b>	
Regional Coastal Boards should not be phased out but need adequate resourcing to operate as intended	2.50
CMAAs would need adequate resourcing and a significant and willing change of focus if they are to assume the role of RCBs	3.70
Regional Coastal Boards could also assume marine role to become Reg. Marine and Coastal Boards	1.90
Relationships between CoMs, LGAs etc and CMAAs would need to be very clearly stated	4.50
<b>3.6 Transitioning from smaller Committees of Management (CoMs)</b>	
Agree with transitioning some smaller CoMs to larger ones	3.90
Representation from smaller CoM on larger CoM should be considered	2.30
Additional responsibilities on larger CoM will require additional resourcing	4.50
Barwon Coast to assume responsibility of additional coast from Pt Lonsdale to Breamlea	2.60
<b>3.7 Maintaining and promoting volunteers in coastal land management at the local scale</b>	
Strongly support promoting volunteers with additional support like insurance; OHS; training; reporting	4.50
MACA should indicate a VMCC role to oversee volunteer and community participation at a strategic level	3.50
<b>3.8 Promoting greater use of shared services and better integration</b>	
Strongly support shared services and knowledge sharing across all levels including LGAs; CoMs; RCBs; CMAAs; PV; EPA; VicRoads	4.60
<b>3.9 Strengthening the role of Parks Victoria</b>	
Reduce number of roles of PV and allow greater focus within available resources and funding	3.30
Allocate some PV current roles to other groups better suited eg tourism promotion	3.80
<b>3.10 Promoting a greater role for Traditional Owners</b>	
Strongly support this initiative	4.00
Consider using TO persons in Coastal management programs. CoMs to be resourced to offer employment and mentoring programs	3.70

## Barwon Coast response to MACA consultation paper – November, 2016

### 4. Strengthening marine management, policy and planning

CoM and BC comments	Average score out of 5
VEAC Marine Investigation 38 government responses need to be integrated with MACA	1.80
Add Coastal Waters Reserves into this area of MACA	2.40
Include integrated approach to managing marine pests in a multi sectoral manner	3.00
Need to define exactly what is meant by the words 'marine' and 'foreshore'	3.90
Need to include recognition of biodiversity and flora/fauna priorities in coastal and marine environments	4.10
Need to fix coastal boundaries at a point in time given the likely change in coastlines ahead	1.70
<b>4.1 Greater marine focus in strategy and policy</b>	
Strongly support	4.00
Consider attracting revenue from users such as boating and fishing for use by marine managers	3.30
<b>4.2 Developing a Marine Spatial Planning framework</b>	
Strongly support but not relevant to Barwon Coast CoM role	2.40
Need to define areas to be planned such as flora and fauna conservation, tourism, transport, fishing, mining, energy sector	3.20
<b>4.3 Providing a greater focus on Port Phillip Bay and other priority areas</b>	
Strongly support with EMPs to also be established for other heavily used, high value embayments and estuaries	3.20
Coordination of EMP development would suit a regional focus body such as current RCBs	2.50

## Barwon Coast response to MACA consultation paper – November, 2016

### 5. Integrating planning systems

	Average score out of 5
<b>5.1 Strengthening CMPs</b>	
Strongly agree that CMPs are required for all coastal and marine managers	4.80
CMPs should make specific reference to other related management plans such as landscape & master plans being implemented during the term of the CMP	4.60
CMPs should make specific reference to habitats, biodiversity and maintenance in accord with State strategy	4.40
Need clarity around relation between CMPs and MACA and other state legislation	4.60
<b>5.2 Keeping a consent provision in the new Act</b>	
Agree - Ministerial consent within the new act should be retained	3.50
Bulk consent for CMP and Master Plan approved and defined works should be included in new Act	3.30
Need to eliminate/reduce duplication and conflicts between Planning & Env't. and Coastal Management Acts	4.80
<b>6. Adapting to climate change and 6.1 Introducing legislation that recognises climate change</b>	
Strongly agree with MACA legislation to recognise climate change within clear limits and avoiding duplication with other existing legislation	4.80
MACA legislation should also set objectives for managing additional threats such as invasive species and poor water quality	4.30
<b>6.2 Provide greater guidance for decision makers in an uncertain environment</b>	
VMCC should establish a suite of baseline conditions to be monitored over time	4.00
Need to establish who is responsible for this monitoring	4.10
BC and CoMs should be more involved in planning processes for adjoining and private land and infrastructure	3.90
VMCC should provide all coastal managers clear guidance on planning to protect or retreat from vulnerable coastal areas to ensure state-wide consistent messages and application.	4.10

## Barwon Coast response to MACA consultation paper – November, 2016

	Average score out of 5
<b>7. Sustainable resourcing of the proposed system CoM and BC comments</b>	
Sustainability will require a combination of both adequate binding recurrent State funding and beneficiary pays revenue streams	3.20
Beneficiary pays principle is currently inequitable - only some users pay and many major and lesser users don't pay	4.10
Also need to specify funding allocation for habitat and biodiversity priorities	3.90
<b>7.1 Increasing transparency of costs and revenue</b>	
Support as long as transparency is a true level playing field across all coastal managers	2.70
There is limited public understanding of how coastal management is funded. Public education should be part of any increased user pays programs	4.70
<b>7.2 Greater beneficiary pays</b>	
Strongly agree with moving to a more equitable beneficiary pays funding scheme	3.70
Visitors in coastal caravan parks contribute over 90% of our revenue and should not be further levied	3.60
Profit from Coastal caravan park operations is vital to CoM activity and should not be levied	4.50
Coastal caravan parks on Crown land must remain under LGA and CoM management and not move towards private operators	5.00
Any proposed new levy must be clearly indicated as an additional State levy for M&C management	3.80
Any proposed caravan park levy should also apply to private park operators	2.80
Additional park fees may prevent some people from being able to visit our coast	2.50
BC suggests a levy collected by LGAs as part of rates (like fire services levy) is more equitable capturing the majority of users	3.70
State govt. benefits from Coastal Managers efforts so should be required to underpin activities with recurrent funding at least in recognition of the natural resources management in coastal reserves	3.30
<b>Other user pays opportunities exist including:</b>	
seasonal car parking fees in coastal car parks	2.50

boating and fishing fees from licences and launching	2.60
Dog levy on coastal ratepayers	0.60
taxes on property/businesses sold on coastal land	0.90
<b>7.3 Targeting resources to where they are needed most</b>	
Funding from both State and any centralised fund should take into account a 'level of service' principle including level of public use, natural, indigenous and heritage value; impacts of climate change in different locations.	4.10
A solid business case for coastal and marine management is required	3.60
The administration of any centralised funds needs clarity and appropriate expertise to support informed decision making	4.30
<b>7.4 Better articulating cost sharing arrangements</b>	
VMCC should develop a business plan for sustainably and equitably managing M&C areas alongside the VMC Strategy	3.40
A state revenue process like BERC (Budget & Expenditure Review Committee) should support Coastal land managers priorities	3.20
<b>7.5 Continuing to invest in capacity building, sharing technical expertise and volunteer programs</b>	
Support this as long as this is coordinated and resourced and not viewed as a potential cost saving to M&C managers leading to reduced funding levels	3.40

## Barwon Coast response to MACA consultation paper – November, 2016

### 8. Improving knowledge of the condition of marine and coastal areas & 8.1 Understanding the condition of marine and coastal areas

	Average score out of 5
<b>CoM and BC comments</b>	
Vic. needs to invest in a central knowledge inventory and support research through agencies and community opportunities	4.20
Use of modern technologies such as data logging sensors and mobile apps must be included as tools	3.80
We need a clear strategy to guide and direct M&C research and include citizen science programs	4.20
<b>8.2 Building capacity and knowledge transfer</b>	
Fully support this initiative	4.60
Need to determine mechanisms which will facilitate knowledge gathering and sharing between managers, agency scientists, community members and researchers	4.50
A spatially formatted and collaborative online M&C system which can be accessed by all contributors and managers should be established	4.50
<b>9 Boosting community involvement</b>	
Current engagement of volunteers and stakeholders in education, research, conservation and governance is highly variable across the state with some undesirable overlap and competition between managing authorities and community groups	2.20
An overall state-wide focus for promoting effective and efficient community involvement should be included in MACA	3.60
Development of a state-wide strategy for boosting community involvement should be a role for VMCC	3.10
Vic needs to coordinate and capitalise on growing number of public and private sector initiatives involved in school and community education and understanding of M&C issues	3.30
VMCC could provide guidance on priorities, best practice delivery, shared messaging and opportunities for capacity building and skills development in community programs	3.50
There will need to be adequate resources available to support this strategy implementation	4.40
Delivery of community programs would substantially rest with the M&C land managers and contributing organisations	4.00

## Barwon Coast response to MACA consultation paper – November, 2016

### Attachment 1: Barwon Coast draft response with full individual member comments.

#### General Comments not covered under MACA consultation paper headings

- Within the description of the current system and arrangements for management greater support and recognition of the strengths of Victoria's previous and current approaches to leading coastal management in Australia should be given.
- There is a need to build on the many strengths of the current system and the challenges requiring improvement should not be overplayed. As stated at one of the workshops – this process should be “evolutionary not revolutionary”.
- The growing impacts of budgetary and capacity constraints on effecting good marine and coastal governance are not adequately discussed,
  - For example, arguments for the replacement of Coastal Boards and their presentation as being inefficient and duplicating the work of other bodies is highly misleading in that many of the issues raised have arisen as a direct consequence of reducing staff and resourcing, and significantly also by the loss of capacity effected by removal of participation by key regional agencies such as Parks Victoria and DELWP in the activities of the Boards.
- The new MACA and proposed Council particularly need to recognise and reflect the need for good governance and oversight at state, regional and local levels for strategic planning, policy development and tracking and reporting on program delivery.
- In spite of the focus on marine management no consideration or reference is made to the 38 recommendations supported by the [Victorian Government Response to the VEAC Marine Investigation](#) are included, with considerable reference to the MACA in giving traction to many of these recommendations within the response.
- The directions for providing increasing requirements for and strengthening the roles of Marine and Coastal Management Plans as primary tools for regional and local planning and delivery is strongly supported, with a view that these should also strongly integrate other existing plans (such Vegetation Plans / Community Engagement Plans) as key contributors to their development.
- Blanket consents for activities within approved coastal management plans should be facilitated where these have been signed off by key stakeholders and Minister.
- **There is a need for regulation and derived enforcement powers to be linked to CMPs to provide organisations like Barwon Coast with the ability to be able to take direct action against breaches**
- **It is still unclear which body is responsible for monitoring & reporting the quality of water in the waterways and into the sea. This is a high risk for Barwon Coast taking into account the level of development in Ocean Grove and Armstrong Creek.**
  - The reliance by City of Greater Geelong (COGG) “drainage plans” to distribute stormwater into the Barwon River another example.
- **Too many cooks in the kitchen – strengthens bureaucracy**
- **The Act must provide provisions for PINS and authorisation of officers – this also requires clarification on who can become authorised. If it is not picked up in this Act, authorisation defaults to Conservation Forest Lands Act. Would be neater to package in here. PINS must be considered. Are we just reinventing ‘gummy shark’ documents or do we want a ‘white pointer’ that has teeth and all documents to be applied for their intent. Time to get serious about what we are managing and provide provisions for protection.**
- **Enforcement, note observation in the document that recommend penalty provisions in consent procedures, if a head of power is established in new Act for penalties is this also the opportunity for the mechanics that this head of power could be expanded for the purpose of preparation of regulations incorporating infringements. [there is legislation for compliance and authorised officers].**



- **In the executive summary, as port authorities, should expand reference for identification of Local Ports as distinct from private commercial ports, as significant differences in scope of services along coast and public activity.**
- There doesn't appear to be any synergy/links clarification on how this Act will consider the Crown Land (Reserves) Regulations, which it probably should, especially given the proposed changes to how distribution of funding may play out.
- The Act, policies and strategies require strong and clear language to enable application of these documents for their true intent. Current documents fail in this as most of the time are considered or have regard to, does not imply application

## Barwon Coast response to MACA consultation paper – November, 2016

MACA heading	General comments	Specific comments
<b>3. Clearer governance and institutional arrangements</b>		<p>Question 6 ( Section 3)</p> <p>The new act will be good as it avoids jurisdictional boundary issues at the beach</p> <p>MCC Board members - I do not think the skills need to be legislated other than to say it needs to be multi-disciplined.</p> <p>Question 8 CMAs - I think there will be potential for overlapping responsibilities. It will need to be made very clear the responsibilities of each organisation i.e. CoMs and CCMAs.</p> <p>There should be references in the legislation that ‘Requires the Minister’ ‘to do’ or ‘to have done’ thus putting an imperative on the provision of adequate resources for the implementation of actions.</p> <p>Some examples where benefit for the Minister to require;</p> <ul style="list-style-type: none"> <li>- Environmental Sustainability Commissioner, undertake a Marine/Estuaries/Coast assessment in a timely manner (within &lt;1yr) every 5 years</li> <li>- Victorian Marine and Coastal Council have senior department deputy secretary officers, for the like of one or more; biodiversity, planning, water, sustainability and representative of Parks Victoria and Catchment Management Authority Council. Similarly that the CMAs have improved representation across government</li> <li>- Victorian Marine and Coastal Council, expand the Science Panel to support the role of research, to have resources to provide leadership in encouraging and engaging the research community and to be able to provide timely and wide dissemination through all levels of authorities.</li> </ul>

<b>3.1 Establishing a Marine and Coastal Council</b>	<p>The scope of the new body expanded to include marine. Its coastal and marine strategy role looks similar to current VCC in operation but with a broader role.</p>	<ul style="list-style-type: none"> <li>• Strongly support including marine responsibilities explicitly in the scope and oversight responsibilities of the proposed new governance groups including the Victorian Marine and Coastal Council, as well as regional bodies.</li> <li>• The proposed VMCC would benefit by having a structured engagement program to ensure that issues that emerge in Barwon Coasts management area are picked up and where required addressed.</li> <li>• The VMCC would benefit by having senior agency representatives from DELWP, PV, CMAs, as full time members given their significant roles in both marine and coastal management, as occurred in earlier iterations of the VCC (and Regional Coastal Boards). This would help restore capacity for implementing and aligning the work of the VMCC, agencies, and their key partners including CoMs.</li> <li>• <b>Strong need for clear regional representation on VMCC and regular engagement and 2 way communication pathways established.</b></li> </ul>
<b>3.2 Preparing statewide policy and strategy for marine and coastal areas</b>	<p>State wide policy. This is new initiative for the MACC to prepare state-wide marine and coastal policy - guidance to decision making for issues that impact marine environments or are matters that affect a range of marine sectors.</p>	<ul style="list-style-type: none"> <li>• Need to ensure all key marine and coastal sectors get adequate consideration in the development of state-wide strategy – some marine sectors very underrepresented at present in VCS part. transport and fisheries which will need to be part of the new VMCS</li> <li>• Strongly support a whole of government ownership of the strategy for marine and coastal areas with the proposed VMCC as the lead in its development</li> <li>• Separating policy from strategy has benefits particularly in articulating and adequately recognising resource needs for implementation and should lead to better focus on achieving these.</li> <li>• Some risks that “policy” component may become political in nature and is ultimately more strongly influenced by party platforms rather than being an expression of the strategy – need to ensure a mechanism, that directs policy to be an expression of the strategy to avoid this.</li> </ul> <p><b>- It would be beneficial for there to be an expansion of the expectation of the marine and coastal policy to refer to biodiversity and sustainability priorities. Marine Spatial Planning should have a focus to increase the extent of marine protected areas.</b></p>
<b>BC Case for retaining RCBs</b>		<p>There are some clear benefits in retaining the Regional Coastal Boards as the coordinating bodies for regional planning in marine and coastal areas by retaining the CMA purpose of</p>

		<p>integrating management and planning.</p> <p>RCBs could play important role in the proposed RASPs providing a mechanism for establishing groups amongst partnerships required, and give effect to the outputs as regionally focussed Coastal Management Plans.</p> <p>The current model for Coastal Boards is inadequate and a rebuild of capacity to better coordinate and effect strategic regional planning is required. This includes:</p> <ul style="list-style-type: none"> <li>• allocating sufficient staff resources for CB to be able to effectively manage and coordinate regional planning initiatives and oversight for RASP development implementation and reporting on progress</li> <li>• better funding model for achieving integrated planning</li> <li>• able to seek grants, submit bids through BERC processes, and able source additional funds for projects (based on beneficiary pays?)</li> <li>• rebuild board capacity through re-establishing positions for key agency representation and participation (especially for PV / CMAs / DELWP)</li> <li>• ensuring that boards have additional and adequate marine expertise and that appointed members are skills based</li> </ul> <p>Advantages of retaining boards would be retaining skills, well recognised entities (but could do with a boost), and build on the current governance arrangements for state, regional, and local participation in strategy, policy and implementation</p>
<b>3.3 Boosting the role of coastal Catchment Management Authorities</b>	<p>The new arrangements to cover coast and marine areas in coastal CMA strategies may require additional BC input/capacity.</p> <p>The reforms 3.3 – 3.5 will create new governance structures with the phase-out of</p>	<p>Although attempting to simplify Marine &amp; Coastal governance which is commendable, the document proposes introducing CMAs as another new governance body which is adding complexity. Although being geographically connected to the coast, CMAs would need to provide additional resources to develop a whole new range of skills and expertise and CMPs which is beyond their current core business and duplicates what experienced existing adjacent coastal land managers already do.</p> <p>Suggest we look at utilising these adjacent coastal land managers instead of CMAs to manage these coastal areas.</p> <ul style="list-style-type: none"> <li>• How much appetite is there for this change within CMAs given they already have “a lot on”.</li> </ul>

	<p>the three Regional Coastal Boards. The coastal/marine planning role to go the five coastal CMAs that would have a boost in coastal and marine expertise to adequately be able to take on the challenges for coastal and marine management.</p>	<p>(Noteworthy that NO CCMA reps / board members attend the MACA briefing in Torquay!)</p> <ul style="list-style-type: none"> <li>• To achieve this would require a significant input of resources and capacity building of staff and adequately informed board members with coastal and marine skills</li> <li>• CMAs are not currently resourced or focussed for much marine / coastal management (some outstanding exceptions re estuary / bay management leadership)</li> <li>• Sounds good for some areas of work but many coastal / marine issues are well outside the current NRM focus of CMAs – eg tourism, management of access, structure planning, sustainability and community participation, managing population growth</li> <li>• CMAs may be better positioned to develop as a component of Regional Catchment Strategies (RCSs) regionally focussed strategies to deal with Coastal / Marine <u>NRM</u> issues</li> <li>• Issues that CMAs may potentially be able to consider include including flooding / coastal erosion / pest management / water quality</li> <li>• Strategies developed within RCSs developed would be led by CMAs partnered by CoMs and other land managers</li> <li>• An alternative to this approach of allocating Regional Coastal Boards (RCB) roles to CMAs is to maintain RCB but ensure that CMAs are an active group in regional marine and coastal NRM planning, alongside other NRM landscape managers by representation on Coastal Boards <ul style="list-style-type: none"> <li>• Good model previously at CCB where chair of PPWCMA (Mick Lumb) was a member of CCB and Chair of CCB (Liz Johnston) a member of the PPW CMA board.</li> </ul> </li> </ul>
<p><b>3.4 Providing for Regional and Strategic Partnerships (RASPs)</b></p>	<p>For sub-regional planning to address key issues or significant cross tenure matters RASPs are proposed. There are key areas for PV that should be involved in RASPs e.g. in Port Phillip and Westernport but also potentially in regional coastal areas as</p>	<p>Discussion the consultation paper in regards the role of RCBs is a perspective that does not adequately consider the roles of the Boards in integrating coastal management and the potential they could play in continuing to ensure regional priorities are addressed, and that there is a clear lead and accountability for establishing RASPs.</p> <p>RASPs sounds like a sensible approach in that groups of land managers can be established for specific matters of mutual interest.</p> <p>There is vagueness in regards how these groups will be chaired, resourced, and report, and the level of oversight to not only planning but implementation and measuring success.</p> <p>Appointment of RASPs by Minister with support of organisations, on advice from state-wide Council appears to be contrary to ensuring regional partnerships are brought together and</p>

	required.	<p>responsive to regional needs.</p> <p>Managing and providing resources for RASP committees, developing plans, and reporting on progress could be a key function for enhanced Regional Coast Boards.</p> <p><b>It appears the intent of the RASP's is to develop plans and then disband leaving implementation to the stakeholders. Potentially a flaw in process that argues in favour of the RCB's remaining to ensure oversight, monitoring and reporting over cross tenure / regional plans.</b></p> <p>This does sound like a good idea but it is adding another layer of complexity, as opposed to simplifying governance arrangements.</p> <p>Each RASP would need to determine its preferred governance model – they would not be the same in each case as it would depend on the issue and relevant stakeholders, their capacity to contribute and ability to influence outcomes required. Such considerations would add to administrative complexity even before commencing any RASP activity.</p> <p>Unclear how this will actually work another layer of bureaucracy</p>
<b>3.5 Phasing out Regional Coastal Boards</b>		<p>I strongly disagree that the alternate model of proposed allocating RCB functions to CMAs and RASPs is an improvement. <i>(Note this is a personal perspective)</i></p> <p>The names and terms of reference of the Coastal Boards could be broadened to ensure they also deal with marine issues to Regional Marine and Coastal Boards.</p> <p>Issues with adequate resourcing of RCBs and the loss of key senior regional agency representatives on the Boards (eg PV, DELWP, DoI) have caused many of the perceived present day challenges in being effective.</p> <p>The model however, should adequate capacity be restored, provides an effective mechanism for implementing and coordinating regionally based approaches to integrated coastal and marine management.</p> <p>Representative and inclusive RCBs provide a stronger regional focus than RASPs appointed by Minister / Council, or coastal CMAs working outside NRM issues.</p> <p>The Regional Coastal Boards model is a good one to review but it should be with a view to</p>

		<p>increasing effectiveness rather than eliminating and transferring roles to other players. (<i>evolution not revolution!</i>)</p> <p>If the current structure is maintained should BCCoM be part of the Western Coastal Board – what is the relationship between BCCoM and the Coastal Boards?</p> <p><b>Inclusion of the RCB roles and responsibilities into CMA's is a concern. Will it mean a reduction of the importance coastal specific issues. Will CMA's, traditionally involved primarily in NRM, address issues of tourism economies, population impacts on coastal reserves and the business models that currently manage a large part of the west coast, i.e. Cat 1 CoM's reliance on Caravan Park management.</b></p> <p><b>If absorption of RCB roles into CMA's occurs resourcing, expertise, and management differentiation remain a very large concern.</b></p>
<p><b>3.6 Transitioning from smaller Committees of Management (CoMs)</b></p>	<p>Proposed that the smaller CoMs be transitioned into larger Category 1 CoMs and local government.</p> <p><i>Is this contrary to boosting community involvement objective</i></p> <p><i>Agree to consolidation of boundaries</i></p>	<p>Some rationalisation of smaller and financially unviable CoMs need to be considered.</p> <p>The transition to either larger CoMs or Local Govt may not always be the best model.</p> <p>Concerns include:</p> <ul style="list-style-type: none"> <li>• Need to ensure local issues continue to get addressed when merging with larger entities</li> <li>• <i>Offer representation from the smaller CoMs on the expanded larger CoM where appropriate</i></li> <li>• Resourcing needs to be considered and provided rather than simply adding more responsibilities to already resource constrained bodies</li> </ul> <p><i>BCCM should be responsible for coast from Point Lonsdale to Breamlea</i></p> <p><b>The experience on the west coast of amalgamations over the last 10-15 years speaks well of developing the Cat 1 CoM's model; there are very real benefits for coastal Crown land management in developing economies of scale that considerably increase the level of sophistication in the business models that now exist. By comparison Cat 2 CoM's are seriously constrained by their size; even the smaller Cat 1 Otway Coast is not of sufficient size to achieve the outcomes the coast it manages deserves. With amalgamations comes the challenge of parochialism and consequently if the ideal of real and direct participation of skilled locals into local management is to be maintained, it is vitally important that</b></p>

		<p><b>amalgamations are truly inclusive.</b></p> <p>Question 9 Combining small CoMs.</p> <p>In the transition phase , I would suggest representatives of each CoM be on the new larger CoM to ensure retention of local knowledge of issues, and avoid perceived loss of representation</p>
<p><b>3.7 Maintaining and promoting volunteers in coastal land management at the local scale</b></p>		<p>Strongly support this initiative achieving its goal.</p> <p>Resourcing and support for volunteer participation has however been in decline for the past decade in many sectors, particularly DELWPs Coastcare program, and needs to be significantly improved.</p> <p>Models that ensure and provide adequate support for ALL volunteers including CoMs as well as locally focussed environment and stakeholder groups are required.</p> <p>This includes opportunities for better support for managing shared volunteer issues like OHS, insurance, governance, training, and reporting on outcomes achieved.</p> <p>There are sometimes overlaps and duplication of efforts to support marine and coastal volunteers that could be significantly improved and better integrated – eg Coastcare, PV, CoMs, and CMAs, quite often all work to support the same volunteer groups.</p> <p>Flagging a Community Engagement and Participation Strategy that includes a volunteer and community participation component is required in the MACA and its development should be overseen by the VMCC.</p> <p><i>(See comments in section 9 for more on this.)</i></p>
<p><b>3.8 Promoting greater use of shared services and better integration</b></p>		<p>Yes this is sensible and strongly supported.</p> <p>Mechanism for ensuring sharing of info on services available and well as arrangements for cost sharing and maintenance need to be considered.</p> <p>What is funding model?</p> <p>What is shared???</p> <p><b>Greater sharing of knowledge and experience is greatly supported across all levels of</b></p>



		management; across, LGA's, CMA's, RCB's, CoM's & state-wide stakeholder agencies like PV, EPA, VicRoads. Repositories of technical knowledge, for use by all stakeholders, is strongly encouraged to reduce costs and provide consistency. For example access to mapping (Lidar DEM), Geomorphological Mapping, design and construction expertise of basic infrastructure like beach accesses and other public infrastructure.
<b>3.9 Strengthening the role of Parks Victoria</b>		<p>There is an opportunity to have PV better focussed into fewer areas of responsibility such as managing park areas for visitors and conservation of natural and cultural values rather than maintaining its current diverse roles in tourism promotion etc. that may be better managed and resourced by others.</p> <p>Description of PVs marine and coastal roles and a map showing marine and coastal areas managed by PV would be useful to see.</p> <p><b>While this seems a desirable/aspirational principal, the reality of repeatedly slashed state government funding of PV is a serious concern. It seems that over the last decade plus, roles and responsibilities for PV have increased (Great Otway Nat Park for example) and at the same time funding has been slashed.</b></p> <p><b>As with other aspirational aspects of the MACA discussion paper they are subject to political will and consequently potential or certain failure without adequate resourcing is a real concern.</b></p>
<b>3.10 Promoting a greater role for Traditional Owners</b>	focus is on supporting Traditional Owner Land Management Boards (TOLMBs) to have a greater role in joint management and MPA management.	<p>Yes strongly support this initiative.</p> <p>Some clear opportunities for investment and building support for building TO skills, knowledge and capacity in marine and coastal management, particularly through employment programs, should be provided.</p> <p>With resourcing to support initiatives BC could play an important role in this process particularly through mentoring and project participation.</p> <p><b>Needs to be a genuine conversation and inclusiveness. Strong need to identify and encourage aboriginal people as the primary guardians.</b></p> <p><b>Also need to identify, value and document non-aboriginal heritage.</b></p>
<b>4. Strengthening marine</b>		Marine Parks - The <a href="#">Government Responses to VEACs Marine Investigation</a> have not been

<p><b>management, policy and planning</b></p>		<p>considered at all in the consultation paper and need to be integrated into this process.</p> <p>A Coastal Waters Reserve - A missed opportunity that could be incorporated into this area would be the reservation of Victoria's marine waters (outside of marine protected areas and aquaculture areas) as crown land for the purposes of better capacity to manage emerging issues and proposals through regulation. (See Rec 12 in the VEAC Marine and Coastal Investigation at <a href="http://www.veac.vic.gov.au/documents/384-Part-2.pdf">http://www.veac.vic.gov.au/documents/384-Part-2.pdf</a> )</p> <p>Marine pests – developing integrated management approaches:</p> <p>While there has been good consideration of wholistic management of climate and water quality impacts on marine and coastal areas in the Consultation Paper, there is little consideration given to managing marine pests and developing comprehensive and mutisectoral approaches (e.g env , parks, fisheries, marinas, community, tourism, transport).</p> <p>This requires addressing urgently and was flagged in both recent VAGO and VEAC marine investigations.</p> <p><b>Crown Land Reserves Act needs to be considered</b></p> <p><a href="#">Document lacks a marine definition; the coast definition covers marine as well, therefore have to ask why is it called a coastal and marine document if marine does not have its own definition.</a></p> <p><a href="#">The foreshore definition in the glossary not sure on this one. It states : the coastal fringe, generally the land between the coastal road and the low water mark. This could be quite wide in some parts of the state so depending on the intent of the definition could imply change to some of these very wide 'foreshore' areas. Does it need a different definition to coastal Crown land?</a></p> <p><a href="#">The document lacks linkages to coastal and marine wildlife and if we are to make this a holistic document, these must be included.</a></p> <p><b>- Strengthen references for the Marine and Coast Strategy to recognise Biodiversity and Flora and Fauna priorities, including vigilance on pest threats</b></p> <p><b>- Support the observation from Public Land Consultancy of the need to clearly define/fix</b></p>
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<b>4.1 Greater marine focus in strategy and policy</b>		<p>Yes – welcome</p> <p>The document needs to address how revenue from activities such as fishing can be collected to go towards wildlife welfare issues caused by this activity; as well as others such as boating</p>
<b>4.2 Developing a Marine Spatial Planning Framework</b>	<p>To engage marine sectors, government agencies and marine resource users in marine planning to respond to competing use and resource challenges.</p> <p>Marine spatial planning is a new initiative.</p> <p><i>Regional views on involvement?</i></p>	<p>Yes – very welcome</p> <p>This may need to define the areas for planning consideration - conservation, tourism, transport, fishing, mining including seabed, energy needs.</p> <p>Not particularly relevant o BC</p> <p>Spatial planning must consider the inclusion of coastal; and marine and coastal wildlife where known i.e marine mammal exclusion zones, breeding sites etc.</p> <p>Strong support for Our Coast.</p>
<b>4.3 Providing a greater focus on Port Phillip Bay and other priority areas</b>		<p>Yes – very welcome</p> <p>EMPs should also be established for other high value embayment and inlets, and estuaries that are that are heavily used and environmentally challenged by human impacts including climate change / water quality / marine pests.</p> <p>Simple but comprehensive EMPs could also be developed for large estuaries like the Barwon River</p> <p>using the PPBay EMP as a model, and providing a mechanism for better integrating all existing / future management plans relevant to the waterway.</p>

		<p>Enhanced Coastal Boards would be well placed to facilitate and coordinate development of these considering the different sectors involved.</p> <p>The document should not be limited to Port Phillip Bay but should be able to encompass others across the state.</p> <p>The document should be much broader than Port Phillip Bay</p>
<b>5. Integrating planning systems</b>		
<b>5.1 Strengthening Coastal Management Plans</b>	<p>PV Park Management plans required to take the objectives of the new Act into account. For PV this should not be an issue with its management plans – however the lack of plans for the Marine and Coastal Parks in south Gippsland (Nooramunga, Corner Inlet, Shallow Inlet) will be highlighted. To undertake these plans is also recommended in the VEAC marine investigation.</p>	<p>Coastal Management Plans or their equivalent should be required for all areas of the coast and consider their high natural, cultural social and economic values to Victoria, combined with significant threats associated with climate change, poor water quality, marine pests, and population growth and pressures.</p> <p>CMPs should include and make specific reference to other relevant management plans, landscape plans and local strategies being implemented during the life of the CMP.</p> <p>While development may be led by a single CoM, CMPs need to be multi-tenure and consider and include the aspirations and opportunities for stakeholders and the community.</p> <p>In marine areas (Areas not covered by planning schemes under the Planning and Environment Act 1987) there is also a need to consider reservation of the seabed and overlying waters as a Crown Reserve or other unifying means to ensure that existing and future uses can be better regulated.</p> <p>Coastal Management Plans, strengthened, should be specific references to habitat and biodiversity, (recognising State strategy) and maintenance. There should be guidance on the scope of the management plan detail to precinct plans for general approval/endorsement.</p> <p>Clarity around CMP relationship to the founding legislation and other strategic and prescriptive planning documents is required. CMP's should be higher level strategic planning documents that are as aspirational as they are prescriptive; that in turn inform prescriptive master plan or action plan documents; all of which are agreements between State, CoM, and stakeholder community.</p>

<p><b>5.2 Keeping a consent provision in the new Act</b></p>		<p>Important that opportunities for Ministerial consent and review are retained.</p> <p>Bulk CMA consents for defined programs of works that are described within a management or master plan could improve efficiencies and be easier to achieve if the management plan developed provided responses to all the matters for consideration that would normally be assessed as part of individual consent processes.</p> <p>There is a strong need to marry biodiversity/vegetation and other policies and conditions when considering consents and decisions</p> <p>Too much duplication and bureaucracy – establish CoM with sufficient authority to act. Identify and reduce duplication and potential conflict points. Between Planning &amp; Environment Act and Coastal Management Act.</p> <p>As noted duplication is a serious constraint on achieving timely consents for necessary works, currently 3 parallel consent process come into play with respect to very minor coastal vegetation removal for agreed, essential installation of built infrastructure.</p>
<p><b>6. Adapting to climate change</b></p>	<p><b>It seems that the Crown does not have an obligation to reduce the impacts of coastal hazards, sea level rise and other natural processes on private land. But is there an obligation on private developments to reduce impact on the Crown.</b></p> <p><b>There are already impacts from climate change and over use of coastal areas.</b></p>	<p>Agree that climate change is likely to increase the severity and occurrence of coastal hazards such as erosion, flooding and storm events. This is evidenced by Barwon Coast in recent events and impacts in Barwon Heads - sea wall, 31W stairs and along the Ocean Grove beach. Climate Change should underpin and inform all decisions. Will have to accept that we are not able to protect all coastal assets and factor risk of climate change impacts on future planning and budgeting.</p> <p>We agree with the statement in the Victorian Coastal Strategy 2014 that : as a general principle use of the coast and the location of public and private assets should respect natural coastal processes. Further the Crown does not have an obligation to reduce the impacts of coastal hazards, sea level rise and other natural processes on private land.</p> <p>We support the inclusion of appropriate limits within any new legislation to avoid the need to refer to multiple pieces of legislation and to streamline decision making processes to ensure clarity and to avoid duplication.</p> <p>Challenges of risk mitigation v climate change impacts.</p> <p>What has happened to the precautionary principle or is it just accepted?</p>

		<p>Is there a baseline for a Coastal Hazard Vulnerability Assessment for Crown Land? Is the Our Coast project the process we should follow and apply? Support strengthening establishment of baseline condition and proper/professional measuring over time. (Should be part of CMP??) support strengthening this area (Who is the custodian of the data? Who is responsible for testing and monitoring against benchmarks ?</p> <p>We should be more involved in planning processes for adjoining /private land and infrastructure.</p> <p>The document does not clearly articulate considering/dealing with current detrimental impacts; just supports climate change. Since the 1800's there has been talk of concern of overuse of the coastal reserves. Shows how NOT serious we are about implementing change to minimise some of this. We won't lose it to climate change, we are already losing a lot through over use, inappropriate actions etc.</p>
<b>6.1 Introducing legislation that recognises climate change</b>		<p>YES Also opportunities to consider and develop objectives in the MACA for other broad based threats to marine and coastal values including "Invasive Species" and "Poor Water Quality".</p> <p><b>The recognition of climate change should clearly identify the vulnerability of coastal terrestrial habitat, [many sections of coast it is a narrow linear strip where high percentage loss is recognisable], also announce the government climate change policy objective of mitigation.</b></p>
<b>6.2 Providing greater guidance for decision makers in an uncertain environment</b>		<p>YES</p> <p>Needs to also consider provision of consistent advice for NRM managers along coast and in marine areas particularly in regards what may be long term CC challenges for coastal areas (eg sea level rise planning notes)</p> <p>Presently responses are being developed independently by different managers.</p> <p>Developing State-wide Climate Change Response Guidelines could be a function of the VMCC ( similar to guidance provided by VCC such as Siting and Design Guidelines)</p> <p><b>It is imperative to provide clear guidance to all decision makers especially local government to</b></p>

		<p>ensure consistent and effective planning to protect vulnerable coastal areas.</p> <p>Support strengthening policy etc.</p> <p>Further discussion:</p> <ul style="list-style-type: none"> <li>• some assets have a finite timespan and will not be viable in perpetuity, this needs to be identified and acknowledged</li> <li>• where does responsibility lie, what can be insured for? how does the complicated system that is proposed translate in a legal context - who is finally responsible; if Barwon Coast relies on advice from other in the chain is that enough? Can we transfer responsibility?</li> </ul>
7. Sustainable resourcing of the proposed system		<p>Question 13 Resourcing</p> <p>The key issue I raised last week is about ALL the beneficiaries contributing to the revenue of CoMs. At present the CoM's caravan parks are providing for the whole community, which is not fair.</p> <p>This will probably require legislative changes to ensure Local and State Governments contribute equitably.</p> <p>Q13/</p> <p>From a beneficiary pays perspective perhaps we need to consider</p> <ul style="list-style-type: none"> <li>• seasonal parking</li> <li>• some sort of levy on rates of local ratepayers from COGG</li> <li>• additional dog levy for local ratepayers</li> </ul> <p>- Resourcing, at the Public Land Consultancy presentation Geoff Wescott referred to change in matters around finance / resourcing when discussion document reviewed by Dept. Treasury &amp; Finance, that removed themes of binding – recurrent resourcing. The new Act and authorities established must have adequate resources and that recommendation to government should be stated.</p> <p>- In regard to resourcing options through, beneficiary pays and payment of stipend on generated income, principles supported under a basis of re-allocation principles that include</p>

		habitat and biodiversity priorities.
<b>7.1 Increasing transparency of costs and revenue</b>		<p>Support although requires a level playing field approach and ensuring that obtaining this data leads to informing a M&amp;C business case and supporting funding bids for dispersal as needed.</p> <p>Agree that improved transparency of funding is required.</p> <p>As with above there is very limited understanding on how the coast is funded with most people thinking in large part “my taxes or rates” pay for that and in fact they don’t campers pay. In itself a defensible paradigm, i.e. a premium is paid for exclusive use of a piece of publically owned land (Camp site to Commercial Lease) with the profit generated used to maintain &amp; improve all Crown land, that does not generate funds, for the benefit of all Victorians.</p> <p>That said transparency will put to an end any idea that Crown land caravan parks should not be managed by LGA’s and CoM’s but by private operators, because they do it best and public entities should not be involved in this sort of commercial operation.</p> <p>Take CoM’s out of Crown land Caravan Park management will remove \$millions for Crown land management into private pockets and as a consequence require make up funding from other sectors of the public purse.</p> <p>In reality better outcomes for the coast could be achieved if funding was more equitably spread over all stakeholder beneficiaries, i.e. Ratepayers,(private property owners &amp; business owners) and visitors (Intra &amp; Inter State and International)</p>
<b>7.2 Greater beneficiary pays</b>		<p>Agree that beneficiary pays.</p> <p>Some revenue models include more focus on user pays and where this has been achievable it has been considered and applied in some areas including increasing entry fees, car park fees, and increasing charges on coastal camping areas.</p> <p>While there are some gains in income there may also be considerable costs in managing these approaches that may lead to only limited improvements in resourcing.</p> <p>Further an unintended but significant outcome of impacting affordability is potentially leading to reduced visitation of some areas where costs are greater, loss of stewardship, and more</p>



		<p>pressures on those areas with lower costs.</p> <p>CoM reliance on small sectoral groups (such as campers) to pay for all management effort is inequitable and diminishes the opportunities that a broader revenue base might achieve.</p> <p>Opportunities such as an extension of the parks charges, additional property taxes for capital gains in coastal areas, state based revenue raising, should be considered and resolved, in order to ensure that actual costs of coastal and marine management can be addressed.</p> <p>No levy on CoMs current revenue should be considered.</p> <p>CoMs current revenue should remain under their total control.</p> <p>Any levy on park fees must be an additional fee which is itemised clearly on invoices and receipts as a State based 'coastal management levy'. Such a levy could be centralised with compensation to CoMs for the administration costs incurred.</p> <p>Could this 'coastal management levy' also apply to private park operators as well since these visitors will use and enjoy the coast?</p> <p>Suggest MACA investigates a simple coastal management levy that might be collected by LGAs on rates as they do with the Fire Services levy. This would not impact on meeting their current rate capping requirement.</p> <p>Suggestion of a levy (on CoMs park revenue) to fund works elsewhere is wrong.</p> <p>The paper does not recognise how BCCoM and others fund activities. As you know about 90% of our funding comes from the caravan parks which are really a small proportion of visitors that use and enjoy our section of coast.</p> <p>The coast is enjoyed by local residents and visitors. At present it is only the <u>visitors</u> who stay in the BC caravan parks that pay !</p> <p>I propose that local residents pay through their rates paid to the City of Greater Geelong (COGG). This, in a roundabout way, also picks up revenue from private caravan parks, holiday houses and local businesses that rely on the tourist trade. It also picks all other home owners/ratepayers in Geelong area, including growth areas like Armstrong Creek and Oakdene.</p>
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		<p>A suitable rate would be negotiated with COGG.</p> <p>We also have large numbers of day-trippers from Melbourne and elsewhere who enjoy the coast. These people are hard to charge directly without toll gates which is not realistic, nor do we want to stop our free access to the coast for everyone.</p> <p>Really the State Government should contribute money annually. At the very least Government should pay for the natural resources work we do in managing the reserves.</p> <p>However, I do not think we should be overly reliant on Government funding as it will be restrictive and we will lose our independence and flexibility.</p> <p>Similar issues apply across all beach areas so these issues need a lot more development.</p> <p><b>Equity is the key issue.</b></p> <ul style="list-style-type: none"> <li>• <b>At a local CoM or LGA level inequity exists in many places with Campers paying for all, with respect to Public Open Space and all associated public infrastructure;</b> <ul style="list-style-type: none"> <li>○ <b>The beneficiaries are LGA's; property owners; and local economy who in large part contribute nothing toward a major factor that underpins their wealth and sense of place;</b></li> </ul> </li> <li>• <b>Across regions and states inequity exists with respect to relative access to ether camper funding or LGA rate funds;</b> <ul style="list-style-type: none"> <li>○ <b>Size of management area, inclusion of a camp ground or not, directly impacts outcomes;</b></li> </ul> </li> </ul> <p><b>There is a very strong case for establishing a 'Level of Service' principal that informs State funding and also distribution of coastal 'wealth'. This in turn should be informed by demographics; climate impacts; natural, indigenous and historical values.</b></p>
<b>7.3 Targeting resources to where they are needed most</b>		<p>A more solid business case for coastal and marine management is urgently required.</p> <p>Need to provide clarity on how any centralised funds are to be administered equitably.</p> <p>Q15/</p> <ul style="list-style-type: none"> <li>• expert capability should be centralized and available where possible</li> <li>• strong relationships &amp; adequate capability should be encouraged to achieve this</li> </ul>

		a policy response perhaps but not legislation
<b>7.4 Better articulating costsharing arrangements</b>		<p>Developing a business plan for sustainably and equitably managing Victoria's marine and coastal areas, developed alongside the VMC Strategy, should be a clear function of the new VMC Council.</p> <p>Capacity to fund a Marine and Coastal Business Plan through state revenue processes like BERC should be recognised enabled to incorporate initiatives and aspirations of CoMs.</p>
<b>7.5 Continuing to invest in capacity building, sharing technical expertise and volunteer programs</b>		<p>Yes - well supported.</p> <p>Investing in volunteers however should not be viewed as long term opportunity to reduce the costs of undertaking marine and coastal management by the agencies and organisations that are resourced and responsible for this.</p>
<b>8. Improving knowledge of the condition of marine and coastal areas</b>		
<b>8.1 Understanding the condition of marine and coastal areas</b>		<p>Victoria needs to continue to invest in inventory and to support both agency and community opportunities to build and share knowledge.</p> <p>A clear strategy to guide effort and direct marine and coastal research and monitoring effort and gathering information in priority areas is required.</p> <p>Such as strategy should not only consider the opportunities afforded through agency and research organisations, but also consider the valuable roles that the community can play informing on the condition of coastal and marine environmental values, threat impacts, through gathering and sharing data and other information.</p> <p>New opportunities for the use of sensors and mobile technologies such as use of apps needs to be adequately considered as a part a marine and coastal research and monitoring strategy.</p>
<b>8.2 Building capacity and knowledge transfer</b>	PV State of the Parks and marine research and monitoring will	<p>This is great to read and fully supported.</p> <p>What is not considered on the consultation paper is the need for efficient share information</p>

	<p>input to reporting – may need some interpretation to meet data needs and knowledge transfer. PV is on the existing marine science panel.</p>	<p>between managers, scientists, community members, and researchers, and potential mechanisms to make this happen.</p> <p>A spatially formatted and collaborative marine and coastal online information system would markedly improve access to information and provide greater opportunities for knowledge to be used for evidence based decision making by all managers including CoMs.</p>
<b>9. Boosting community involvement</b>	<p>This section provides clear support of the need to continue and grow opportunities for coastal and marine education for user groups and general members of the Victorian community, as well as enhancing current volunteer participation in marine and coastal areas. This aligns closely with our SOF goals for Connecting People with Parks through more people having outstanding experiences in parks, fostering lifelong connections of people to parks, providing engaging ways to connect with and enhance individuals' experience while in</p>	<p>Barwon Coast seeks to work closely with the Victorian community and stakeholders in managing marine and coastal values and providing appropriate services to visitors.</p> <p>At present Victorian efforts for marine and coastal community and stakeholder engagement including education and interpretation opportunities, engagement in citizen science, participation in volunteer programs, and promoting active involvement in governance (eg through CoMs, Coastal Boards, CMAs) are highly variable and have limited overall cohesion across organisations involved in delivery of programs.</p> <p>In some areas (e.g. managing volunteers, citizen science, marine education, interpretation program development and delivery) there are overlapping and sometime competing areas of interest.</p> <p>In the marine and coastal education and interpretation space there a growing number of both public and private sector organisations involved in developing and delivering programs for schools and the community. This includes agencies with state-wide responsibilities including PV, Coastcare Victoria (DELWP), Fisheries (DEDJTA), and EPA, some local government, some CoMs, some CMAs, Museums, Education providers such as the Gould League, and an increasing number of private providers including tour operators. Many schools, local community groups, and volunteer organisations also make a significant contribution to building community and stakeholder stewardship for marine and coastal values.</p> <p>While there are some good initiatives seeking to better integrate efforts through shared planning, promotion, delivery, and evaluation many of these rely on individual organisations / officers seeking to form partnerships and work more effectively together and share resources.</p> <p>Overall there is very limited guidance as to priorities, best practice delivery, shared messaging,</p>

	<p>marine and coastal parks.</p> <p>Key area for PV consideration include:</p> <ul style="list-style-type: none"> <li>• marine education</li> <li>• citizen sciences such as community monitoring programs</li> <li>• community and volunteer programs.</li> </ul>	<p>and opportunities for capacity building and skills development.</p> <p>An overall strategy for informing and focussing efforts to ensure opportunities for building broad based community stewardship and involvement in marine and coastal management is urgently required. It is worth noting this has been repeatedly sought in the both the current and previous Victorian Coastal Strategy, as per: <i>Convene a marine and coastal education taskforce to coordinate state-wide education activities and priorities and develop a marine and coastal education strategy with key education providers (VCS 2013).</i></p> <p>Community engagement and participation should be a clear focus area within the new Act and a responsibility for the proposed Victorian Marine and Coastal Council.</p> <p>An overall strategy for Marine and Coastal Community Engagement and Participation is urgently required and the VMCC should take carriage of its development, and report on progress in achieving outcomes sought (e.g. as a component of community attitudinal surveys).</p> <p>Delivering on this strategy further needs to be supported by ensuring adequate resources are allocated with opportunities for delivery agents to gain funding for stewardship initiatives through funding bids, grants programs, and by seeking private sector support.</p> <p>Delivery of programs and better alignment across sectors for implementation of programs and reporting on outcomes would be a function of marine and coastal managers and contributing organisations.</p> <p>Support for building and providing networking opportunities that support community involvement should also be a key part of an Engagement and Participation Strategy for the new MACA.</p>
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## **BELLARINE BAYSIDE FORESHORE COMMITTEE OF MANAGEMENT**

### **SUBMISSION TO THE VICTORIAN GOVERNMENT'S REVIEW OF THE COASTAL MANAGEMENT FRAMEWORK**

The Bellarine Bayside Foreshore Committee of Management (Bellarine Bayside) welcomes the Victorian Government's commitment to the review of the Victorian coastal management framework including the *Coastal Management Act 1995*.

Bellarine Bayside appreciates the opportunity to make a submission which responds to the proposed reforms contained within the Consultation Paper. We believe we are in an excellent position to contribute further to the reform process and hence are more than happy to meet at any time to expand on our submission.

#### **1. INTRODUCTION TO BELLARINE BAYSIDE**

Bellarine Bayside is a Committee of Management appointed by the Minister of Energy, Environment and Climate Change in accordance with the *Crown land (Reserves) Act 1978* to manage approximately 17kms of Crown land reserves between Portarlington and St Leonards on the northern Bellarine Peninsula. The Committee presently consists of eight members who have been appointed through a public, skills-based, expression of interest process. Bellarine Bayside is categorised under the *Public Administration Act 2004* as a Category 1 Committee of Management.

Along the foreshore, Bellarine Bayside is responsible for beaches, public open space and parks, flora and fauna, coastal trails, five boat ramps, public amenities, community and municipal facilities, licences and leases and operating caravan parks and seasonal camping grounds. Bellarine Bayside employs a Chief Executive Officer and approximately 25 staff to deliver its programs, comprising of coastal planners, conservation officers, holiday park managers, grounds and administration staff.

While Bellarine Bayside has primary management responsibility for the foreshore, a variety of government agencies have statutory roles in relation to the planning, management and maintenance of the northern Bellarine foreshore. The City of Greater Geelong, Parks Victoria and the Department of Environment, Land, Water and Planning have critical complementary and intersecting roles and responsibilities that require a high level of inter-agency cooperation. Importantly Bellarine Bayside also engages with a wide range of local community groups, businesses and campers.

Bellarine Bayside manages three seasonal camp grounds at Indented Head and two at St Leonards and one year-round caravan park being the Portarlington Holiday Park (PHP), at Portarlington. The northern Bellarine has been a very popular summer camping destination for over 60 years, mostly for Victorians living in the western districts of Victoria and Melbourne's western suburbs. During the month of January, being the peak holiday season, Bellarine Bayside's holiday parks can support in excess of 7000 campers.

The PHP, one of the largest caravan parks in Australia, consists of 886 sites in total, of that, 382 sites are categorised as "Twelve Month Permit holders", 484 sites are general powered tourist sites and there are also 20 permanent cabins.



## 2. RESOURCING THE COAST

Bellarine Bayside's submission is targeted on the proposals relating to resourcing the coast as the issues identified and reforms proposed have the potential to materially impact Bellarine Bayside's operations and sustainability. In summary, Bellarine Bayside:

- encourages significant 'beneficiary pays' reforms to generate increased funds for the coast;
- encourages a comprehensive and independent review of income derived and reinvested on the coast including coastal land managed by Parks Victoria and local government; and
- strongly opposes the imposition of a levy on Category 1 Committees of Management

### – Options for increasing the funding pool, such as 'beneficiary pays'

The current quantum of total funding available for the Victoria's coastal estate is significantly inadequate and not sustainable considering the challenges of an ageing and declining asset base (both coastal protection assets and built and environmental foreshore assets), an increasing coastal population and use of coastal reserves and the impacts of climate change on the coast. New approaches must be found to significantly increase the available funding pool available for meeting the demands of managing the coastline and the coastal reserves into the future.

Revenue opportunities to increase the funding pool may include increased recurrent funding from State Government budgets, special rate levies (for e.g. the Parks Charge which partially funds Parks Victoria), commercial levies (for e.g. Environmental Management Charge for the Great Barrier Reef) on leases and licences, parking and boat ramp fees, or a camper land management levy.

### – State-wide review of fees and charges and 'beneficiary pays' options

To this end, Bellarine Bayside supports a comprehensive review of the fees and charges as suggested in the Consultation Paper, however this review must include all coastal land including land managed by local government and Parks Victoria and must investigate additional potential methods of increasing revenue generated from the coast, such as those mentioned above. This review, if conducted across the entire coastal estate, would increase the transparency in terms of understanding the 'total revenue' presently generated from, and invested back into the coast.

The introduction of 'beneficiary pays' strategies should be implemented across the state and led by the State Government with the support of land managers. Funds received should also be collected and distributed by the State in accordance with set criteria. The NSW Public Reserves Management Fund provides a worthwhile example of how this can be successfully achieved.

### – Financial position of Bellarine Bayside

Bellarine Bayside currently generates annually around \$6 million in direct revenue, with the majority coming from the operation of its six holiday parks. Other income is derived from a range of sources including lease, licence and permit fees. Revenue is also supplemented by grants for special projects. All funds are invested back into the foreshore reserves and holiday parks however actual expenditure on 'coastal protection' is minimal and targeted only to emergency response. The majority of investment is into visitor management and the management of built foreshore/camping assets.

No recurrent funding is received from state or local government.



Over the last two years Bellarine Bayside's financial position has gone from being in deficit at 30 June 2014 to an operating surplus at the end of 2015/16. This significant change in the organisation's financial position over the last two financial years is the result of a number of remedial steps instigated by the senior management team under the leadership of an Interim Committee. The Interim Committee was installed in March 2014 by the Minister to repair the organisation's financial position and, at the time, its deteriorating relationship with the local community and campers.

Of Bellarine Bayside's total revenue in 2015/16 (\$6.2 million), 92% was derived from holiday park operations, 2% from leases, licences and permits and 6% from external grants. Critically 68% of that total revenue was invested back into the holiday parks and the remaining 32% was invested into the foreshore visitor assets, meaning that Bellarine Bayside's financial model is reliant on the foreshore reserves being heavily subsidised by Bellarine Bayside's holiday park operations.

The 2016/17 financial year will be our first year, over many where this has not been attainable, to aim to build a cash reserve. However a recent extreme wind event in October 2016 has forced Bellarine Bayside into using that relatively small cash reserve to remove over 100 high risk trees in the Portarlington Holiday Park at the direction of a qualified arborist. This highlights Bellarine Bayside's financial inflexibility and the high risk operating environment in which Bellarine Bayside works.

#### **– Bellarine Bayside's Asset Management Plan and declining asset base**

Bellarine Bayside is the only Category 1 Committee to have commissioned the development of a comprehensive Asset Management Plan.

While Bellarine Bayside appears to now be in a strong financial position, despite running a deficit only two years ago, our recently completed Asset Management Plan shows a different picture. The Asset Management Plan estimates the replacement value of Bellarine Bayside's above ground built assets to be more than \$30 million, this does not include below ground infrastructure/services. Importantly the Asset Management Plan estimates that Bellarine Bayside should be spending approximately \$1 million per year on the renewal and maintenance of its assets. Currently Bellarine Bayside is spending approximately \$500,000 per year on asset maintenance and renewal. As Bellarine Bayside continues to underspend on asset renewal the situation will worsen year by year and subsequently the condition of assets will worsen, thereby widening that gap even further.

Put simply, there are two options available to Bellarine Bayside to address the gap in asset renewal expenditure: 1) significantly decrease our level of service offer either through decreasing the number of assets and/or condition of assets; or 2) maintain (or even increase in demonstrated circumstances) our level of service offer and increase revenue to address the funding gap.

The prospects of decreasing the level of service offer to a point which is sustainable and affordable is unrealistic given the magnitude of the gap and local community and camper expectations in terms of the accepted standards of delivery. This leaves option 2; find ways to increase revenue.

To ensure Bellarine Bayside is financially resilient and sustainable which includes the ability to adequately fund its asset renewal, Bellarine Bayside has recently commenced the development of a Camping and Accommodation Strategy. This is a keystone project which will underpin Bellarine Bayside's revenue generation potential in the future.

#### **– Proposed levy on Category 1 Committees of Management**

Bellarine Bayside is strongly opposed to the notion of applying a new levy directly to only Category 1 Coastal Committees of Management and believes this is a superficial and poorly thought through proposal.



This particular reform will undermine all the positive characteristics of Category 1 Committees which the reform process is trying to engender in other Committees of Management. The proposal penalises Category 1 Committees for developing themselves into transparent, financially self-sustaining and relatively high performing public sector entities. The proposal is a disincentive for high performance and is an incentive for non-transparency.

Additionally, the levy proposal would be fiercely opposed by the local coastal communities and campers whom, in Bellarine Bayside's experience, are extremely vocal in seeing the revenue generated by a specific local Committee of Management being reinvested on those local coastal reserves and assets. This levy proposal effectively perpetuates the inherent inequity in the current funding model as it continues to place the major burden on campers whom visit the foreshore reserves periodically, usually annually during summer, and avoids making the local residents and day-trippers pay.

Notwithstanding the concerns set out in the previous paragraphs, the proposal seems very unfair considering that local government, Parks Victoria or Phillip Island Nature Parks are not identified as contributors.

– **Potential for levy to undermine Bellarine Bayside's financial sustainability**

To be encumbered with a levy would compromise our ability to be financially sustainable.

The proposal to apply a levy demonstrates a lack of appreciation of the unique and precarious operating environment within which Committee's operate. As discussed above, 92% of Bellarine Bayside's revenue is generated from its holiday park operations, the performance of which is mostly reliant on the summer camping season (and in turn the seasonal summer weather) and public holidays. One bad summer season can be highly detrimental to our revenue for that year. For example the 2014 Easter holiday was particular late in the year so was outside the day-light savings period and was also wet. The resulting decline in occupancy over that holiday period led to Bellarine Bayside experiencing a notable decline in that months' income.

Bellarine Bayside generates almost all of its income for approximately four months per year, however its expenditure profile is generally consistent for the entire year meaning that our cash reserves are critical in order for us to continue to operate over the whole year. Bellarine Bayside views the development of its cash reserves as a financial imperative to act as a contingency should our income be effected from a poor camping season or interrupted by a natural event such as a storm surge inundation event, which is presently occurring every two years. The recent October 2016 extreme wind event and the subsequent removal of high risk trees is a case in point of the importance of a cash reserve.

As discussed above, Bellarine Bayside's Asset Management Plan has identified an annual funding shortfall of approximately \$500,000 to renew and maintain our existing and ageing assets, excluding environmental and below-ground assets.

In the event of some sort of levy being applied, Bellarine Bayside would withdraw the funds from what would otherwise be reinvested back into the holiday parks, which would in turn impact the standard of the service offer we could deliver to campers. This would affect the profitability of our holiday parks and result in a deterioration of our financial sustainability.

Presently the majority of foreshore expenditure is invested into our ageing asset base and visitor amenities due to our high visitor and local community usage. Expenditure on management of coastal hazards is minimal and mostly confined to high priority risks and emergency management. If a levy was to be introduced our capacity to respond to high risk issues and emergencies would be heavily impacted.



### **3. STRENGTHENING MANAGEMENT OF THE MARINE ENVIRONMENT**

Bellarine Bayside is highly supportive of incorporating marine management into the current legislative framework. It is important that the increased focus on the marine environment must be meaningful and substantial and not only by merely changing the name of the statute. To this end it is imperative that the marine reforms, particularly marine spatial planning, are enshrined through legislative change rather than policy, and are adequately funded.

### **4. CLEARER GOVERNANCE AND INSTITUTIONAL ARRANGEMENTS**

Bellarine Bayside strongly supports the continuation of a state-wide entity independent to government which is charged with, amongst other things, providing independent advice to the Minister relating to the planning and management of the coastal and marine environments.

#### **– Marine and Coastal Policy and Strategy**

The development of a Marine and Coastal Policy and a separate Strategy (with implementation plan) every four years is supported, however it is a concern that the responsibility for the preparation of these instruments is proposed to be transferred from the current Council to the Minister (via the department). Bellarine Bayside would prefer to see the development of the Policy and Strategy remain a statutory function of the Marine and Coastal Council.

#### **– Hierarchy of Principles**

Bellarine Bayside continues to support adherence to the Hierarchy of Principles in terms of use and development on the coast and would not like to see the Hierarchy lost in the transition to a new management model.

#### **– Regional and Strategic Partnerships**

Bellarine Bayside is supportive of the intent behind Regional and Strategic Partnerships model (RASP) to undertake integrated and regional coastal and marine planning. However it is a serious omission and step backwards that no regional entity or organisation will actually be charged with the responsibility to undertake regional scale, cross-sectorial coastal and/or marine planning. The responsibility will therefore largely fall on ad hoc voluntary collaborations of local organisations on an issue by issue basis at a regional scale.

#### **– Rationalisation of Committees of Management**

Bellarine Bayside is generally supportive of the transition to more Category 1 Committees of Management. However, it should be noted that there is an 'economy of scale' issue which needs to be analysed further and Bellarine Bayside would be happy to provide further advice. Category 1 Committees are obliged to operate at a much higher standard and must develop and maintain capabilities in corporate administration, commercial acumen, political astuteness, communications and engagement, OH&S, risk management and financial compliance and reporting. Corporate systems and/or skilled personnel must be acquired to deliver these capabilities which are often expensive.

### **5. INTEGRATING PLANNING SYSTEMS**

Bellarine Bayside supports the ongoing expectations for land managers to develop Coastal Management Plans (CMP) and agrees that five year terms would be much more appropriate and practicable. We question the usefulness of affixing a business plan to the CMP given the (presently three year and proposed five year term) term of the CMP.

- **Integration with local municipal planning**

It is critical that local coastal planning processes (and regional for that matter) become better integrated with municipal local planning processes. It is difficult to convince local government to engage in integrated, cross-tenure municipal strategic planning exercises. Local Town Structure Planning processes could also be better integrated with foreshore planning.

- **Streamlining of Coastal Consents**

Bellarine Bayside agrees that use and development proposals contained within an approved CMP should be exempt from the need to obtain a specific coastal consent under the Act. Bellarine Bayside supports the streamlining of the coastal consent process to only include the requirement for a coastal consent for defined high risk proposals.

## **6. ADAPTING TO CLIMATE CHANGE**

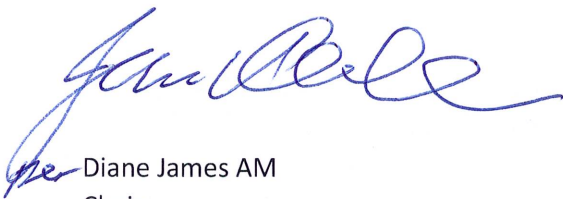
The proposed reform package appears underdone in relation to a response to coastal climate change, apart from the objectives of the new Act recognising climate change. The Consultation Paper defers to the current review of the Climate Change Act and the ongoing development of a Climate Change Framework for Victoria which is reasonable, however this makes it difficult to provide meaningful comment in this submission on this issue without seeing what is proposed through that particular legislative review process.

The lack of an appropriate and adequate, long-term and fit-for-purpose State funding model to enable coastal adaptation to occur is a significant gap in the current approach. Associated with the funding model, a state-wide framework is required which enables and funds the methodical development of standardised regional-scale coastal adaptation plans over the next decade, using biophysical triggers which removes the uncertainty inherent in climate change and sea level rise modelling.

## **CONCLUSION**

Bellarine Bayside welcomes the opportunity to contribute to the review of Victoria's coastal management framework. Victoria's coastline is an incredibly highly valued resource within intrinsic social and environmental values worth protecting.

Bellarine Bayside would be happy to assist further as the reform program progresses



Diane James AM  
Chair

Bellarine Bayside Foreshore Committee of Management



**Submission on the Marine and Coastal  
Act  
Consultation Paper**

**Gippsland Ports Committee of Management Inc  
October 2016**

## Introduction

Gippsland Ports Committee of Management Inc (Gippsland Ports) is pleased to provide this submission on the Marine and Coastal Act Consultation Paper.

The effective and sustainable management of our coast and waterways is a critical issue for Victoria and we welcome the opportunity to provide a response to the Consultation Paper.

As an agency with substantial statutory responsibilities, expertise and experience in waterway management, significant coastal and marine infrastructure management responsibilities and strong connections with government, the maritime sector and the community, Gippsland Ports is well placed to provide commentary on matters raised in the Consultation Paper.

Gippsland Ports is a Committee of Management under the Crown Land (Reserves) Act overseen by a Board appointed by the Minister for Energy, Environment Climate Change and Suburban Development but in an operational sense, wholly responsible to the Minister for Ports under the Port Management Act 1995 and the Marine Safety Act 2010.

Gippsland Ports is a significant provider of public marine infrastructure and services, with oversight of 1400 sq. km. of waterways from Anderson Inlet to Mallacoota, including 800+ navigation aids, 100 wharves and jetties and approx. 900 berths and moorings.

Gippsland Ports also has responsibilities for emergency management under VicPlan and for maritime security under the Maritime Transport and Offshore Facilities Security Act (Commonwealth), along with many other statutory responsibilities.

Gippsland Ports also undertakes many community service obligations and plays a major role in supporting the safe, efficient and sustainable use of our waterways, enjoyed by thousands of people and bringing many benefits to the Gippsland region.



## About Gippsland Ports

Gippsland Ports is responsible for the management, operation and administration of five Local Ports along the Gippsland coast.

The Local Ports in Gippsland Ports' jurisdiction are:

- Port of Anderson Inlet, at Inverloch in South Gippsland,
- Port of Corner Inlet and Port Albert, immediately east of Wilsons Promontory,
- Port of Gippsland Lakes, stretching from Sale on the Thomson River to Lakes Entrance,
- Port of Snowy River, extending upstream from Marlo, and
- Port of Mallacoota, covering all of Mallacoota Inlet near the NSW border.

Gippsland Ports is also the Waterway Manager for:

- Shallow Inlet, at Sandy Point immediately west of Wilsons Promontory, and
- Lake Tyers, located east of Lakes Entrance.

Gippsland Ports' responsibilities include:

- Port operations, regulation and compliance
- Boating safety and information
- Port safety and environmental management
- Incident management and emergency response
- Marine pollution response (Wilson's Promontory to NSW border)
- Maritime security (Port of Corner Inlet & Port Albert)
- Assessment, installation and maintenance of navigation aids
- Hydrographic surveying
- Dredging, sand management and channel maintenance;
- Provision, allocation and management of wharves, piers, jetties, berths, pens and swing moorings and marinas;
- Vessel lifting and slipway services and vessel maintenance and repair
- Port and related infrastructure planning and development.

Gippsland Ports is:

- The only local port manager that exists solely for the purpose of local port management;
- The only local port manager with responsibility, under direction of the Secretary, DEDJTR, as one of the 4 Victorian Marine Pollution Control Agencies under VICPLAN;
- The only local port with responsibility to employ a Harbour Master under direction from Transport Safety Victoria;
- The only local port with quasi commercial port operations within waters under its management;
- The only Victorian local port required under Commonwealth legislation to develop and maintain a Maritime Security Plan;
- The only Victorian port (local or commercial) with a recurrent dredging program in excess of 200,00m<sup>3</sup>, (plus the accompanying environmental approval and compliance obligations);
- The manager of 45% of the total area, 46% of total navigation aids, 62% of total wharves and jetties, 22% of total berths and moorings and 60% of people directly employed to manage Victoria's Local Ports;
- The host port to Victoria's largest commercial fishing fleet.

## About this Submission

This submission is based on the premise that there is a problem with the current arrangements for marine and coastal management and that this is the reason for the proposed new Marine and Coastal Act to replace Coastal Management Act 1995.

An observation we make in respect of the Consultation Paper is that the “problem” that serves as the catalyst for change is not well defined although the proposed reforms are, in general, well founded and consequently supported by Gippsland Ports.

A further observation we make is that the focus of the Consultation Paper and proposed reforms, whilst making reference to population growth, coastal waters and marine infrastructure, are really concentrated on what happens around the water’s edge and is effectively silent on what happens “on the water”. Gippsland Ports submits that compromises the objectives of having; Improved Governance and Institutional Arrangements (Proposed Reform 1), Integrated Planning Systems (Proposed Reform 4), Resourcing the Proposed System (Proposed Reform 7) and Improving Knowledge Transfer (Proposed Reform 8).

Gippsland Ports accepts and endorses the commitment to introducing reforms to current arrangements, but would highlight the need for change that will demonstrably improve the current arrangements, rather than merely “tinker” with them or deal with them in isolation.

Gippsland Ports agrees in general with the discussion of the current system contained in Part 1 of the Consultation Paper. Institutional arrangements, overlapping policy, gaps in strategic focus and complexity are the main problems. The main question is whether the current arrangements can be modified to produce different outcomes.

This submission is primarily focussed on the ‘drivers for change’ outlined in Part 1.3 of the Consultation Paper and the proposed reforms outlined in Part 2, to the extent that they relate to the roles and responsibilities of Gippsland Ports.

A change to the Vision statement is suggested to acknowledge ‘sustainable use’ as one of the outcomes sought for marine and coastal environments and resources.

Greater clarification of roles and responsibilities, streamlined decision-making, better integration of strategic planning and management arrangements are outcomes supported by Gippsland Ports.

## Vision

“A healthy coast and marine environment, appreciated by all, now and in the future.”

**Question 1: Is the Vision set out in the Victorian Coastal Strategy 2014 the appropriate vision to be used for the development of a new marine and coastal system? If not, how can it be improved?**

Gippsland Ports has no objection to the vision per se, but it does not acknowledge use and values of the marine and coastal system for economic or social purposes.

A minor variation might be:

“A healthy coast and marine environment, *used sustainably and* appreciated by all, now and in the future.”

## Management, oversight and legislation

Gippsland Ports agrees with the statement that “the current arrangements for the management and oversight of marine and coastal areas are complex”.

It is considered that these arrangements are, in fact, overly-complex, and contribute to inefficiency in decision-making and a lack of clarity in roles and responsibilities for management. Further comment on this issue is provided later in this submission.

A distinction needs to be made between the roles of “Waterway Managers” under the Victorian Waterway Management Program (DELWP) and “Waterway Managers” appointed under the Marine Safety Act (DEDJTR - Marine Safety Victoria) and also to recognise the role of appointed Local Port managers in ,marine and coastal management.

The role of waterway managers appointed under the Marine Safety Act is to:

- Manage vessel activities on waters under their control
- Allocate and manage moorings and berths
- Provide and maintain navigation aids, appropriate signage of water levels, hazards, and rules applying to the waters
- Control navigation and vessel movement
- Designate areas in which anchorage of vessels is, or is not permitted
- Alter or dredge channels for navigation
- Remove or mark obstructions.

The role of Local port managers appointed under the Port Management act is:

- Planning
- Issuing permits and licences
- Allocating moorings
- Maintaining wharves, jetties and navigation aids
- Dredging
- Operating facilities such as slipways, and
- Constructing new facilities.



One substantial anomaly is that while Gippsland Ports is established as Committee of Management under the Crown Land (Reserves) Act 1978, its primary functions as a local port manager are undertaken under the Port Management Act 1995 and Marine Safety Act 2010, while the function as a waterway manager is bestowed by the Marine Safety Act 2010. Therefore, whilst most other Committees of Management are established in a land management function (i.e. for Crown foreshore reserves), Gippsland Ports undertakes both land management functions (for the sites it occupies) and port and waterway management functions.

Gippsland Ports functions are undertaken as a port manager and reporting responsibilities are to the Minister for Ports, so it is anomalous that Gippsland Ports is constituted as a Committee of Management under the Crown Land (Reserves) Act. This anomaly should be rectified.

### Policy, Strategy and Plans

It is acknowledged that the Victorian Coastal Strategy, Regional Catchment Strategies and Victorian Waterway Management Strategy provide the primary strategic guidance for coastal and waterway management, however these strategies tend to deal primarily with natural resource management.

At the regional level, Coastal Action Plans have played a part in integrating economic, social and environmental priorities, however these plans tend to be subordinate to over-arching environmental strategies and do not have the same force or level of ownership by agencies as the core natural resource management strategies.

Strategy and policy tends also to concentrate on protection of environmental values, which is, of course, important, but there is a general lack of attention on strategy and policy for the development of the region, investment in infrastructure, more efficient management of resources, and economic development in general.

As one of the key issues identified in the Consultation Paper is the need to find ways to deal with “cross-cutting” issues, the form that future strategy and planning takes will be critical in achieving this.

Recommendations for clearer governance and institutional arrangements and integrating planning systems will be critical in addressing this deficiency.

### Drivers for Change

#### 1. Clearer governance and institutional arrangements

**Question 2: Do you think coastal and marine management arrangements are overly complex? If so, how has it negatively affected outcomes? Give specific examples if possible.**

It is agreed that the current coastal and marine management arrangements are overly complex.

It is agreed that Regional Coastal Boards have not been as effective as they could, primarily due to the fact that they do not carry statutory responsibility for implementation of regional plans. But these regional plans do have a purpose in providing a transparent rationale for projects and regional priorities. It is hoped that under the new model of a Victorian Marine and Coastal Council, there will still be a focus on developing plans that respond to regional priorities and differences.

Whilst Gippsland Ports is clear about its roles and responsibilities in port and waterway management, these responsibilities are also undertaken by other bodies (DELWP and Parks Victoria), depending on the location. This can lead to a variation in the resourcing and approach that is taken to waterway management. Gippsland Ports is working with these agencies to improve consistency of approach.

In matters such as coastal infrastructure planning and delivery, waterway safety, and marine pollution prevention and management, there are a range of agencies involved and the roles and activities of these agencies often depend more on local capacity and priorities, than any agreed allocation of clear functions.

This is not to say that the system doesn't work reasonably well. But it could be better. It may be said that the current implementation of statutory and management roles and responsibilities for coastal and marine areas works despite the management arrangements, not because of them.

There are still a number of barriers to efficient and effective planning and management, due to the different responsibilities, priorities and processes of various agencies.

Strengthening the role of regional Catchment Management Authorities (CMAs) may assist with the delivery of catchment related outcomes, but these remain fundamentally linked to land and soil management, nutrient reduction and habitat protection activities. It is not clear how the strengthening of CMAs roles will deliver better outcomes for planning, infrastructure, maritime activity, tourism and the regulatory environment that is largely the province of other agencies.

Regional and strategic partnerships could provide a mechanism for crossing jurisdictional boundaries, but they should be more than 'enabled' they should be mandated and resourced.

Gippsland Ports agrees with the greater use of shared services as a way of providing more efficient and effective coastal management and would willingly participate in discussion about which services are best delivered by which bodies, given local circumstances and capacities.

#### **Example: Loch Sport Boating Facilities**

The town of Loch Sport is serviced by a private marina, Gippsland Ports owned jetty, Wellington Shire Council owned boat ramps and a foreshore managed by a local Committee of Management. While a reasonable level of integration of planning has occurred through the Gippsland Boating Coastal Action Plan and Gippsland Lakes Sustainable Boating Plan, the management arrangements for replacement, addition or refurbishment of boating and associated land based facilities remain fragmented.

Issues experienced with the movement of sand onto the most popular launching ramp in Loch Sport, have been difficult to resolve due to the different management responsibilities – Gippsland Ports has sand management capability, but is not responsible nor resourced to manage sand build up at boat ramps, owned by local government. Community demand for improved (or even functional) boating facilities to support growth of the town is difficult to address when there are overlapping responsibilities for land and facility development and management.

The critical issue is *who* has responsibility and *how* do they exercise it? It is important that any new governance and institutional arrangements provide greater clarity and, where practical, less duplication of roles and responsibilities.

#### **Example: Boating infrastructure planning and management**

Boating infrastructure on waterways is provided and managed by Gippsland Ports, local government, Parks Victoria, DELWP and by private owners. The prioritisation of needs for boating infrastructure is undertaken individually by these parties, funding is obtained from different sources (sometimes competitively as through the Boating Safety and Facilities grants process), facilities are developed in the absence of an over-arching strategy to address different user needs and the management of the facilities is undertaken by the individual agencies. Gippsland Ports, however, has responsibilities for the maritime safety and environmental issues associated with the mooring and operation of vessels that may use these facilities; responsibilities that are not carried by the other parties. There are inconsistent arrangements for the inspection, maintenance and funding of boating facilities and the potential for confusion and conflict when it comes to liability for maintaining safe and compliant facilities.

As a consequence, there is a lack of consistency in the planning and management of boating facilities, potential confusion as to responsibilities for safety and compliance, and the prospect that boating facilities will provide sub-optimal outcomes for users. In the event of disaster (e.g. a major fire on a boating facility that spreads to others), it is likely that responsibilities and liabilities will be a cause for considerable confusion and debate.

Gippsland Ports recommends that rationalisation of management responsibilities occurs where practical, to remove duplication and uncertainty over roles and responsibilities, and that agencies are properly resourced to undertake the roles they are given. Any rationalisation however should include consultation with existing management agencies to ensure the cost benefits of any rationalised arrangements are optimised.

## **2. Strengthening marine management, policy and planning**

*“While specific legislation, policy and management systems have developed for the direct management of specific marine sectors, such as commercial and recreational fishing, earth resources, shipping and ports as well as marine protected areas, issues that cut across these various sectors are often not looked at holistically, for example, the protection of marine habitats or specific ecological processes that underpin these activities.”* (Consultation Paper, p. 26)

Gippsland Ports would suggest that the issues that cut across these various sectors also include regional economic development, tourism, port and waterway infrastructure, emergency response, the land-water interface, and the balancing of decisions around recreation, coastal development and growth.

The Consultation Paper mentions the need for a statewide policy direction for marine environments, as recommended by the Victorian Auditor-General’s Office (VAGO).

We also refer to the VAGO report on Recreational Maritime Safety, which found that *“the state's regulatory framework is not being effectively or efficiently implemented. Particularly concerning is that despite the framework's intent to improve the management of marine safety risks, its current implementation is dysfunctional.”* (VAGO, 2014).

Marine and coastal management, like land management, suffers from a complex set of policy and planning arrangements under the jurisdiction of multiple statutory bodies and agencies.

The key outcome that Gippsland Ports would seek to have achieved by the review is the implementation of mechanisms to “provide balance and consideration of the competing sectors to resolve potential disputes”. (Consultation Paper, p 26)

Further, Gippsland Ports submits that the need for “balance and consideration of *competing* sectors” is part of the problem; that is, the policy outcomes are not clearly enough stated or defined to avoid the notion of “competition” between objectives.

While Gippsland Ports supports the intent of this initiative, the process or responsibilities for development of a Marine and Coastal Policy linked to a spatial framework is not clearly articulated. How will the integration through a spatial framework occur? At what level will the spatial planning occur – regional, sub-regional? What responsibilities and resources will be allocated for such a task? How long will it take?

The development of spatial plans has to be managed at the local/regional level. Agencies can work well together on plans that reflect regional priorities and values, if there is a mandate to do so.

Gippsland Ports has some experience of this process, through its preparation of the Gippsland Lakes Sustainable Boating Plan, Gippsland Ports Safety and Environmental Management Plan (SEMP) and input to the Gippsland Lakes Environmental Strategy and Gippsland Lakes Sustainable Development Plan.

These are plans that seek to cross jurisdictional boundaries and integrate issues ranging from ecological protection, safety, environmental risk, infrastructure, tourism, fishing and community engagement, to establish agreed directions for development and protection of the Gippsland Lakes.

An extract from the Safety and Environmental Management Plan is included as Attachment 1, to demonstrate the scope and context of Gippsland Ports’ role as it crosses institutional boundaries.

#### **Example: Gippsland Lakes Ministerial Advisory Committee**

Gippsland Ports' participated from 2012 to 2015, in the Gippsland Lakes Ministerial Advisory Committee (GLMAC).

The Committee was established to prepare and implement the Gippsland Lakes Environmental Strategy, uniquely addressing combined interests across government, industry, the tourism sector, fishing and natural resource management working at the spatial level. The GLMAC model provided direct input into allocating resources for waterway management to meet a range of needs and interests, cutting across government agency responsibilities and directed towards overall outcomes for the Gippsland Lakes.

As a planning and advisory model, the Committee was similar to the Victorian Coastal Council, with the benefit of funding allocations to prioritise and advise on their distribution, and the advantages of an arms'-length approach. The Committee supported and facilitated projects that addressed water quality, wildlife, environmental restoration, eco-tourism, boating, the fishery, cultural values and community engagement.

But in order to succeed, "cross-cutting" plans need to be prepared at arms' length and with the explicit purpose of crossing the boundaries between environmental, social and economic management. The broadening of roles for individual agencies will not necessarily achieve this aim, and does not create change to management models.

Gippsland Ports recommends that, if Port Phillip is a high priority for development of a management plan, high priorities in the regions are the Gippsland Lakes and Corner Inlet, which are examples of defined geographical areas with a combination of complex management issues to be resolved.

We also recommend the investigation of new, formalised management models at the spatial level, that involve a range of interests in coastal and marine planning and management, not limited to the natural resource and environmental management agencies.

### **3. Integrating Planning Systems**

Integration of planning systems is much easier said than done! Countless planning 'reform' initiatives over the years have tended to overload the system, rather than simplify it, but the ambition is applauded.

Gippsland Ports supports the retention and strengthening of coastal management plans, as long as these plans are developed, reviewed and adopted with a broad view of the objectives they are intending to achieve.

Retention of Ministerial consent provisions for Crown Land development is also supported, but there is room for a broad set of exemptions to apply for a range of minor and necessary works that are clearly a normal part of reasonable coastal development. Public facilities on foreshores, replacement and

refurbishment of boating infrastructure, placement of navigation aids and safety facilities, etc. should not require a time-consuming and often purposeless planning assessment process.

Strengthening of the enforcement and penalty provisions for development will require resources and may create public conflict. The need for stronger enforcement of consent conditions will need to be weighed against the severity of the risk and the public benefit in undertaking enforcement activities. Gippsland Ports advises caution in seeking to strengthen enforcement measures, unless the benefits are clear and the resources are in place to take on this challenge.

#### 4. Adapting to climate change

##### **Question 3:**

**Other jurisdictions have made legislative changes to better deal with the impacts of accretion and erosion. Are there any aspects of the approaches used in other jurisdictions, for instance NSW and Queensland, that would be relevant for Victoria to help achieve the above improvements?**

The climate change mitigation and adaptation responses for the coast will take some time to develop and Gippsland Ports willingly participates in government-led processes for developing these responses, though we do not have a core role on this issue.

Our primary concern is that the responses recognise the role that maritime infrastructure plays in providing access to ports and waterways and that this role will not diminish. Where possible, we should seek to protect maritime infrastructure and assets, bearing in mind that most facilities have a design life of 40-50 years and can be designed to respond to climate change, in particular sea level rise, inundation and extreme weather events. The question of protection of landforms is much more complex on parts of the Gippsland coast and Gippsland Ports does not profess to have solutions that take into account geomorphological conditions or the intricacies of erosion and accretion management.

We do observe, however, that jurisdictions in New South Wales in particular have taken direct measures to protect and manage coastal landforms, where these support vital economic or community assets. We would regard it as important that these assets are identified and prioritised for future measures to ensure their continued functionality and public benefit.

#### 5. Sustainable resourcing

Resourcing of functions in maritime services is a key issue for Gippsland Ports.

The provision of cost-effective, functional marine infrastructure and facilities to meet community and industry demand is critical to the future of the Gippsland region and the State.

Gippsland Ports has recently undertaken a comprehensive review of its own fees and charges to achieve user-pays principles and move towards sustainable recovery of costs for providing facilities and services.

In relation to future resources, Gippsland Ports, wholeheartedly supports the better targeting of financial resources to where it is needed most, where it will provide the greatest benefit, and on the basis of agreed regional priorities.

Gippsland Ports supports initiatives that provide for increased contributions from service and infrastructure beneficiaries, but also submits there is scope for more effective utilisation of existing

revenues collected by Government through recreational fishing licences and recreational boating registrations.

The current guidelines and criteria for the Recreational Fishing Grants Program (DELWP) and the Boating Safety and Facilities Program (DEDJTR) effectively preclude the opportunity for integrated resourcing of significant infrastructure or facilities projects.

#### **Example: Boating facilities funding**

Boating facilities funding is currently provided through competitive ad hoc grants such as the Boating Safety and Facilities Program. The boating sector in Victoria is responsible for a \$4.5 billion contribution to the Victorian economy (Boating Industry Association of Victoria, 2016). On the Gippsland Lakes alone, the recreational boating sector contributes approximately \$160 million per annum to the regional economy (AECOM, 2012).

Research undertaken by the Boating Industry Association of Victoria also indicates that recreational boat owners are willing to contribute more through boat registration fees, provided that the funds are used to improve and increase the capacity of boating facilities to meet increasing demand.

Given the economic and other benefits that are derived through boating activity, the current meagre investment in boating facilities throughout the State (approximately \$10 million per annum), does not reflect the value of the sector, nor is it a sustainable level of funding given the demand for facilities.

## 6. Improving knowledge

This initiative is supported. Gippsland Ports submits that the knowledge and expertise of Local port managers / waterway managers should not be overlooked in this proposed reform, as they bring an additional and vital perspective to management of the coastal and marine environment from a shipping, recreational boating and maritime services point-of-view.

## 7. Involving the community

Gippsland Ports fully supports initiatives to increase community involvement and engagement in decisions affecting the marine and coastal resources.

**Question 4: Do you think the seven Drivers of Change encompass the key issues? What other key issues need to be addressed to improve Victoria's coastal and marine management system?**

These issues are addressed at various parts of this submission.

## **Setting clear objectives for the marine and coastal system**

*The following are recommended as the basis for the objectives of the new Marine and Coastal Act.*

- 1. Protect and enhance marine and coastal environmental values, including ecological, geomorphological, geological, cultural and landscape features of significance, natural coastal processes, natural character, biological diversity, and ecosystem integrity and resilience.*
- 2. Plan for, manage, maintain and improve Victorian marine and coastal ecosystems, waters and lands by building ecosystem resilience to climate change impacts, avoiding detrimental incremental and/or cumulative ecosystem impacts and working with natural processes where practical.*
- 3. Reduce current and future risks from climate change by improving the resilience of coastal communities and assets and adapting to the impacts of increased hazards.*
- 4. Promote integrated and co-ordinated coastal and marine advice, planning, management, monitoring, reporting and decision making across government, industry, user groups and the community.*
- 5. Acknowledge Traditional Owners' rights and aspirations for land and sea country, and use these rights and aspirations to inform coastal and marine management.*
- 6. Promote, plan for and manage the sustainable use and development of Victoria's coastal and marine resources for recreation, conservation, tourism, commerce and industry in appropriate areas so that the ecological processes on which life depends and coastal character are maintained, and the total quality of life, now and in the future, is increased.*
- 7. Improve community and user group stewardship and understanding of coastal and marine environments and natural processes, and engage the community and user groups in coastal and marine planning management and protection.*
- 8. Ensure that all Victorians can enjoy a wide range of experiences, and diversity of natural coastal and marine habitats, now and in the future.*

### **Question 5:**

**Do you think these objectives for a new marine and coastal system are appropriate to form the basis of the objectives for a new Marine and Coastal Act? Are there any issues that need to be considered when finalising these objectives?**

Essentially, yes.

The main issue to be considered is how these objectives will be translated into regional and local decisions, how they will be articulated in spatial plans and what new mechanisms are required for balancing the different needs and priorities for different agencies and stakeholders, as expressed in the objectives.



**Question 6:**

**Do you think the required skills for the Marine and Coastal Authority members should be legislated? If so, what skills, backgrounds and expertise should be represented? Should there be a minimum number of members? Is the maximum of 11 members still appropriate?**

Whether the required skills are legislated or not, it is important that a range of expertise and experience is utilised in decision-making affecting coastal and marine areas and that the needs of the diverse stakeholders are reflected in representation on the Authority.

## Attachment 1: Extract from Gippsland Ports Safety and Environmental Management Plan 2016-2018

### Key Strategies

#### **Waterway Management**

- Reduce the risks associated with conflicting waterway use.
- Establish formal engagement and consultation processes with waterway users to obtain input on waterway management issues.
- Provide relevant and timely information on port and waterway safety and environmental management to stakeholders and waterway users.
- Improve waterway users' knowledge and awareness of safety and environmental risks.
- Reduce the incidence of excessive boat wake in confined waterways.

#### **Boating Infrastructure**

- Develop strategic plans and priorities for new and upgraded infrastructure to meet future demand.
- Maintain assets in acceptable condition against established standards to minimise incidents.
- Reduce the potential for user conflict on jetties and wharves.
- Promote the enhancement of recreational fishing infrastructure (fishing platforms, jetties and fish cleaning facilities) to reduce conflicts with boating activity.
- Increase investment in boating infrastructure to meet current and future demand.

#### **Access and navigability**

- Maintain appropriate levels of port access and navigable channels for all waterways.
- Ensure the effective deployment of aids to navigation.

#### **Commercial Vessels**

- Maintain optimum availability of commercial vessel berths and moorings to support economic activity associated with ports.
- Manage public access to commercial wharves and jetties.
- Monitor, manage and mitigate conflict between commercial and recreational vessels.

#### **Operations Health and Safety**

- Eliminate work-related injuries and illness arising from operations.
- Consult with employees and contractors on safety risk management.
- Provide safe plant, and equipment.

- Ensure procedures and systems of work.
- Monitor workers and their work environment.

#### **Waste and Pollution**

- Reduce environmental impacts arising from Gippsland Ports operations.
- Develop environmental plans and waste management plans for ports and waterways.
- Reduce the incidence of illegal waste discharge from vessels into waterways.
- Improve capacity to respond effectively to marine pollution incidents.
- Establish more effective control over derelict or unseaworthy vessels

#### **Bio-security, Animal Welfare and Marine Pests**

- Minimise the risk of disease, livestock and wildlife injury and invasive pests from vessel movements.

#### **Climate Change**

- Incorporate climate change considerations into risk assessment and the planning and design of boating infrastructure.

#### **Coordinated management of waterways and land-based facilities**

- Improve integrated planning and management of the land-water interface to improve the safety and functionality of facilities.
- Reduce duplication and overlap of management roles to provide more effective waterway and facilities management.
- Ensure that leases, licenses and permits provide for the safe, effective and equitable use of land and waterway assets.



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20 October 2016

Marine and Coastal Act Consultation  
Policy and Strategy Unit  
Department of Environment, Land, Water and Planning  
PO Box 500  
East Melbourne, Vic  
3002

Dear Sir/Madam

**Subject: Marine and Coastal Act Consultation Submission**

Please find attached herewith the submission on the above proposed Act prepared by the Great Ocean Road Coast Committee.

As the Committee meets next on Friday 28 October, and it is important to meet the submission deadline prior to that, this submission should be considered by you as qualified until the formal Committee endorsement is achieved at their next meeting.

The Chairman, John Carlile, and committee members would welcome any opportunities to discuss this submission at a later time.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Richard Davies".

Richard Davies  
Chief Executive Officer



## Marine and Coastal Act - Consultation Questions



# Marine and Coastal Act

## Consultation Questions

### Question 1

**Is the Vision set out in the Victorian Coastal Strategy (VCS) 2014 the appropriate vision to be used for the development of a new marine and coastal system?**

**Current Vision: “...A healthy coast, appreciated by all, now and in the future...”**

RESPONSE: The vision of the VCS 2014 is limiting. “Appreciation” is a difficult measure and does not allow for outcomes required to manage issues of adaptation, climate change, funding, and multiple planning authorities. It is a worthy statement in itself, but a new Act should have wording focused on management and outcomes. The vision should aspire to increase stakeholder understanding of the objectives of improved coastal and marine management regime.

If not, how can it be improved?

*“...Integrated and responsive management of Victoria’s coastline and its challenges now and into the future...”*

The title of the new Act could be the *Marine and Coastal Management and Integration Act*. These Action words are important indicators of the underlying objectives of the new Act.

### Question 2:

**Do you think coastal and marine management arrangements are overly complex?**

RESPONSE: Yes, with over 60 entities managing Victoria’s coastline, boundary and governance issues are a constant challenge. The proposal rolls some smaller Committees of Management into larger ones. However, the remaining 50 or so entities will still operate (i.e. Local Government, Parks Victoria, large CoMs, Traditional land owners, coastal CMAs, coastal Water Corporations).

The concept of having Catchment Management Authorities play a lead central coordinating role between

# Marine and Coastal Act - Consultation Questions

natural resource management agencies is sound, however Catchment Management Authorities currently do not necessarily have the skill or cost base to do this well.. A lead agency needs to have the skills, capacity and processes in place to strategically prioritise projects, and organise and assess the quality of project delivery by all regional agencies.

In the past the Catchment Management Authorities coordination has been in the form of the delivery of a regional catchment strategy, which by itself does not achieve outcomes. What is required is regular meetings between agencies with Actions and responsibilities assigned for strategic priorities, coordination of funding, assessment of project plans, thorough monitoring and evaluation. We suggest the roles and responsibilities of all agencies are clearly defined.

## Question 3:

**Are there any aspects of the approaches used in other jurisdictions, for instance NSW and Queensland, which would be relevant for Victoria to help achieve the above improvements?**

No comments offered.

## Question 4:

**Do you think the seven Drivers for Change encompass the key issues?**

RESPONSE: In general, they do. The drivers can be further collated into 3 key areas.

### **Driver 1 Clearer governance and institutional arrangements**

Stands alone and emphasizes the importance of good governance and improved arrangements.

**Drivers 2 strengthening marine management, policy and planning** and **3 Driver Integrating planning systems** can be seen as covering planning and planning delivery

**Drivers 4 Adapting to climate change** and **5 Driver Sustainable resourcing** address the 'doing' part of the Act, in particular addressing adaption works and resourcing which covers the arrangements regarding works can be delivered, presumably via funding, skill sets etc.

**Driver 6 Improving Knowledge** - is part of a continuous improvement approach whereby all stakeholders and participants are building the knowledge as required for future challenges, such as adaption planning.

**Driver 7 involving the community** is correctly placed at the center and is shown as a beneficiary to ensure community involvement in all aspects of the subsystem delivery.



# Marine and Coastal Act - Consultation Questions

## Question 5:

**Do you think these objectives for a new marine and coastal system are appropriate to form the basis of the objectives for a new Marine and Coastal Act?**

RESPONSE: Yes

## Question 6:

**Do you think the required skills for the Marine and Coastal Authority members should be legislated? If so what skills, backgrounds and expertise should be represented?**

RESPONSE: Yes. The authority members' skills should mirror the core competencies and /or outcomes supported by the seven drivers.

**Should there be a minimum number of members?**

The minimum number should be 7. The maximum of 11 members still appropriate.

## Question 7:

**Do you agree with the recommended time frames and approach for a new marine & coastal strategy and marine & coastal policy?**

RESPONSE: Yes.

## Question 8:

**Do you think the proposed reforms would provide for greater efficiency in the advisory functions for natural resource management in marine and coastal areas? What other changes would be useful to help recognition of an enhanced focus on coastal and marine issues by Catchment Management Authorities (e.g. 'Coastal' in the title)?**

Response: Yes, particularly on the provision of NRM technical and adaption advice where currently there are a number of resources that can be available, but working through a single entity for, say, adaption, via the CMA will be more effective. Currently the Great Ocean Road Coast Committee has an excellent relationship with Corangamite Catchment Management Authority, and the proposed changes will enhance this.



# Marine and Coastal Act - Consultation Questions

## Question 9:

**What issues would need to be considered to enable a smooth transition from smaller Committees of Management (CoMs) to larger coastal managers or local government? What process should be followed? How would you ensure that the benefits of local input, knowledge and effort were not lost as part of the process?**

RESPONSE: A stakeholder and engagement process plus a work-flow analysis of the strengths or weaknesses of existing organizations (and their brands) should be undertaken prior to transition. It is important to understand the impact on business, coastal townships and customers to effectively deliver a mobilization or transition to larger coastal managers. This also needs to be accompanied by a fully resourced Implementation Plan.

Moving smaller committees of management into larger ones will assist strategic planning, particularly along significant stretches like the Great Ocean Road. It will also make clean up some current jurisdictional issues, making it easier for customers and the community. It is important, however, in planning any transitions to retain local contacts and knowledge.

Transitioning smaller committee of management to Parks Victoria would be counter to the stated driver of *involving the community*, because Parks Victoria personnel are not elected or appointed by government as community representatives. Parks Victoria continues to have funding issues for the 70 percent of the coastline it manages. The proposal of more responsibility, without a supportive funding model, will not address current management issues. This needs to be considered.

## Question 10:

**Do you think Victoria needs a marine spatial planning framework?**

**If so, what would be the key elements and who should be involved?**

No Comment offered.

## Question 11:

**Do you think there is a need to legislate for an Environmental Management Plan (EMP) to be prepared for Port Phillip Bay?**

**What other areas would benefit from an EMP**

No comment offered.



# Marine and Coastal Act - Consultation Questions

## Question 12:

**Do you feel that the policy statement in the VCS should be reflected in legislation through the new Act?**

No Comment offered.

## Question 13:

**Are there Activities where you think the beneficiary pays principle could be further implemented in a fair and equitable manner?**

RESPONSE: Beneficiary pays is limiting and depends on whether the beneficiary is the community using the land or the commercial operators in general, or both.

Funding and efficiency improvements:

- Tour operators – currently, in theory, pay for three separate permits to operate on the Great Ocean Road – Parks Victoria, Surf Coast Shire, and, potentially, the Great Ocean Road Coast Committee. An efficiency gain for the customer is to have one agency manage permits on behalf of all land managers.
- PV - annual parks pass/membership.

## Question 14:

**Do you think this approach would be effective at targeting resources to where they are most needed for coastal management?**

RESPONSE: In general terms, The Great Ocean Road Coast Committee does not support the introduction of a levy on Committees of Management.

This issue needs to be more detailed but initially the question of how much would the levy overheads cost to administer versus return for the community and environment? There is not enough detail on the proposed levy to authoritatively comment.

It does not follow that a larger CoM necessarily has a benefit in place by circumstance of higher revenue that could be shared. Larger CoM's have naturally large areas of operations and are generally operating in more highly developed and visited coastal areas – hence, for example, the location of their caravan parks. It follows that more funding is needed to support the heavily –used coastal areas, rather than seeing the revenue streams as a windfall to be shared.

At a recent MACA Practitioners Workshop it was stated that the levy would not be applied to lesser funded CoM's as a form of 'underwriting', but rather go into a pool of funds from contributing CoM's and then split back out - only to those contributors - to apply to worthwhile coastal projects within that cohort. (Worthwhile being pertinent to investment hurdles, environmental urgency, etc. it is presumed).

It is not clear why this approach would be adopted for what should be in practice well-funded individual CoM's,





## Marine and Coastal Act - Consultation Questions

and then through the levy operation develop for imposition an overhead expense to administer for no perceived benefit.

The major resource issues along the coastline are not with the smaller committees of management, but with Parks Victoria as manager of 70 percent. This levy does not address this issues with Parks Victoria, presumably, exempt from the levy.

Current Committees of Management are able to demonstrate, and actively market, that revenue generated from commercial operations like caravans parks, leases, and licenses go directly back into the caravan parks and coast from where the money has been collected. Introducing a levy to create a central grant program creates a different narrative, in which customer funds go to other areas of the Victorian coastline via government departments, not connected to the customer experience.

Committees of Management, particularly in the caravan park business, need to demonstrate difference in the market place – public good, connection to place, rather than being driven by profits for stakeholders as one would in the private sector. A levy would be perceived as introducing penalties to successful Committees of Management, and taking customer funds away from the landscape and townships in which they are spent.

Although to be provided in detail later, it is unknown on what is the levy based.

- Turnover, net margin, expense base, park fees, lease fees – or a combination?

In The Great Ocean Road Coast Committee's case, all surplus funds are fully expended each year on coastal and caravan park/asset replacement and improvement works and/or fully accounted for towards future works in planning stages now.

A current difficulty with paying for campsites in Victoria, irrespective of how much of the funds end up in a central funding pool, is providing feedback to campers on their fees distribution. The State is unable to say to campers that "your camping trip has just supported the park where you stay!" This remains an ongoing issue with the Parks Charge in metropolitan Melbourne i.e. a levy that is spread thinly across multiple agencies, vast distances, and for intangible community outcomes.

Conversely, the Great Ocean Road Coast Committee is able to say to campers with certainty exactly where their fees are allocated each year on specific coastal and park works, and we in fact publicize our key budget spending targets each year via our websites and other communication channels to our customers.

We suggest that it would be better to focus energies on expanding current Committees of Management, and sharing resources and expertise, such as experienced HR, Finance, Commercial and Communications staff.

# Marine and Coastal Act - Consultation Questions

**Which coastal Crown land managers should be subject to such a levy and eligible to access the proposed fund?**

RESPONSE: We do not propose that the fund go ahead. A levy will discourage innovation, risk taking and efficiency.

*“Targeting of resources where most needed (percent of revenue from some Crown Land Mangers pooled and distributed on an as needs basis)”*. Those that raise most revenue are those most used, and are arguably most in need of ongoing investment.

Committees of Management who manage the coast receive no recurrent funding from any level of government. Revenue is based on a business approach in which we are competing with the market. Transparent funding arrangements will be penalized. Should it be considered, then local government, and other agencies who receive funding from government, should be held to the same standards but will not due to lack of transparency over funding arrangements.

Climate change adaptation costs will not discriminate between resource-high and resource-low committees of management.

## Question 15

**How can cost-sharing arrangements be clearly articulated? Should this be a policy response involving federal, state and local government? If so by which means? Alternatively, does it require a legislative response?**

RESPONSE: This can be addressed once more detail is provided on any arrangement structures under a proposed operation.

## Question 16:

**Would legislating for a State of the Marine and Coasts Report help to achieve the system objectives? What issues would need to be considered in drafting a legislative obligation?**

RESPONSE: Yes, it would provide a structured annual reporting system that would help to direct some of the knowledge in the state.



# Marine and Coastal Act - Consultation Questions

## GENERAL FEEDBACK

- 1) The consultation paper also talks about amendments to the *Catchment and Land Protection Act 1994*. This Act has long been due for replacement which has been shelved a number of times. There is a risk that any proposed changes to the *Catchment and Land Protection Act 1994*, which helps to enable coastal and marine legislation, could be shelved again and limit the effectiveness of the new legislation.
- 2) From a governance point of view, we believe that the use and development of coastal crown land applications are currently a bottleneck in the system. Approvals for small routine works such as fencing and signage for conservation and safety needs to be simplified and streamlined. Agreed response times and adequate resourcing to allow CMA consent applications to be processed within the 28 day timeframe would greatly assist land managers to deliver projects.  
  
It is unusual for a CMA Cosnnwnet application to be processed within the 28 day period. This defined period should be amended or deleted to reflect reality.
- 3) The Page 81 description explaining the roles of Committee of Management drastically under-represents the services they deliver. This should be addressed if included in the Act or any further supporting information.
- 4) With regard to cooperative regional partnerships, we suggest that the lead agency is clearly defined for a range of different issues to clear up current ambiguity. For example with estuary openings, clearly define who should be responsible.



**Marine and Coastal Act – Consultation Questions and Responses  
from Merricks Beach Foreshore Reserve Committee of Management**

No.	Question	Response
1	Is the Vision set out in the Victorian Coastal Strategy (VCS) 2014 the appropriate vision to be used for the development of a new marine and coastal system? If not, how can it be improved?	The proposed vision ‘a healthy coast and marine environment, appreciated by all, now and in the future’ is appropriate.
2	Do you think coastal and marine management arrangements are overly complex? If so, how has it negatively affected outcomes? Give specific examples if possible.	Yes, there is a lot of overlap between various bodies and organisations at present, responsibilities and accountabilities are unclear and a number of processes are overly complex. As a result governance is poor and implementation is wasteful of scarce resources.
3	Other jurisdictions have made legislative changes to better deal with the impacts of accretion and erosion. Are there any aspects of the approaches used in other jurisdictions, for instance NSW and Queensland, which would be relevant for Victoria to help achieve the above improvements?	No comment
4	Do you think the seven Drivers for Change encompass the key issues? If not, what other key issues need to be addressed to improve Victoria’s coastal and marine management system?	The drivers for change cover the key issues
5	Do you think these objectives for a new marine and coastal system are appropriate to form the basis of the objectives for a new Marine and Coastal Act? Are there any issues that need to be considered when finalising these objectives?	The objectives are appropriate

6	<p>Do you think the required skills for the Marine and Coastal Authority members should be legislated?</p> <p>If so what skills, backgrounds and expertise should be represented?</p> <p>Should there be a minimum number of members? Is the maximum of 11 members still appropriate?</p>	<p>No, the required skills may change over time, embedding them in legislation would mean it would be difficult for them to be readily changed in response to needs.</p>
7	<p>Do you agree with the recommended time frames and approach for a new marine &amp; coastal strategy and marine &amp; coastal policy?</p> <p>Why?</p>	<p>Yes</p>
8	<p>Do you think the proposed reforms would provide for greater efficiency in the advisory functions for natural resource management in marine and coastal areas?</p> <p>What other changes would be useful to help recognition of an enhanced focus on coastal and marine issues by Catchment Management Authorities (e.g. 'Coastal' in the title)?</p> <p>Why?</p>	<p>Yes. It would be useful to incorporate the name of the relevant coastal area into the title of the relevant CMA's. This is already the case for the Port Phillip and Westernport CMA.</p>
9	<p>What issues would need to be considered to enable a smooth transition from smaller Committees of Management (CoMs) to larger coastal managers or local government? What process should be followed? How would you ensure that the benefits of local input, knowledge and effort were not lost as part of the process?</p>	<p>The main issues to be considered are the costs, benefits, risks and processes. Any transition options need to have a business case associated with them, covering these issues, so any decision making can be evidence based.</p> <p>In terms of process, a current state analysis should be undertaken by DELWP; potential future state/s should be developed through workshops and other consultation with stakeholders; then analysed by DELWP in terms of costs, benefits, risks, implementation etc. Options for change should then be developed and tested by DELWP through consultation with existing committees and stakeholders such as local communities and a preferred option identified. An implementation plan for the preferred option should then be developed and</p>

		implemented. It may be useful to establish a stakeholder reference group for the process in each relevant area.
10	Do you think Victoria needs a marine spatial planning framework? If so, what would be the key elements and who should be involved?	Yes, this would be useful.
11	Do you think there is a need to legislate for an Environmental Management Plan (EMP) to be prepared for Port Phillip Bay? What other areas would benefit from an EMP?	Yes. An EMP should also be prepared for Westernport, particularly taking into account the RAMSAR wetland, marine parks and the impact of potential port expansions on these.
12	Do you feel that the policy statement in the VCS should be reflected in legislation through the new act? Why?	It would be good if the new legislation is principles based, rather than prescriptive and inclusion of statements of policy or intent (eg. on climate change) would be helpful in this regard. However, this should not duplicate what is in other Acts, such as the Climate Change Act.
13	Are there activities where you think the beneficiary pays principle could be further implemented in a fair and equitable manner?	It will be useful for DELWP to review fees and charges (including leases of crown land) with a view to identifying opportunities for making these fairer and more equitable across the coast. Any such review would need to take into account factors such as variations in amenity, accessibility and ability of beneficiaries to pay.
14	Do you think this approach would be effective at targeting resources to where they are most needed for coastal management? Which coastal Crown land managers should be subject to such a levy and eligible to access the proposed fund?	There is a need to move away from a 'hit or miss' grants based approach to a more strategic approach to coastal land management, which identifies and resources priorities over appropriate time frames. This should cover infrastructure and natural resource management. Committees of management should reach agreement with DELWP as to their local activities and in cases where there is a need for an injection of resources this should be funded through normal government allocations, not via a selective grants program or a special purpose fund. This should be accompanied by accountability for achieving outcomes.



15	How can cost-sharing arrangements be clearly articulated? Should this be a policy response involving federal, state and local government? If so by which means? Alternatively, does it require a legislative response?	Cost sharing arrangements (eg across different levels of government) can be clearly articulated as part of an implementation plan arising from the proposed strategic framework for achieving priority outcomes for infrastructure and natural resource management. A principle in relation to cost sharing could be included in the legislation, but not the details.
16	Would legislating for a State of the Marine and Coasts Report help to achieve the system objectives? What issues would need to be considered in drafting a legislative obligation?	Regular reviews of the current state are an important tool to achieve the system objectives. It would be useful to include the need for these in legislation. Issues to consider include the purpose and the review period (perhaps every four or five years?).

### Question one

Is the vision set out in the Victorian coastal strategy (VCS) 2014 the appropriate vision to be used for the development of a new marine and coastal system?

Vision fundamentals a good starting point provided that;

1. Government funding to support initiatives is secured for long-term.
2. Past failure to achieving outcome has been largely due to lack of funding.
3. Paper appears to be prepared on the basis of current funding rather than longer term requirements
4. If no additional funding provided, costs to enjoy the Coast as per the vision ("appreciated by all") will not be achieved.
5. Additional costs will preclude many families and the less fortunate from enjoying our coastlines. Parks could have larger vacancies and may only be available to the uber rich....Being careful with managing our future is a delicate conundrum.

### Question two

Do you think coastal and marine management arrangements are overly complex?

Yes, it appears that in the current system there are overlapping levels of reporting through to multiple agencies. This results in unnecessary expenditure of time by staff and volunteers often in self funded or even non-funded positions

If so how has it negatively affected outcomes? Give specific examples if possible.

As an example, at Point Leo it took us three years to finalise the planning process to construct our new campers information Centre. We believe that a streamlined process would have reduced the complexity and time of this project.

### Question three

Other jurisdictions have made legislative changes to better deal with the impacts of accretion and erosion.

Are there any aspects of the approaches used in other jurisdictions for instance NSW and Queensland, which would be relevant for Victoria to help achieve the above improvements?

We don't have the extensive knowledge required to comment in this area

#### Question four

Do you think the seven drivers for change encompass the key issues?

If not, what other key issues need to be addressed to improve Victoria's coastal and marine management system?

In general the Point Leo Foreshore Committee of Management agree with all seven drivers for change however we would like to see it further expanded to include;

Driver for change 7 Involving the community.

We believe that this a critical component of any new marine and coastal management and is currently under rated and under invested in by governing agencies. We find it concerning that in the second paragraph of the consultation paper (page 31) is states that "Entities such as committees of management that provide for local individual involvement in decision-making are unlikely to be able to deal with some of the larger challenges faced in coastal management in the future". We have not been provided with any evidence or examples that this is the case and whilst we agree that the challenges are greater for small committees of management such as ourselves, many of our neighbouring COM's do have the ability to access the knowledge and skills necessary but in many cases just lack funding and support to meet the challenges

We believe that with our intimate knowledge of our local areas we are best placed to plan for, and implement to manage challenges and decisions. To successfully involve coastal communities, the governing agencies will need to provide further support and governance, this would mean an investment of resources at a departmental level.

It must be remembered that it is vitally important that the for implementation of any new coastal and marine act is to be effective it will require workers to carry out the necessary tasks to achieve goals. We should never underestimate the amount of work that is carried out by by volunteers in our communities.

#### Question five

Do you think these objectives for new marine and coastal systems are appropriate to form the basis of the objectives for a new marine and coastal act?

From our understanding we agree with the objectives as set out in the consultation paper, But again find it disappointing that references to engaging the community are at the bottom of the list as it is the community who should be engaged to participate in/and benefit from any new MACA.

Are there any issues that need to be considered when finalising these objectives.

The biggest issue that we can see is that whilst there is generalised discussion on funding there is no definitive financial model that sets out how proposed changes will be funded

Question six:

Do you think the required skills for the marine and coastal authority members should be legislated?

We don't think the skills should be legislated as it can lead to narrow skill sets, limited workforce, and views informing future decisions, as a broad range of views and skill sets apply to these marine and coastal areas.

If so what skills backgrounds and expertise should be represented?

Should there be a minimum number of members?

Is the maximum of 11 members still appropriate?

No - to legislating "required skills".

(a) Legislation will only limit the proposed MCC authority to expand on skills in the future. Skills required in the future, may not be the same when the legislation was first initiated (knowledge is key).

(b) Yes - 11 "is too few" allows for only a little expansion of knowledge, at least 50% of participants definitely should have core / specialised skills.

(c) No - 15 people maximum and minimum. This allows for a combination of Skill and knowledge participants being a workable group for decision making.

Question seven:

Do you agree with the recommended timeframes and approach for a new marine and coastal strategy and marine and coastal policy

The timeframes are too short and need to be expanded to a minimum of 6 to 8 years.

Whilst we agree that all strategies should be continuously and regularly reviewed, as is best practice in the commercial world, to redevelop a full new plan every four years will give little time to implement a complete the longer term strategies and projects, and potentially see some deferred to never reappear, although they had been important "time to implement and complete is the key issue here".

Question eight:

Do you think the proposed reforms would provide for greater efficiency in the advisory functions for natural resource management in marine and coastal areas?

What other changes would be useful to help recognition of an enhanced focus on coastal and marine issues by catchment Management authorities (e.g. coastal in the title)?

Yes, having a central point for maintaining and gathering information is vital to the access of accurate information in the future for decision-making.

Question nine:

What issues would need to be considered to enable a smooth transition from smaller CoMs to larger coastal managers or local government? What process should be followed? How would you ensure that the benefits of local input, knowledge and effort were not lost as part of the process?

This matter was recently addressed at a meeting On 27 September with the Minister's representative (Dionne Eagleson | A/Senior Adviser, Environment Office of the Hon. Lily D'Ambrosio MP Minister for Energy, Environment and Climate Change, Minister for Suburban Development) together with a number of Committees of Management which were greatly concerned with many of the assumptions and inaccuracies in this section.

It is a disappointment that more representation to the parties concerned was not initiated prior to the completion of the consultation paper.

It is also not keeping with best business practice in producing proper cost benefit analysis of such plans in proposing the amalgamation of Committees of management without exploring how they would be funded in the future. It is inappropriate to use the examples of Barwon and the Surf Coast as successful amalgamated committees, These are two of the most highly visited tourist areas with a greater capacity to garner tourist dollars than many of the small committees of management proposed to be amalgamated. As such these one-offs have significant tourism Opportunities to generate income.

There are many other implications this strategy would need to consider which we and other Committees and management are open to discussion if the expert panel are interested. (Please take the time read and refer to the attached letter for more information)

After rereading this section several times and consulting with many other interested groups the opinion is the expert panel have this section wrong.

Question 10:

Do you think Victoria needs a Marine spatial planning framework? If so what would be the key elements and who should be involved?

Yes: Although the use of the word spatial in relation to marine planning be confusing for many people, perhaps better terminology could be considered

Marine zoning is top priority, those involved should be DELWP, Parks Victoria, marine groups through to Committee of Management and other interested groups.

Question 11:

Do you think there is a need to legislate for an environmental management plan to be prepared for Port Phillip Bay? What other areas would benefit from an environmental management plan.

Yes, legislation could be enacted to help with the further protection of not only Port Phillip Bay but all coastal regions.

Question 12

Do you feel that the policy statements in the Victorian coastal strategy should be reflected in legislation through the new act?

We don't feel that we have adequate expertise or understanding of how legislating the VCS policy statements would impact and is best left to legal resources

Question 13:

Are there activities where you think the beneficiary pays principle could be further implemented in a fair and equitable manner?

Yes, with qualification (refer to answers in question one)

Note: The ultimate balance is a is to quote line 7.2 page 67 ' the equitable access and use of Victoria's coastal and marine areas by all Victorians."

Question 14:

Do you think this approach would be effective at targeting resources to where they are most needed for coastal management? Which coastal crown land managers should be subject to such a levy and eligible to access the proposed funds

Potentially the approach could be effective, Provided there is certainty in the allocation of funding:

The action should not be controlled by state government but by independent council or authority (this needs research).

Grants and loans have not been the answer in the past. Why should it be presumed they will be in the future. Stronger certainty to the approach is needed and comments such as “likely be recipients” page 68 para one of the MACA does nothing to support the process.

Why target coastal Crown land managers when often they can be the most under resourced bodies. If we are talking about a user pay system then a percentage of the funds generated on fees collected could be allocated to future projects across the broader region?

#### Question 15:

How can cost sharing arrangements be clearly articulated? Should this be a policy response involving federal, state and local governments? If so by which means? Alternatively, does it require a legislative response?

A legislative approach is required it should be spread over all governing legislative legislation state and federal pertaining to capital expenditure. It should also follow that buildings and infrastructure should be recorded and listed so as future assessment for replacement after X years could be prioritised and then budgeted through the state government well in advance for forward planning each 12 months the quick.

Any cost sharing arrangements should be completely transparent and publicly audited and reviewed on a regular basis. We feel that there is already considerable concern that monies collected or transferred through departmental agencies is not wisely spent, It would be detrimental to small foreshores such as our own who work hard to generate what income we have to have it publicly perceived as being wasted by state government agencies

The key point are:

1. Lack of capital spent on replacing ageing and ineffective infrastructure will result in less public attendance in visits.
2. Increasing fees and charges will also result in less public attendance.
3. less attendance will cause lack of funds to enable ongoing maintenance requirements.

#### Question 16:

Would legislating for a state of the marine and coastal report help to achieve the system objectives? What issues would need to be considered in drafting a legislative obligation

We don't feel that we have adequate expertise or understanding to make constructive comment



Balnarring, Merricks Beach, Pt Leo and Shoreham  
Foreshore Committees of Management  
C/- Pt Leo Foreshore Committee  
1 Pt Leo Rd, Pt Leo Vic 3916

11 July 2016

The Hon Lily D'Ambrosio  
Minister for the Environment  
Level 36, 121 Exhibition St  
Melbourne Vic 3000

Dear Minister

**RE: Future Management of the Western Port Foreshore Reserves Somers to Shoreham**

I am writing to you on behalf of the Western Port Foreshore Reserve Committees of Management of Balnarring, Merricks Beach, Point Leo and Shoreham, in regard to a concept presented to us by the Department of Environment Land Water and Planning (DELWP), through its representative Chris Padovani, to consolidate the management of the five Foreshore Reserves from Somers to Shoreham.

This concept has since been shifted from the Department into the auspice of the Expert Panel established to develop a Marine and Coastal Act.

DELWP approached the respective foreshore committees in late February 2016 asking for feedback on proposed Committee amalgamation. At that stage we understood we were being asked to comment and provide input on the idea before the DELWP representatives were to present a proposal to the Minister. Each of our committees responded with a request, seeking a brief or outline of the proposal, including a cost benefit analysis and responses to a basic list of questions we considered necessary before any of our COM's could form any constructive opinion.

The primary rationale presented by the Department was along the lines of "form a single Committee, it will solve the Department's problems with how to manage the Somers Reserve (Parks Victoria being the interim Manager) and will assist in addressing the department's manpower and funding constraints". Secondary considerations were sharing the income base with Somers and Merricks Committees and freeing resources for specialist staff support.

Subsequently we have been informed the proposed amalgamation of Foreshore Committees will be included as a proposal in the (soon to be released) discussion paper on the new Marine and Coastal Act. We note this new Act is an election commitment of the Government, and we agree the current legislation needs to be updated to better reflect current needs and to help better protect and meet the demands being placed upon our coastal regions on so many different fronts.

The Committees however have serious concerns that the proposed amalgamation of our foreshores (a small part of the new Act) will have a destructive effect on the Reserves we manage.

We appreciate that there are issues surrounding the equitable funding of our reserves, particularly affecting those that do not have the infrastructure to generate an income. We also recognise there are budget constraints regarding DELWP funding, not only in relation to funding the direct costs of managing coastal reserves, but also in relation to funding Departmental positions that enable DELWP to dedicate time and resources to help us manage our reserves. However, we do not believe, given the limited information we have to date, that an amalgamation of the Reserves, to be managed by a single Committee, is the answer.

At the moment dedicated local people volunteer their time to oversee the management of each reserve. Through their dedication with on the ground, hands on work, these people are uniquely positioned to not only be aware and manage the day to day issues and needs in their parks, but also have invaluable site specific knowledge to input when planning for the future. This local input and ability to work (unpaid) at a grass roots level is what builds and strengthens our communities. It empowers the population and fosters a sense of pride, place, belonging and ownership which only further enhances and protects our reserves.

If the plan to amalgamate the Foreshores Committees (Four volunteer Category 2 Committees, plus Somers into one Category 1 Committee with paid members) were to go ahead it will disempower our local communities and alienate them from the decision making process. This in turn will only cause loss of engagement in the care and upkeep of our parks and animosity in the community towards the Department and political powers who will be seen to have taken from communities who have successfully managed these lands for many years. We ask that you recognise not only the importance and value that small communities make in managing these reserves, but also the importance of these reserves in helping foster and sustain small communities.

We are yet to see any financial modelling to show how the proposed amalgamation could work and if it would provide net benefit to the broader community. No cost benefit analysis has been completed or provided to substantiate the worth of the proposal. As part of any analysis projections need to be incorporated on the likely impact on volunteers. Anecdotal evidence from previous transitions from Category 2 to Category 1 Committees is that volunteer involvement declines.

Good management of public land has far greater benefits (such as environmental and biodiversity) than just its enjoyment by or amenity for human visitors. The most precious areas of the Western Port Reserves are those remnant areas of indigenous bushland, which do not generate an income, but protect a range of locally and regionally significant species and contribute to broader Government objectives in these areas. This means that a 'user pays' approach based on distributing income from local camping fees, is flawed – equitable funding should mean funding according to need. A model is required that enables us to reach agreement with the Department on how the Government and other sources will contribute to the long term funding of the needs in each area. This could be on the basis of agreed priority outcomes and associated funding streams. Reliance on an already stretched camping income, or a hit or miss grants program is not a sustainable way to manage public land for ongoing quality outcomes.

Alternative operating models warrant consideration. The Western Port Committees offer their support in exploring and implementing initiatives that would preserve the best of the current operating model and implement new initiatives including cost/resource/revenue sharing and consistent environmental planning and regulation enforcement regimes.

Our Committees strongly oppose the Category 1 model which effectively would replace a volunteer based model with professionals. Our Committees have successfully maintained, improved and managed the Reserves for more than 70 years using the goodwill and input of dedicated volunteers. The idea that we would take money out of on the ground works to pay people for unneeded management/ advisory positions is irresponsible.

We note the recently released State Government Biodiversity strategy which has a focus on 'connecting Victorians with nature', with the vision being *Victoria's biodiversity is healthy, valued and actively cared for* (emphasis added). Changing the management structure of coastal reserves away from community involvement would seem to be contrary to this.

To date the Committees have had limited discussion with our local communities and camping community while we wait to see a formal proposal or gain a better knowledge of what is to be proposed.

Information about the DELWP proposal has already begun to get out and we are taking a lot of calls and concerns from a wide range of people who really appreciate how our parks are managed and what we have achieved. The vast majority of people are concerned and beginning to look for ways to object and fight this proposal.

Our Committees would welcome the opportunity to explore with the Department how to modify the existing operating model to keep the best of what we currently have but with modification to attain the longer term objectives we all seek.

We would very much like to meet with you at the earliest possible opportunity to discuss our concerns and ways that we can work together on this issue, which has wide ranging implications for the local communities and the thousands of members of the general public who regularly visit this fabulous section of coastline each year. If possible it would be most beneficial Minister if you could allocate the time to visit the area. We would be more than happy to provide an informative tour and briefing.

We look forward to receiving your response and welcoming you to our area.

Your sincerely,

Chairperson, Pt Leo Foreshore Committee  
on behalf of the Balnarring, Merricks Beach, Pt Leo and Shoreham  
Committees of Management.



Shoreham Foreshore Reserve  
PO Box 24  
SHOREHAM 3916

## **Shoreham Foreshore Committee of Management comment on the Marine and Coastal Act Consultation Paper – October 2016**

This Submission responds to the Marine and Coastal Act Consultation Paper, August 2016. It responds first to the Executive Summary contained in the Consultation Paper and then addresses the questions that have been specifically put to comment. The Submission is primarily directed to the recommendation that Category 2 Committees of Management (CoMs with less than \$1m income) be transitioned to Category 1 CoMs.

Who we are:

The Shoreham Foreshore Reserve stretches for 2.2 km from Point Leo to Flinders on Westernport Bay. The Shoreham Foreshore Committee of Management (the Committee) was established in 1929. It is a Category 2 Committee of Management. Within the reserve is a campground of 100 unpowered sites that provides, apart from the occasional grant, the entire income of around \$175,000 per year. A ranger with extensive experience is employed. The Committee is made up of 5 members: Doug Owens, a retired CEO of a large Melbourne municipal council, Adam Shalekoff, the Co-coordinator, Climate Change in our local Shire (with a Masters in Environment and Planning), Peter Renkin, a retired Manager Aboriginal Affairs (who is also the President of the large and active Shoreham residents association), Sue Boggan, a practicing Psychologist, with a strong interest in community engagement and Toby Shnookal, a practicing barrister (QC) with a civil engineering background and qualifications. All have had a long involvement in the Shoreham Foreshore.

### **Executive Summary (page 6)**

The consultation paper states:

"This paper suggests a need for smaller Category 2 CoMs (with an annual revenue less than \$1m) being combined or consolidated into bigger, better-resourced Category 1 Committees or, where it is more appropriate, transferring their management responsibilities to local governments as CoMs or Parks Victoria. A process would be needed to work with the community and identify the specific issues and needs to determine the most appropriate model. The proposals recognise that it would be imperative to harness and maintain community involvement. The ability to offer both formal and informal opportunities for community participation has been a key strength of the current system; it must be built on. However, there is a balance between encouraging participation and overburdening community members with too much responsibility, without the necessary expertise, support or resources to undertake the task. The risk is that smaller CoMs will struggle to generate the capacity to deal with the impacts of climate change and population growth "

### **COMMITTEE COMMENT:**

The Summary refers to the management capacity of small CoMs to manage climate change and population growth as being the underlying reason to transition to larger Committees and acknowledges the risk of loss of community participation as being the counter argument. The Committee submits that the arguments presented in the discussion paper are very weak and do not support the general proposition that larger CoMs are always a better management structure. Current CoMs or clusters of CoMs should be considered individually rather than the blanket "one size fits all" proposition expressed. The Committee is strongly of the view there would be a considerable loss of community participation if local management was removed in its region and the local community would vigorously oppose it. The increased cost of a paid management structure and the increased support the discussion paper proposes is a cost that the recommendation does not address. The submission makes the bald assertion larger CoMs are better than small CoMs while at the same time recognising no cost-benefit analysis has been done. That is a policy development driven by ideology; not proper analysis.

### 3.6 Transitioning from smaller Committees of Management (CoMs)

#### Question 9:

*What issues would need to be considered to enable a smooth transition from smaller CoMs to larger coastal managers or local government? What process should be followed? How would you ensure that the benefits of local input, knowledge and effort were not lost as part of the process?*

The consultation paper states:

"To determine the best way forward, it is proposed that a process be established to examine the best option for transitioning away from smaller CoMs in different areas. This process would be undertaken with local communities so they can have their say on the preferred approach and help ensure local knowledge and experience can be best retained. The process would take into consideration any directions from the Victorian Environmental Assessment Council's current Statewide Assessment and should clearly look at the costs and benefits of potential options. It should also have regard to the risks facing each CoM and should work through any cost-sharing arrangements for addressing these risks with the potential land manager (see section 7.4 for further discussion of cost-sharing arrangements)."

The consultation paper makes a case for the transition from category 2 CoMs to larger category 1 CoMs on the basis:

"While local governments and Category 1 CoMs are likely to be well placed to deal with the future challenges outlined above, smaller Category 2 CoMs are not. These small CoMs will likely struggle to generate the revenue or develop the necessary skills and capacities needed to deal with future challenges, particularly in managing assets and adapting to the impacts of climate change."

#### COMMITTEE COMMENT:

The Cat 1 CoMs referenced to support this statement are Phillip Island Nature Parks on Phillip Island and along the Great Ocean Road.

Why the Phillip Island Nature Parks operations deriving \$20m from tourism was used as an example (p 48) for moving from cat 2 to cat 1 CoMs is mystifying. The Nature Parks operation is unique and only remotely relevant from a management and service perspective but has no relevance in regard income generation.

The Great Ocean Road Coast Committee (GORCC) example has validity but its tourism infrastructure, the nature and function of the Crown land and its income potential stands it apart from most other Crown land reserves or groups of Reserves.

The highly successful example of the Shoreham Foreshore Reserve is more relevant to consideration of the success of Level 2 CoMs (and the supposed need to transform them all) than the two Cat 1 CoMs referred to. There are a very large number of highly successful Level 2 CoMs across Victoria that are entirely overlooked.

No evidence is presented to support the statement that smaller Cat 2 CoMs are not well placed to deal with future challenges. Some will be, some will not. A large number of Cat 2 CoMs are successful and self-sufficient. Some are reliant on some State or Federal government grants for major infrastructure works as are Cat 1 CoMs. The assumption that one cap fits all is unproven and perhaps erroneous.

Correctly the paper says costs and benefits should be examined. A cost benefit analysis must be the key determinant of the best CoM structure. The analysis needs to have regard to income and expenditure scenarios, service and infrastructure standards, capacity to deal with future challenges (outlined in the consultation paper), the purpose and function of specific reserves, economies of scale, community expectation and volunteer impact.

## 7.2 Greater beneficiary pays:

The Consultation paper states:

“While a 'one size fits all' approach to fees and charges is not suggested, a comprehensive review of all fees charged by coastal Crown land managers should be undertaken. This should focus on where greater consistency, cost recovery or additional revenue could be achieved while maintaining fairness and equity for the use and enjoyment of marine and coastal areas.”

This review is a critical precursor to undertaking a cost benefit analysis. Just as the one size fits all is not suggested for fees and charges it should also not apply to size and structure. Let matters be considered on their individual merits.

**There are fundamental differences between the West Coast and Phillip Island Committees and those on Mornington Peninsula Western Port side.**

Shoreham - The Reserve is Crown land, it is a permanent reservation and its reservation purpose is the “protection of the coastline”. The key objectives of the reserve management plan are to ensure the protection and enhancement of the natural and cultural values of the reserve, to provide safe and appropriate recreation experiences, ensure sustainable facilities and equitable access and to involve the community in planning and management of the reserve.

Public meetings held in developing the past two management plans have expressed overwhelming demanded no change that will adversely impact the natural environment. Reserve income is derived from 100 unpowered sites. Neither the community nor campers desire any shift to powered sites or the introduction of cabins. The tariff for a site peak period is \$35 per night.

Peak period tariffs under the Great Ocean Road Coast Committee include:

Torquay:	Cabins	\$205 to \$395 p.n.
	Powered camp sites	\$89 p.n.
Angelsea:	Cabins	\$205 to \$331 p.n.
	Powered camp sites	\$83 p.n.

For Barwon Coast CoM (example):

Barwon Heads: Cabins	\$160 to \$325 p.n.
Powered sites	\$84 p.n.
Unpowered sites	\$48 p.n.

In addition, both Committees generate circa 18.5% of their income from leases and licenses and in some years grants from State and Federal Government comprise 15% to 18% of income.

The income generation on the West coast will never be matched by the Western Port Reserves. At Shoreham income from leases and licenses is small, circa \$500 per year. Even if site rental increased to the Barwon Heads level \$35 to \$48 p.n. (37%) camping fee income would increase from circa \$175,000 to \$240,000. A significant increase in income can only be achieved by acting contrary to community expectation – introducing powered sites and cabins into the Flora and Fauna Reserve.

The income generating Reserves of Pt Leo and Balnarring are similarly structured to Shoreham.

Great Ocean Road Coast and Barwon Coast generate between \$6 – 8m. The 5 CoM's on Western Port generate a combined income of \$1.1m.

**One size does not fit all. Each area needs to be considered on its merits and a comprehensive review of all fees needs to be undertaken prior to a thorough cost benefit analysis.**

There is limited capacity to generate economies of scale from a merger of the 5 Western Port CoMs. Current Committees with staff employ the minimum number required to meet current community agreed service levels. Shoreham employs one full time Manager and under any new structure at least one person would be required to manage the Reserve.

## CONCLUSION

The attached letter dated 11 July 2016 to The Hon Lily D'Ambrosio, Minister for the Environment sets out the views of the Western Port Committees at that date.

The Shoreham Committee welcomes the opportunity to work with DELWP or any other Government appointed body charged with the responsibility to undertake a detailed analysis of what offers the best structure to manage the Western Port Reserves.

At this time there is insufficient knowledge to determine what that structure might be and to conclude a Category 1 Committee is the answer is premature.

## 3.8 Promoting greater use of shared services and better integration

The Consultation Paper states:

“For current Category 1 CoMs or where smaller ones are transitioning to Category 1 CoMs, collaboration for service delivery and better integration with local government should be encouraged and facilitated. Services such as waste management, vegetation management, compliance and monitoring could be more efficiently delivered in partnership between these organisations rather than each engaging their own contractors or undertaking these services in house. Better integration between these organisations should be encouraged to ensure coastal management is fully woven into key municipal policy and planning on broader issues such as tourism, recreation and open space.”



## COMMENT:

The reference to Category 1 CoMs applies or should apply equally to Cat. 2 CoMs.

Despite what is written in the paper Local Government in some areas has been and is an unwilling participant in managing or assisting the management of Crown land which is seen as a State responsibility.

Over decades of consecutive State and Federal Governments, Local Government has been induced with financial incentives to provide services such as Home Care, School Crossing supervision, Government Road maintenance only to see the State and Federal Government contributions decline and Local Government left to continue the service.

This cost shifting has added millions of dollars to the rate bill. With the recent introduction of rate capping Councils are now reducing service levels and in some cases ceasing to provide a service considered to be the responsibility of another level of Government.

Whilst better integration and the greater use of shared resources is preferred the Shoreham Committee has experienced the opposite in its dealings with the Mornington Peninsula Shire.

### *Example 1. Regulation Enforcement*

Local Government is best resourced and has the legislative capacity to enforce regulations pertaining to dogs and dog owners on the public beach that forms part of the foreshore. The Committee works under ineffective Crown lands enforcement legislation. Importantly, there is no ability to issue on the spot penalty notices. After two years of discussion with Mornington Peninsula Shire and with the Committee offering to pay for an enforcement service provided the Council, the Council flatly declined, citing the matter was a State government responsibility.

### *Example 2. Storm Water control*

Storm water from the neighbouring residential estate is discharged at various point into and running through the Reserve causing erosion to the foreshore cliff face. This has resulted in a large land slip some 4-5 years ago. Repeated requests for action by the Local Government to implement an improved drainage system has not resulted in any effective action.

### *Example 3. Current Management of adjoining foreshore area*

The Shoreham Foreshore reserve is zone 21 on the map that is contained on page 86 of the Discussion Paper. As is clear from that map, it adjoins zone 17, an area of foreshore managed by Local Government. There has been absolutely no weed control, no management of pests and, in fact, no management at all of the Local Government managed area of that foreshore from where it abuts the Shoreham Reserve for the several kilometers until it reaches the built up area of Flinders for at least 20 years.

## CONCLUSION

Suggestions in the paper that Local government will take on an increased management role of foreshore reserves is questioned.

### 7.3 Targeting resources to where they are needed most

The paper recommends:

“Better target resources to where they are needed by establishing a levy on certain coastal Crown land managers.”

#### COMMENT

Shoreham supports the concept of a levy. The levy may be applied to Cat. 2 CoMs as well as Cat.1 CoMs.

### 7.4 Better articulating cost sharing arrangements

The paper recommends:

“Establish a process to determine appropriate cost-sharing arrangements for coastal infrastructure.”

#### COMMENT

Much resource time will be expended in pursuing this recommendation. Hopefully it succeeds. History shows cost sharing arrangements do not hold for any length of time.

## 9. Boosting community involvement

The paper states:

“opportunities to engage the community on matters specific to the coastal and marine environment have not been maximised, are often sectorial based and have not engaged the wider community. The management and delivery of community engagement and involvement needs to better balance all community values into the future. Achieving this outcome would support stimulating investment (interest, resources and programs) in coastal and marine management now and into future.”

#### COMMENT

The Shoreham Committee supports recommendations seeking to boost community involvement.

Volunteers are essential to achieving the objectives of the consultation paper.

The transition from Cat. 2 CoMs to Cat.1 will see a number of volunteers disengaged. Most of the current volunteer Committee members are likely to discontinue their involvement.

We understand the Great Ocean Road Coast Committee initially established the former smaller Committees as local advisory groups but individuals felt the value of their input not worth the effort and the advisory groups had a short existence.

The Great Ocean Road Coast and Barwon Coast CoM's have initiated a number of volunteer and community involvement programs (mostly as Friends of ..... Groups) providing examples of how volunteers can be engaged over the longer term.

Volunteer and community involvement in the direct Governance of Committees is however significantly diminished in Cat. 1 CoMs. Currently through the volunteer committee members the community has a direct and immediate voice to the Reserve management and staff.

The local community walk the Reserve, know the Reserve, see how it is maintained and provide direct feedback to decision makers on a daily and weekly basis. This is largely lost in a larger organisation where communication channels are filtered through a tiered structure.

We thank you for considering this submission.

Doug Owens  
Chairperson

For and on behalf of the Shoreham Foreshore Committee of Management  
21 October 2016



## Marine & Coastal Act - responses to discussion questions

1. Yes, the Vision sounds good but getting there will be the real challenge
2. Yes. The process of getting all parties to agree to what is a relatively simple request can be very frustrating at times. Dredging of the Tooradin boat ramp is an example of this, with different methods being suggested by DELWP staff. Then personnel and opinions changed, and Parks Vic ended up refusing to approve the final recommended method anyway, so we went back to a previous proposal. Another example is the lack of access to any means of enforcing bylaws or compliance in relation to people who refuse to pay ramp and other fees. .
3. Not sure, our issue here in Tooradin is silting of the inlet and the consequent spread of mangroves.
4. Yes, fairly comprehensive
5. Yes, but like most objectives sticking to them is the real issue.
6. No, there should be a mix of people, some with qualifications, some with local knowledge and some with experience. Minimum would be 7, maximum 15.
7. Possibly. It may need to time for consultation with COM's
8. Yes they should, whether they will remains to be seen.
9. There should be more consultation directly with COM's, there have been no consultations with COM's to date other than reading this document. Simply stating that if your COM has less than \$1million you are transitioned should be more flexible. Some COM's may be very efficient and productive but be under that threshold.

We have very strong concerns regarding the method of future management, to ensure that community views are considered. How will this be done effectively? Generally when a community consultation is arranged by Council, Government Department or high level committee every few people participate, even those who are directly involved in relevant existing volunteer organisations. The existing Committee arrangements ensure that a local focus is always considered.

We agree that the current management arrangements are complex and require improvement. However there needs to be a real focus on inclusion of local stakeholders (as opposed to simply lip service to it.) There have been many examples here where Casey Council has consulted but no one really was spoken with, and the end result is dissatisfaction with the outcome. In some cases Casey have taken actions that were against the existing principles without seeking any approval from the COM or DELWP.

Because Casey does assist with mowing, rubbish removal and some other aspect of this reserve, council staff have on occasions assumed that they had direct control of other unrelated matters and have carried out works without any involvement of the Committee, eg tree removal, signage installation etc. Some works have been appropriate, others not. The proposed management changes may make this less likely depending on what form they take here, but could also give Council more control, resulting in even less oversight or consultation.

How will you ensure that funds are provided in an equitable way? What will happen to existing grant structures where community groups apply for funding and are assessed by an independent panel in consultation with the relevant departments? Will regional committees apply? How will local community groups have input into what should be applied for? How will the competing projects be prioritised at the regional level to ensure that good ideas are not buried in the political process?

There would need to be regular contact with local appointed representatives to ensure that the local knowledge is not lost. One of the key issues in our dealing with DELWP (and all of its previous titles) has been the lack of continuity of staff contacts whenever there is an issue or matter to discuss. It takes a while for the COM to find out there has been a change, who the new person is and to get to know them, and for them to get to know us and current the issues.. Then, the person is promoted, or leaves for another position elsewhere and we start all over again. I recognize that this is normal in public service departments, but there needs to be more continuity of knowledge, perhaps that will occur under the new proposals.

This COM has put a lot of effort into the Tooradin Foreshore, with assistance and grants from time to time from all levels of government. Existing arrangements have Casey Council looking after some aspects, Parks Vic looking after the Jetty and inlet waterway, and Melbourne Water looking after the inland waterways and the COM reporting to DELWP. Support from the local State member has been crucial in the past in getting substantial funding approved, instigated from local grass roots committees. This is different to a direct proposal to government at a higher level. How will that process be managed under the new proposals?

There is also the issue of daily oversight of the Foreshore by COM members/staff to ensure that any issues are dealt with quickly and appropriately, eg rubbish, damage to facilities, injured wildlife etc etc. Without a local committee this may no longer occur, and response times would likely be much longer.

10. Maybe, not sure.
11. Yes. An EMP for Westernport would also be a good idea.
12. No. It may result in governments not being accountable for their action.
13. No. Some high revenue COM's would then be financing low income ones.

Ross Wilkie  
Secretary  
Tooradin Foreshore Committee of Management  
22 October 2016

