

## **Community/Interest Groups - Submissions**

Anglesea Motor Yacht Club

Blairgowrie Community Fire Prevention Action Group

Community 3942

Friends of Cape Nelson Landcare / Coastcare

Friends of Greenwich Bay

Geelong Environment Council

Mornington Harbour Association

Mornington Peninsula Beach Box Association

Ocean Grove Coastcare

Phillip Island Conservation Society

Port Phillip EcoCentre

Port Welshpool Working Group

Skenes Creek Advancement Association

Snake Island Cattlemen Association

Torquay Coast Action

Warrnambool Coastcare Landcare Group



***Anglesea Motor Yacht Club Inc.***  
*Inc. Number: A0003424K*

17 October 2016

Marine & Coastal Act Consultation Policy and Strategy Unit  
Department of Environment Land Water & Planning  
PO Box 500 EAST MELBOURNE VIC 3002

*Via email: Marine.CoastalAct@delwp.vic.gov.au*

Dear Sir/Madam

**Anglesea Motor Yacht Club Submission – Marine and Coastal Act Consultation**

Thank you for providing an opportunity for AMYC to comment on the Marine and Coastal Act. It is timely to review roles and responsibilities for managing Victoria's beaches and foreshores, including estuaries and harbours.

Many of these "assets" are in need of maintenance and/or improvements to cope with the increasing public demand for passive and active recreation.

**Examples**

- 1 Anglesea has a finite amount of beach over two locations: the main beach in the town and the Pt Roadknight beach, some 1 km to the South. Over the summer period, these beaches are at capacity use by 'locals'. But then we get the "day trippers" from Geelong and Melbourne also trying to access these beaches. There is no beach space and no parking. Where do they go? There is scope / need for more coast to be "opened –up" - but it's in the hands of either Parks Vic or DELWP, or Committee's of Management who are not inclined to provide the access, car parking or toilets needed.
- 2 Anglesea estuary is a hugely utilised recreation facility, ranging from the ocean entrance back into the hinterland. There are too many agencies involved with its management, ie CCMA, DELWP, EPA, Surf Coast Shire, Great Ocean Road Committee of Management (GORCC).
- 3 AMYC has been trying for 5 years to gain approvals for upgrading the existing clubroom (50 years old) and have encountered DELWP policy 'roadblocks" (which have only just been sorted)
- 4 The Pt Roadknight boat ramp abuts land controlled by DELWP.and managed by GORCC. Integral to the boat ramp is boat trailer parking. The trailer parking area is under threat from the erosion of the clay cliff that it abuts. Who is responsible and who pays? Funding for boat ramp repairs has come from the Dept of Transport, Boating & Safety Grants but this cannot be used for the erosion control works needed to protect the trailer park. This dichotomy of responsibility (DELWP / Dept of Transport) needs to be sorted out.

Elsewhere, there will be similar examples of too many agencies or lack of local government responsibility or will, to provide and maintain beach and foreshore useability.

## Recommended / Outcomes

- 1 Create a Marine & Coastal Council to guide a Marine Coastal Authority
- 2 Create a Marine & Coastal Authority that is empowered to:
  - Receive requests for actions / works that improves or protects coastal and marine environment and associated infrastructure and facilities.
  - Direct agencies to expedite approvals or show cause why not
  - Remove or restructure the existing number of responsible entities
  - Consider funding of activities / outcomes (but not administration costs) by treasury allocations from State and Federal taxes via the Authority, i.e. tax the “beneficiaries” of using our Coastal areas to include:
    - Overseas tourists (should be part of their departure tax)
    - Tour Bus Operators
    - Day trippers (could have electronic toll system?)
    - Projects mooted by Councils could require a ratepayer contribution
  - Require local Councils to take more responsibility for managing beaches and foreshores, whilst utilising the expertise of other entities as needed, eg catchment authorities for river / estuary issues; a new, Marine & Coastal Council for bays and ocean coastline matters. Interstate Councils do this e.g. Noosa

Regards

Suzanne Davies  
Secretary  
On Behalf of  
Anglesea Motor Yacht Club

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[Homesmr@gmail.com](mailto:Homesmr@gmail.com)

To;  
Research and Consulting Team  
Green Paper,  
Marine and Coastal Act  
[Marine.CoastalAct@delwp.vic.gov.au](mailto:Marine.CoastalAct@delwp.vic.gov.au)

Submission

Thank you for the opportunity to comment on the various proposals being considered by the state government as it starts the process of reviewing the Act

The issue of Climate Change is acknowledged in your study with the challenge of beach erosion and higher sea levels is a necessary focus of your initial work.

However, you need to understand that coastal vegetation burns and burns fiercely

With projected increases in adverse weather events this bushfire risk needs to be acknowledged.

The State Government requires all government agencies to respond in a coordinated emergency action plan which has as its priorities:

1.  
Saving Life
2. Protecting Property
- 3  
Protecting the Environment

In that order!

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Many of the coastal foreshore reserves and national parks along our coasts have high fuel loads of mostly weeds with inadequate or no fuel breaks. More needs to be done by Parks Victoria and DELWP to fully address the high-risk of severe bush fires.

At Blairgowrie, the Foreshore Committee does not have sufficient funds to implement its fire prevention plans. The area South of Melbourne Road in Blairgowrie has a very high fire

danger rating because of a number of compounding issues that centre on the bush fire danger associated with the high levels of weed infestation

With respect, I suggest that all coastal communities with large parcels of surrounding-government owned reserves and parks would expect that your report will address the bushfire issue.

I suggest that you contact the Emergency Services Commissioner for his urgent advice. The CFA may also be available to assist you

With all our best wishes as you proceed in your important work.

Murray Homes,  
Blairgowrie Community Fire Prevention Action Group

59880738

0408 51 51 51

**PROPOSED NEW MARINE AND COASTAL ACT**

**SUBMITTER : COMMUNITY 3942 – BLAIRGOWRIE**

(Division of Nepean Ratepayers Assoc Inc)

On behalf of our local community group *Community 3942* I wish to make the following comments in relation to the proposed reforms to the current Marine and Coastal Act.

It would appear on reading the consultation paper, in particular the Executive Summary, that currently there exists inherent flaws in the multi layered levels of controlling bodies which have evolved over the 20+ years since the current Act came into operation. (The writer's own recent experience in trying to implement a very small local project saw application to no less than six organisations all with different requirements).

Some areas of the consultation paper with reference to particular marine elements are out of the purview of this organisation and our submission is based on our local experience which mostly takes in the land/sand content only and are delivered as comments rather than answers to questions.

**Skilled capable managers**

The statement regarding the under \$1m CoMs does not make clear why transitioning these committees into larger or amalgamated bodies would necessarily create more skilled, capable managers. In our view we have very skilled, capable managers borne out by the condition in which our foreshore is kept. If more autonomy with regard to fee structures and length of stay campers (business plan) were given to our local CoM better resourcing would result and in turn create opportunities for increased improvements for the landscape without draining the public purse.

The two CoMs our organisation is associated with are the Whitecliffs to Camerons Bight Foreshore committee and Parks Victoria (National Park) and it is the opinion of this organisation that they both perform in an excellent manner given their respective financial capabilities. One is a large organisation, the other by comparison, quite small but both equally respected for their management skills. Therefore our comparison seems to suggest that both organisations, given appropriate funding, could operate equally if transitioned into larger dominions.

**Strong effective legislation**

Strong effective legislation is an ideal but is no good without the injection of capital. Likewise it is also no good without enforcement which to date on the part of the current government has been lacking.

**RASPs**

Proposal for communities and organisations to come together to solve shared problems that are greater than the boundaries of individual organisations (RASPs) on paper looks like an excellent initiative. However, unless there is consistent availability for guidance and response to issues, experience tells that community volunteers will become disillusioned and lose interest in giving their time and thus a valuable community resource is lost. Note: in the Executive Summary of the Victorian Environment Assessment Council's final report on Historic Places Investigation it recommends 'improving arrangements for government leaseholds and Crown land committees of management'.

**State of the Marine and Coasts reporting**

It is indicated that the new Act would oblige the Minister to periodically assess the condition of marine and coastal environments. This 'periodic assessment' should be

locked into particular time zones i.e., at least quarterly, given that constant changes, attributed to climate change, are occurring in coastal areas on a regular basis.

### **Beneficiary pays principle.**

The actual principle of this statement seems somewhat obscure. What should be made clear is 'who are deemed to be the beneficiaries' before considering who pays for what. Could this be clarified?

### **Seven Drivers**

#### **Clearer Governance & Institutional Arrangements, Strengthening Marine Management, Integrating Planning Systems, Adapting to Climate Change, Sustainable Resources, Improving Knowledge, Involving the Community**

The seven drivers, if implemented, would go a long way to addressing weaknesses in the current system. The last three drivers combined are seen as critical for the purpose of well resourced, efficient and effective management. 'Improving Knowledge', taken to mean education, is an excellent proposal. This method would acquaint the public with the sensitivities of any new Act and its associated regulations and it is desirable that the relevant government departments would take responsibility for delivering these educative programs.

### **Impacts of accretion and erosion**

Any legislative changes in other states that have proved beneficial in dealing with the impacts of accretion and erosion should most certainly be considered and their merits incorporated into the Act.

### **Identify threats in Coastal Waters**

Identifying threats in coastal waters involves various complex methods of evaluation as several components apply but increased marine recreational use, certainly locally, along with upstream users must be seriously monitored. The landscape on the Peninsula is changing with increased vineyards, olive groves, grazing and orchards impacting the green wedge and in turn placing stress on the eco systems trying to cope with the run off into streams and creeks which ultimately end up in one of our bays. Likewise the increased development of high density residential areas, close to coastal environs should be included in this evaluation.

Areas of concern that recur throughout our submission are (1) Adequate resources in order to operate, or operate better, (2) a lack of enthusiasm by departments to enforce legislation or pass that authority to CoMs; the people on the ground who deal with the day to day consequences of non compliance (3) the loss of capable and committed community personnel through the constrictions of the current Act and its delivery.

I thank you for the opportunity to 'have a say' and sincerely hope that the comments of *Community 3942* will contribute into the new Act being a more positive and fairer instrument to govern our precious marine coastal commodity.

Yours sincerely

*Judy Walsh*

Chair



[Community3942@gmail.com](mailto:Community3942@gmail.com)

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Blairgowrie 3942

**Submission regarding the proposed Marine and Coastal Act Consultation Paper.**

From Lynn Murrell OAM.

President of Friends of Cape Nelson Landcare/ Coastcare Inc.

Firstly I need to outline some of my public background that is relevant to my submission.

I was appointed to the Coastal Reference Group by Minister Mark Birrell to assist in the creation of the current Coastal Management Act in 1993 and subsequently became a foundation member of the Victorian Coastal Council and Chair of the Western Coastal Board until my retirement .

I was also foundation Chair of the Glenelg Hopkins Catchment Board and a member of the CMA until my retirement . With over 20 years in local government I was also involved in numerous bodies that covered environment, planning, community engagement and strategic advisory roles.

My overall reaction to reading the consultation paper is very positive. Most recommendations achieve the key objective of more transparent , efficient and effective integration. Clearly there is a need to give marine issues and climate change adaptive strategies greater emphasis than is in the current legislation.

It is vital that the new Act clearly spells out an implementation framework and a commitment for works and resources from all the relevant agencies.

I totally support an independent State of the Marine and Coast Report at least every 3 years.

There is a need to raise more funds for the marine and coast that is hypothecated. I support increased levies where appropriate. Getting something for “free” can often undermine the assets appreciation and value. The new Act should also ensure equity and transparency that spreads funding geographically, as well as using population criteria and current use. The impact of concentrating resources and infrastructure in densely utilized areas reduces the quality of the experience.

I strongly support the new Marine and Coastal Council being independent of any government department control or dependency. This would also be a one off opportunity to strengthen the operational role of the Council by incorporating into the act itself the inclusion of a Scientific/Technical Panel.

While it is a bit sad personally to see Coastal Boards get phased out, I understand the rationale and it is required if the key objectives of the new Act are to be achieved.

However I am not convinced that the discussion paper has sufficiently explained an adequate alternative . There needs to be much more rigorous

discussion of just how current “coastal” CMA’s would pick up on some of the roles and responsibilities of the current Coastal Boards. How for instance can there be any certainty that a “coastal” CMA would have Board members with some genuine coastal expertise and commitment?

How can it be guaranteed that sufficient and suitably qualified staff be employed by current CMAs? Current Regional Catchment Strategies don’t adequately cover Coastal Management Plans or Local Coastal Action Plans. Current Regional Action Plans involve more than just one CMA.

Strategic policies along our coasts and marine zones involve far more than just waterways, estuaries and floodways. Adding Coastal to CMA names may help focus the new roles and responsibilities the discussion paper alludes to. I also see little evidence that Local Government has the resources or expertise to cover the current Coastal Board roles and responsibilities.

Community engagement always features in these discussion papers but is only usually dealt with in vague, general terms. I like the concept of RASPs . It looks at least good in theory and could be a real game changer as the present situation is unsatisfactory. I particularly like the fact it is would be a legislated process and has Ministerial ownership.

Integrating and consolidating the larger, category 2 Committees of Management with Category 1 bodies is a good continuation of a process that started a decade ago but needed more attention, as is recommended in the paper. But the smaller Committees of Management have been given a more uncertain future. How do they survive and keep their vital community input? Has Parks Victoria got a possible role? From our own experience at Cape Nelson where we are the Shire of Glenelg’s Committee of Management for the Picnic Hill Reserve we have had no financial or other support .

The discussion paper only briefly discussed the importance to planning of the VCS and Regional Strategies in the State VPP’s. The present situation where they are “only required to be considered” is totally unsatisfactory. The new Act is a great opportunity to strengthen this weakness in our planning of both public and private coastal land.

Consent provisions most definitely need more clarity and rationalization. Compliance and enforcement have been a major weakness over the past in coastal management and again need to be addressed in the new Act.

The current Act’s hierarchy of decision making principals should be retained.

The central circle in the diagram on “How the system can be improved” says Involving the Community but should add “and Partnerships”. Perhaps the driver box 1 could head “ Whole of Government”.

As a member of the Land Conservation Council at the time when we started looking at Marine Parks for Victoria I wholeheartedly agree with all the recommendations in the Marine section of the discussion paper.

Finally as a big picture suggestion I feel the discussion paper could explore more a whole of government approach to the new act with stronger links to concepts of environmental, social and economic sustainability.

The experience I had when I walked the entire Victorian coastline in early 2005 reinforced my conviction that our coast and marine assets had so many varied benefits and applications to all facets of the human and natural world.

The discussion paper gives me some hope that the new Marine and Coastal Act will lead to a better management and appreciation of our coast and marine zones in a more integrated and holistic direction.

I am happy to be available to expand on the comments.  
Wishing all those involved all the best.

Lynn Murrell OAM

mobile 0418527998

## HAVE YOUR SAY

Include more controls of recreational fishing people as part of the Acts - "Strengthening Marine Management".

Would you like to provide a comment or feedback on the Marine and Coastal Act Consultation Paper?

FOGB

We are interested in the Marine and Coastal Act strengthening controls on recreational fishing people to limit the damage they cause in pursuing their activity. The substantial damage they cause includes trampling over sensitive plantings in vegetated / revegetated areas, damaging fencing (like rabbit proof fencing), toileting in public areas and leaving copious amounts of rubbish behind which gets into our waterways. From our interaction with local council (Hobsons Bay in our case) it appears that they have little power to limit where fishing people can and can't go. We would like to see this change so that councils had more power or if not the councils then some govt. body familiar with the problems. At present it is difficult to know where to go have something done to limit the problem. Friends of Greenwich Bay have concerned themselves with litter on the Newport foreshore for their 20 year history but more recent activity of the last few years, regular litter surveys (Litter Hotspot Progr) has brought more urgency to seeing a change made.



## **Marine and Coastal Act - comments from the Geelong Environment Council (GEC) October 2016**

**GEC is pleased to make comments on the draft Marine and Coastal Act.**

The Government's commitment to strengthen our coastal management system for the greatest protection of Victoria's coastal and marine areas is strongly supported.

The proposals as presented by the VNPA in the report 'The Coast is Unclear' (C. Smythe) are supported and it is urged that the recommendations for management be considered and implemented for the long term protection of Victoria's coastal areas.

The common set of objectives and proposed reforms to the system, as listed, are supported. We urge that environmental health and enhancement become a prime aim with a clear understanding that the developments for coastal areas and uses of the marine environment must be subsidiary to protection and enhancement of the environment, taking full consideration of climate change, for example, considering the need for an increase in wetland areas to replace coastal wetlands which will be inundated by sea level rise.

'Seven drivers for change in the current marine and coastal management system' as pictured must include the following requirements – education regarding the fragility and importance of the protection of the coastal and marine environments to our way of life, and also of the amazing diversity of life in the oceans which must be protected from exploitation.

Support a new Marine and Coastal Council and strengthened CMAs to manage coastal issues, however we are concerned at the removal of the three regional coastal boards as the new Coastal Council will have an extraordinary range of issues, assets and threats to manage, perhaps without adequate local input and knowledge of particular threats, developments or proposals with local pressures. CoMs in some areas have on occasions shown a disturbing tendency to support developments inappropriate to protection of the environment.

The new Coastal Council must be resourced to adequately be involved in recreational and other proposed developments on the coast or the marine environment. A requirement for the Council to involve local environment groups, experts and scientists in consultation on development proposals should be required.

Question 1.

No, the Vision is not adequate. The Vision must include a clear statement that the complex environment of the marine and coastal areas is extremely valuable, diverse and beautiful. It is fragile, and must be protected for its sustainability, health, amenity and intrinsic values, as well as for the benefit of the community

1.1 add- Coastal vegetation is central to our coastal landscape *and coastal protection from erosion.*

The value of seagrass meadows and saltmarsh areas for not only environmental values but for possible carbon credits for an economic value should be added.

1.4 Social values – It should be noted that the issue of the health values to persons who have a connection with natural areas and ‘nature’ has been researched and proven to be a significant value in mental as well as physical health

Question 2 – While management has been complex we cannot instance a bad outcome, however there have been a number of proposals which fortunately have not proceeded due to community opposition, these include footpaths for people and bikes through the dunes between Collendina and Point Lonsdale, another path around and through Lake Murtnagurt at Barwon Heads, a bicycle track from Barwon Heads to 13<sup>th</sup> beach through the dunes was planned but opposed on the environmental grounds of fragmenting and destroying the dune vegetation. A crazy development for shops right near the waters edge at Portarlington and a large hotel establishment in the public parkland, with the bowling club on the roof, was proposed but did not proceed. All these projects have been CoM. initiated. A stingray feeding proposal at the Queenscliff wharf area received wide opposition and has disappeared. A current proposal for eight 2 storey houses on the Queenscliff Lighthouse Reserve land, which is public land (with allocated Fed Funds) is widely opposed in Queenscliff but looks like proceeding. Proposals to destroy historic sheds on the Queenscliff wharf is opposed but will most likely take place.

By whatever means that management is refined there must be no less protection for the coast and sea areas and no greater opportunity for development proposals which may benefit a section of the community and be a dis-benefit to the wider community. GEC anticipates that the Biodiversity 36 plan, a strengthened F & F Guarantee Act and strengthened vegetation clearing regulations will reduce environmental degradation in coastal (and other) areas.

The release of the Victorian Coastal Hazard Guide will be a useful tool for protecting against inappropriate placing of developments, however the Coastal and Marine Act must have the ability to require amelioration actions and replacement for flood prone areas in anticipation of sea level rise.

Question 3.

GEC is unable to comment on other state jurisdictions but suggests that the Coastal Council investigates all possibilities.

Question 4.

The Aiming for Improvements as listed are supported. Greater community awareness of the values of the totality of the coastal systems and the importance of all its components should assist in the protection of various coastal assets from both development and recreational activities.

The 'improvement' to support ecologically sustainable development, and the following paragraph appears to support coastal development without the community having a clear process not only to give input but to have the opportunity to have any opposition heard.

Question 5.

The Principles for Guiding Change in Appendix 2 are comprehensive and strongly supported. If adhered to and available through legislation to be mandated, environmental and social values will be protected.

Question 6.

GEC supports the establishment of a Marine and Coastal Council as a statewide and independent advisory body. History has shown that Government departments can be influenced by a particular government's development requirements (for example a decision by Government to allow canal developments) An independent Authority would provide guidance, advice and facilitate scientific research which should be made available to the community as requested..

The maximum of 11 members for the Marine and Coastal Council is appropriate, with a minimum of 9 members. I do not believe the skills should be legislated but recorded as a guide for selection. GEC supports the suggestions regarding the new Council's operation in 3.1

Question 7.

GEC supports making the Victorian Coastal Strategy more effective via the new Act. The next Strategy should provide stronger guidance for on ground management of the coastal ecosystems and include marine areas.

Question 8.

GEC supports the greater role suggested for the CMAs and a greater focus on coastal and marine environment management. An increase in the CMAs skill basis to ensure adequate expertise will be essential. More formally named to reflect the broader management requirements for the CMAs is supported...

The proposed reforms are supported to provide greater efficiency in coastal and marine management. It may be appropriate for the new Council to provide a quarterly report on activities and decisions made to local councils, CoMs and environmental groups.

Report from David Vaughan and Joan Lindros from GEC Committee.

## **MARINE and COASTAL ACT Consultation paper**

October 2016

Submission on behalf **Mornington Harbour Association**

Firstly I would like to welcome this proposed reform to improve the system by DELWP, and for the Coastal Council to provide a conduit to the community to facilitate scientific research and sustainable development of strategy and policy.

As a introduction I would invite you to visit our web site to note our Statement of Purpose.

**[www.morningtonharbourassociation.org](http://www.morningtonharbourassociation.org)**

In short we are a forum of stake holders associated to express various views and concerns in the management of the Mornington harbour precinct in particular in the relation to the safety of users.

As a preamble we support many of the proposals put forward by the Expert Panel however there are some we have strong concerns with, that in our view require further serious re- examination.

We fully support Regional and strategic Partnerships that will enable communities and organisations to come together as needed to solve complex shared problems and plan for issues that crosses jurisdictional boundaries. The greater development of marine focus in strategy and policy. As well as providing a greater focus on Port Phillip Bay by requiring an Environmental Management Plan that encompasses **all** stakeholders using any particular precinct in question.

We also support the need to maintain and promote the role of volunteers in local marine and coastal management, this a possible under used resource. Local stakeholders have unique insights and understanding of their local environment and issues that arise therein.

The recognition of Climate change impact on infrastructure is an absolute necessity to objectives in new Marine and Coastal Act. Rising sea levels requires technical expertise in the process of adapting to the climate change agenda.

More transparency is required in the revenue distribution through levies on crown land managers as well as the provision and ready access of appropriate cost sharing arrangements. The reluctance of some land mangers to disclose information on usage of crown land income and where it is most needed requires improvement to maintain the overall integrity of the system.

We strongly support the proposal for a clear and transparent pathway for community input to decision making in marine and coastal management.

An area of contention is the proposal" to strengthen the role of Parks Victoria in planning and managing marine and coastal areas"

We have a serious concern with Parks Victoria as a project manager in this area. This has been demonstrated by recent works managed by PV on the reconstruction of Mornington Pier.

This project undertaken at a cost of \$15.3 million is a failure, as the extensive demise of the Pier's wave screens which occurred within 12 months of completion.

The two recent storms of 60 knot and 50 knot respectively are not uncommon and should have been allowed for in Pier specifications.

Be it poor design or poor construction is yet to be determined, it is however the responsibility of Parks Victoria as planner and manager of the project.

The reconstruction of the pier in an appropriate time frame now requires urgent attention and more importantly a system put in place to avoid this occurring again. A comprehensive redesign and thorough site evaluation with a robust management supervision process is required to be undertaken to rectify the project.

### **Recommendation**

Develop under the new Act a "Marine Infrastructure Authority" to evaluate and assist Committee of Management's and designated authorities to manage and fund deemed priority marine projects specifically in Port Phillip Bay, which currently appears to lack any co-ordinated policy, without undue political interference.

Assistance envisaged in design specifications, technical support, environmental considerations, climate change influence on proposed project and especially provide a consultation process with local stakeholders on any major proposal. This is with the view to achieve a consensus approach, as differing political agendas means not all deemed priority projects will receive total support from local communities. That being said a comprehensive consultation and communication process is still essential for any major project.

A sustainable funding model is also required for future proposed marine developments in Port Phillip Bay. I am unsure whether this is under consideration with new Act.

Please contact author if further information required.

(image attached)

John Underwood

Secretary

Mornington Harbour Association





**morningtonpeninsulabeachboxassociationinc.**

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REG. NO. A0040648G  
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23 October 2016

Marine & Coastal Act Consultation  
Policy and Strategy Unit  
DELWP  
Marine.CoastalAct@delwp.vic.gov.au

Dear staff of the Policy & Strategy Unit,

This Association writes to you representing a category of beneficiaries of the Coast who are friends of and stakeholders in it and pay substantial money to do this. There are 1,300 Boatsheds and Bathing Boxes in the Mornington Peninsula Shire and we estimate that Licensees pay around \$2m annually to foreshore authorities by way of rates, charges, licence and transfer fees. For the most part we agree that these funds are equitable and the method of raising them using CPI annual increases is transparent and reasonable. By every measure this is a significant contribution to coast care – if the funds are applied that way.

The Mornington Peninsula Beach Box Association Inc. is financially secure and professionally managed. It asks its many members to maintain their “beachboxes” to the highest standard and conform with all applicable policies and conditions as well as being conscientious beach people, educating themselves to appreciate differences between coast protection (eg indigenous flora) and coast threats (weed species). It is affiliated with the other Boatshed Associations around Port Phillip and is working with them to attain similar appropriate standards.

There is much to support in the philosophy of the Marine and Coastal Act but we do not consider ourselves well-enough skilled to comment on much of it. However we would like to offer the following remarks drawing on our experience, as fee paying clients so to speak, of the current management arrangements under the Coastal Management Act.

Please remember how small and simple and limited-use boatsheds and bathing boxes are. If all these structures in the State of Victoria (2,000 of them) were placed together in a paddock they would cover a mere four hectares.!

The weight of bureaucracy is massive and, in the context of boatsheds and bathing boxes, seriously wasteful. There was a case where a wooden ramp had been disused and covered by sand and was ultimately replaced by the licensee. The retrospective planning approval took six years and went twice to the Minister. The area of sand involved was 4.5 sq.m and 50m from the waters edge.



**morningtonpeninsulabeachboxassociationinc.**

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On another occasion a senior coastal officer asserted that putting a shovel in the sand is a “works” under the Planning and Environment Act and therefore a Permit was needed.

We urge that there be a simple, independent Appeal or Mediation process incorporated in the MACA. It is a failure in the Coastal Management Act that it does not include a right of Appeal to VCAT.

We recommend that ,because all issues associated with individual boatsheds and bathing boxes including limited footprint extensions will have no material impact on “the big issues” of the coast that they be specified in a General Consent under the new Act i.e the General Consent would include “**all works associated with boatsheds and bathing boxes including a 1.5m wide curtilage**”.

Finally, we take issue with the proposed classification of Committees of Management. The Principle of Subsidiarity is the better one to apply to communities. There are very successful Committees of Management below the \$1m turnover threshold and the MACA should not coerce or undermine them. “If it ain’t broke don’t fix it”!

I had the privilege of hearing Mr Graeme Davis of Parks Vic speak recently about the MACA. If I quote him correctly he made these points and we entirely agree:

- Committees of Management: Give them power to issue permits and Licences Strengthen the weaker ones ,“bulk them up, give them resources and skills,
- Volunteers -strengthen their involvement .

Yours faithfully,

Chris Maine

Chris Maine.  
President.

Would you like to provide a comment or feedback on the Marine and Coastal Act Consultation Paper?

- strongly concerned about plastic bags
- should be litter traps on stormwater outfalls
- concern about ~~re~~ reducing resources for Coastcare. However have had support from land managers.

## Marine & Coastal Act Consultation Policy and Strategy Unit

Comments on the Marine and Coastal Act Consultation Paper,  
August 2016 by the Phillip Island Conservation Society Inc.

p.23 This diagram shows two of the main problems with this document: 1. Reliance on volunteers; 2. Lack of detail regarding financial resourcing of all aspects of the plan.

p.26 Drivers for Change 2 – blue box. We agree with these aims for improvement.

p.27 Drivers for Change 3 – blue box. We agree with all of these points, and especially the first regarding ecologically sustainable development.

p.31 Drivers for Change 7 – involving the community. Blue box. “Co-ordinate investment....in coastal and marine areas”. This sounds like more and more to be put on volunteers. Given the struggle to get younger people involved in volunteering, this is an unsustainable approach, as more or the work will fall to older and older volunteers. This problem is not recognized anywhere in this document, or similar documents we have read in the past 10 years coming out of government. Now the volunteers are 10 years older and still not being replaced with younger volunteers. This is a problem throughout the system, not just on Phillip Island. It is time that policy makers recognized this problem and did something about it.

p.40 We would welcome an active Coastal Council that had a sufficient budget to achieve all that is listed in the blue box. However, there is nothing about budget here so we do not know if it is viable or not.

p.43 “Melbourne Water has the role...coastal erosion matters.” We do not think that MW has the expertise to advise on coastal erosion matters. If the expertise does not currently exist in DELWP then the government will need to set up a specific body of coastal engineers and geomorphologists to deal with this as with sea level rise it will become more of an issue and bodies such as local government will need expert advice.

p.49 3.6 We doubt that larger CoMs are going to do any better job of foreshore management than currently Cat 2 CoMs are doing. It is surely a matter of financial resourcing. One of the major barriers to doing a good job on the coast is the competitive grant process all CoMs and bodies such as Coastcare take part in if they need substantial sums. This is a waste of people’s time in writing up these often highly complex grant applications, then waiting many months for the outcome, and often the money becomes available at times when it is not optimum to use it, e.g. planting times, and needs to be spent by a certain time which is also often not convenient. This grant process also needs to be revised.

p.51 3.9 Strengthening the role of Parks Victoria. Where is the budget to enable the strengthening? It’s all very well to ‘enhance’ PV’s roles, but this is of no value if it just means the same people are doing extra work as well as what they normally do.

p.54 This section contains a cursory mention of the VEAC assessing ‘the known values of Victoria’s marine areas’. Why would the VEAC waste their time doing all of this work if they were then unable to make any specific recommendations? If they are the appropriate body to do the research, then surely they should make recommendations on the basis of what the research finds?

p.57 Other priority areas: A large amount of research was undertaken for the Port of Hastings Corporation, and has not been made public. The public should have access to this information. While more research is no doubt needed in Western Port (not

“Westernport Bay”) there is no need to duplicate research that has already been done and paid for by the taxpayers.

p.58-9 Coastal Management Plans should be compulsory for the whole coast of Victoria, and need to be reassessed every five years, especially in areas of high use. However, local governments already struggling to deal with the coasts they manage – and Bass Coast Shire Council is a prime example – with small environment staffs and enormous pressures on their coastline, should be resourced initially by the government to employ coastal management experts to produce their CMPs for them. This should not be a competitive process, but something that is funded automatically by state government to enable all of our coast to be covered by management plans.

p.59 Unauthorised use and development of coastal land does require stronger penalties. However, who will enforce this? Bass Coast Shire has one enforcement officer for the whole shire, including towns, rural land and foreshores. And how is the enforcement to be carried out if the offender refuses to pay the penalty? If it ends up in court, who pays? Local government? Not likely; it is easier and cheaper for them to just forget that the offence is happening. This document does not give any real solutions to this very real problem.

p.60 The society definitely believes that public notice should be required to be given on all manner of developments proposed for the coast. If the Act is to stipulate when consent provisions are not required, etc, then there should be community consultation on these requirements before the Act is enforced.

Part 7: Sustainable resourcing of the proposed system.

We do not find this section very helpful at all. Category 1 CoMs are large with large incomes for a reason – they have a lot of coastline and a lot of people to manage, and that adds up to a lot of annual cost, and more so in a time of sea level rise and increasing storm surges. To remove funds from them to fund other parts of the

coastline or require for them to apply for it in grants or loans may be a very convenient 'out' for the government, but does not solve the problem of having an appropriate level of funding across the board for our coastlines. We need to face up to the fact that coasts are going to increase, and this is a cost which must be borne not just by the coastal recreational user, but by all taxpayers. Taking a bit from here and putting a bit there is not the solution. However, having said that, we do feel it is appropriate for coastal recreational users to contribute to costs in addition to their taxes, such as through parking fees on coastal reserves to go directly to the managers of those coasts.

p.69 Examples given here include DELWP's coastal engineering expertise. Such expertise is only useful if the engineers actually go out and look at the site and talk to all parties, including, if present, Coastcare groups involved in the sites. Desktop exercises are no use at all. We would be interested to know just how many of these coastal engineers DELWP has. And also, what provision there is for actually increasing their numbers as their work load increases, as it inevitably will in the lifetime of any proposed Coastal Act.

p.72 Boost Community Involvement. Blue box. State of the Marine and Coasts report – does this mean the research already done by the Port of Hastings Corporation can finally be made public?

We agree with all of these suggested improvements, but again are concerned that the proposed bodies will have an appropriate level of resourcing and that volunteers are not factored in as a cost-cutting measure as volunteer numbers decline and average age increases.

p.77 Possible Future Institutional Arrangements. We note that Section 86 committees (not explained in the document) have dropped off this diagram c/f with the Current arrangement diagram, even though Section 86 committees are mentioned as viable on p.73.

p.81 Roles and Responsibilities. While all of these suggestions seem fine, what is really needed is a clear outline of what resources we have NOW to cope with the coast: in DELWP, local government and other management agencies, in CMAs and in volunteers. Just how many people with what expertise are we actually dealing with here? And what is the projected need in 10 years' time? It seems to the society that unless we have this base data it is very difficult to work out just how we are going to manage the coast in the medium term.

p.90 5 Integrating Planning Systems 5.1 Should be legislated that CMPs are required for whole of the coast, and that the development of an initial CMP for each area should be resourced by the state government.

Agree with the rest of these points pp 90-91.

There is nothing in this document about noise pollution on sensitive parts our coasts. Jet skis at Rhyll Inlet are a prime example.

There is nothing in this document about classified coastal landscapes. Is classification worthless?

Thank you for the opportunity to comment.



Christine Grayden  
Secretary.  
23.10.16



21/10/16

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

**RE: submission to new Marine and Coastal Act consultation**

The Port Phillip EcoCentre is a St Kilda-based not-for-profit organisation that works with communities, government agencies, schools, researchers and businesses to achieve environmentally sustainable practices and outcomes. Since 2008, the EcoCentre's Port Phillip Baykeeper program has been affiliated with Waterkeeper Alliance, a global community network of activists that aim to maintain "drinkable, swimmable, fishable" waters around the world. Research, education, practical action, effective policy and appropriate legislation are central to achieving this goal.

We acknowledge the need to periodically reform coastal management legislation in the face of changing climate and increasing human population; and we endorse the intent to establish "*clearer governance and institutional arrangements that better link capacity, resources and responsibility.*" However, we would urge that care be taken not to lose the existing local knowledge embedded in the current arrangements. For example, "*transitioning from smaller committees of management into either larger committees or to local government*" would ideally retain the existing knowledge base.

Other points that we draw particular attention to are:

*Encourage all Victorians to participate in managing and protecting our coastal and marine environments*

In regard to the above: the 'Community Engagement' aims of the current Victorian Coastal Strategy appears to focus on local coastal communities and not on the wider community of 'coastal users'. While, support and acknowledgement for coastal communities that care for the natural values of their region are entirely warranted, this support should extend to initiatives that promote appreciation and stewardship within the 'coastal users' group.

*A greater role for Traditional Owners in formal management and planning of marine and coastal areas.*

In regard to the above: inclusion of Traditional Owners in coastal planning and management is a fundamental to achieving genuine reconciliation and warrants appropriate resourcing for Traditional Owners involvement. As with most small enterprises, TOs are required to maintain organisational capacity to meet myriad commitments and issues. This challenge is all the more complex due to the constant dynamic of societal change and rapid expansion of residential development on peri-urban areas. The removal and replacement of natural vegetation with impermeable surfaces inevitably diminishes cultural values and quality of stormwater run-off.

**Local ACTION global FUTURE**

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*Providing a greater focus on Port Phillip Bay by requiring and Environmental Management Plan.*

In regard to the above: we wholly endorse the focus on Port Phillip Bay (PPB) given that more than two thirds of Victorians live in its surrounding catchments; that PPB is unique configuration as a large, semi-enclosed waterway (area of 1,908 km<sup>2</sup>, with a 3km wide 'entrance' from Bass Strait); and, that all of the coastal habitat types represented across the entire Victorian coast are represented within it. They are:

- Intertidal rocky shore
- Subtidal rocky reef
- Seagrass beds
- Mangroves
- Intertidal sandy beaches
- Sheltered intertidal flats
- Subtidal soft substrata
- Pelagic environment

In December 2014 there were 5,886,400 people living in Victoria, with 3 out of every 4 around Port Phillip Bay. This ratio is expected to remain into the future as the Victorian population increases and highlights the need to closely monitor catchment related threats to the Bay and promote awareness among existing and new residents.

A new Coastal and Marine Management Act should provide for strategic investment in community education and engagement with this increasing population; and the longterm implications for the Bay environment. These include climate change, influx of nutrients and pollutants from catchments; and the impacts of various human activities on marine habitats, which can be ameliorated by ordinary people. Such resourcing could provide for an expansion of the Victorian Government's 'Summer By The Sea program' to all other seasons.

The logical starting point towards any new institutional arrangements would be to consider the extraordinary range of entities actively engaged in Port Phillip Bay with a view to identifying common objectives. These include community organisations (from recreational anglers to environmental 'Friends' groups), schools and tertiary education institutes, government instrumentalities (land and water management and planning agencies, legislative and regulatory bodies) and businesses.

On considering the benefits of the PPB EMP, it would seem logical to establish Environmental Management Plans (albeit less complex) for all other coastal regions.

Neil Blake

Port Phillip Baykeeper

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Would you like to provide a comment or feedback on the Marine and Coastal Act Consultation Paper?

- Hunting of Hog Deer on Snake Island.  
Safety issues stray bullets

- Caravan Park restrictions in relation to permanent camp / structures.

A proportion of available sites should be made available for permanent structures incl. those by the Shire for itinerant visitors.

Sea Level overlay - should only be a duty of disclosure of POSSIBLE inundation in the future

Commercial Fishing licenses.

3 New Commercial Fishermen are now working the inlet as well as the existing fishermen.

This is probably non sustainable.





## Submission from Skenes Creek Advancement Association

Our current Coastal Management System is not working and our local coastal manager – the Otway Coast Committee (the COM) is not functioning effectively:

There are serious issues:

- Climate change and current coastal erosion issues around Apollo Bay
- Lack of COM revenue
- Lack of user (mainly day trip tourist) pays
- Total absence of any community input, engagement and consultation
- Lack of any meaningful delivery from the COM in the last five years
- Lack of an up to date coastal masterplan which means that DELWP are refusing to approve any action

These stem from

- Inadequate scale of COM – low revenue, lack of necessary skills (HR, governance, accounting, communication, procurement, modern outsourcing procedures)
- The lack of skills has led to the COM effectively being directed by DELWP removing any facility for local input and pro-activity
- Ongoing lack of clarity and turf-wars over responsibility for work with local government and VicRoads with issues remaining unresolved for many years.

Given the above issues some of your proposed solutions sound a big step forward. In particular, transferring the COM's responsibilities to local government would radically improve capabilities, efficiency, local input and accountability.

Our local government (Colac Otway Shire) is far from perfect but:

- it has sufficient scale to have the necessary skills and processes to function adequately (HR, procurement, governance, community input and consultation).
- It is democratically elected so that there is a direct input from the community to the Council.
- There is significant overlap between the roles of the Shire and the COM in many areas e.g. such as car park maintenance, grass cutting, bins and toilet maintenance, management of tourism facilities. The shire operates the harbour of Apollo Bay while the COM manages the other coastline so both are challenged by the currently urgent sand/erosion issues. In fact it is hard to think of any area of COM responsibility which the shire is not also undertaking in parallel.
- Geographically all our COM area is within Colac Otway Shire.
- The Shire gains the revenue from the (tourist) users of the COM facilities so that 'user pays' can work at least indirectly through rates.

Other points

- Merging our COM with the SurfCoast COM would be unpopular and would not gain the synergies to be obtained by transferring the COM to Colac Otway Shire.
- The DELWP community charter and Auditor General Report on Public Participation both dwell on the importance and types of community communication. There is currently zero community input (not a jot of 'consult', 'involve', 'collaborate' or 'empower' and only the barest minimum of inform). No public consultation, no public meetings, no published plans, not even

an up to date webpage. "Our!!" COM would be a perfect case study of how the charter works - or does not - in practice.

- The biggest issue in our area is coastal erosion. This is managed by DELWP with no opportunities for public input or consultation or indeed any information. DELWP needs to communicate – as required by the Charter. The latest studies of our coastline from Apollo Bay to Skenes Creek (2012) are still 'draft' and thus unpublished to the community and only accessible to the COM and government. DELWP is now undertaking further studies – but again with no input or communication to the community whatsoever.

For more than thirty years the Skenes Creek Advancement Association has represented residents, weekenders and visitors to Skenes Creek. We have a wide range of members from across our community and experience continual frustration with the absence of any community input to the COM or the DELWP.

The above issues are all longstanding and have already been highlighted to the Minister. However, we are encouraged that the State Government is considering reforms and hope this will lead to action.

Our Membership and Committee are of one mind on these issues. Due to his position on the OCC one of our Committee Members, Mr Graham Costin, has made a separate submission on these issues.

Kind regards,

Chris Straw	President
Tim Cobb	Secretary
Andrew Corp	Treasurer
Penelope Calcutt	Committee
Joan Brick	Committee



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## Marine and Coastal Act Consultation Policy and Strategy Unit

The Snake Island Cattlemen Association (SICA) has been involved in the management of Snake Island for over 100 years and it is committed to maintaining its traditional stewardship of the island. The SCIA encourages and supports many other groups and individuals to visit Snake Island and not only share in its rich history but also to enjoy the unique vistas and the up close interaction with the wildlife which proliferates on and around the island

Regional coastal townships are under enormous economic pressure and many are at risk of failure. Services which were formally provided via these communities have been streamlined through more efficient agriculture practices requiring reduced direct labour inputs and coastal shipping replaced in favour of containerized or bulk road transport of produce and materials. The same drive for efficiency is also true for commercial fishing industry, fewer fishers but catches quantities have increased.

The Consultation Paper identifies a very significant proportion of the economic value created is related to commercial tourism activities and recreational fishing in particular and its these activities which small coastal communities increasing rely on to survive. Although I note the figures don't identify regional verses metropolitan contributions to economic value.

Under the proposed changes it seems Park Victoria is to retained the primary role for tourism development, however it's obvious that they aren't funded to manage the natural assets for which they currently have responsibility. Tourist infrastructure is deteriorating and costs of restoration escalating. Gippsland Ports are focused on commercial ports and are unable or unwilling to maintain jetties and other access infrastructure used by recreational fishers and tourist. Many of these fixed assets have been removed to reduce maintenance costs with the outcome being significantly reducing tourism opportunities along our coast.

I would like to see a greater emphasis placed on understanding and developing tourism opportunities along Victoria's coast. Including performance targets for Parks Victoria and Gippsland Ports to generate and support increased local, regional, national and international tourism activity. Coastal Local Government bodies should be required and supported to develop regional tourism strategies to feed into the overall coastal development planning.

Snake Island which is located within the Nooramunga Marine and Coastal Park and is listed as nationally significant as part of the Corner Inlet RAMSAR wetland presents significant opportunities for the development of a major ecotourism experience. The restoration of Long Jetty will provide the perfect focal point to support activities on Snake Island as well as Corner Inlet generally.

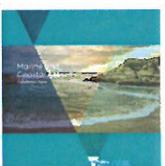
The proposed streamlining and improved transparency of current management practices and responsibilities should reduce red tape and minimize crossover of responsibilities between Authorities. The objective to boost community involvement is extremely important in building local community capacity and I congratulate the Panel on their work date.

Yours sincerely

Paul Hamlett

Would you like to provide a comment or feedback on the Marine and Coastal Act Consultation Paper?

- dogs on beaches in the Thompsons Creek estuary (Surf shire shire + WCA) are impacting migratory birds and resident beach nesting birds  
↓  
e.g. red rock shits, golden plover
- migratory birds visiting year round not just seasonally.
- ~~waistis~~ consisting of dog rules over local government (LGM boundaries) to protect migratory birds.
- Hazards of erosion (cliff areas) are not well sign posted. Need to better manage and fund erosion.
- Agree to strengthen and better fund waste care / coastal...



Concentrating responsibilities under larger Committees of Management may improve management outcomes. However, it is often volunteer community efforts that drive improved outcomes. For example, currently here in south west Victoria it is the efforts of community groups such as mine (Warrnambool Coastcare Landcare Network) that are trying to protect Hooded Plover habitat while Parks Vic, DELWP, our CMA and local governments have pretty much sat on their hands until very recently. It is also groups like mine that drive on ground works on the coast and in our marine areas. If one of our auspiced groups, Friends of Merri Marine Sanctuary, was not active, no one would be focusing on this sanctuary, particularly because Parks Vic is not resourced appropriately to be able to. Similarly my group harnesses the volunteer efforts of hundreds of people every year to conduct revegetation and other activities on our coast, with no ongoing core funding to do so. In fact, despite reduced levels of funding for coastcare activities we have managed to increase our efforts. Local government does not have the capacity to do what we do. Any new arrangements should make clear the important role of volunteer organisations and should increase support, including funding, of key volunteer organisations. Warrnambool Coastcare Landcare Network would happily employ a Coastcare Facilitator to work with volunteers and agencies for improved outcomes in Warrnambool and district, if we were resourced to do so.