

# Land (Regulated Watercourse Land) Regulations 2021

Consultation Report



## Acknowledgements

Thank you to everyone who provided feedback on the proposed Land (Regulated Watercourse Land) Regulations 2021, and to our partner agencies for their support and input into the regulations.

## Author

DELWP Land Management Policy  
8 Nicholson Street  
East Melbourne VIC 3002

## Acknowledgment

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



© The State of Victoria Department of Environment, Land, Water and Planning 2021



This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the

Department of Environment, Land, Water and Planning (DELWP) logo. To view a copy of this licence, visit <http://creativecommons.org/licenses/by/4.0/>

ISBN 978-1-76105-722-9 (pdf/online/MS word)

## Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

## Accessibility

If you would like to receive this publication in an alternative format, please telephone the DELWP Customer Service Centre on 136186, email [customer.service@delwp.vic.gov.au](mailto:customer.service@delwp.vic.gov.au), or via the National Relay Service on 133 677 [www.relayservice.com.au](http://www.relayservice.com.au). This document is also available on the internet at [www.delwp.vic.gov.au](http://www.delwp.vic.gov.au).

# Contents

<b>Executive Summary</b> .....	<b>2</b>
<b>Final regulations</b> .....	<b>3</b>
<b>Introduction</b> .....	<b>4</b>
This report .....	4
Background .....	4
<b>Engagement Approach</b> .....	<b>5</b>
Victorian Traditional Owners .....	5
Targeted consultation .....	5
Engage Victoria .....	5
Survey design .....	5
Promotion and coverage .....	6
<b>Participants</b> .....	<b>7</b>
<b>Submission themes</b> .....	<b>8</b>
<b>Submission Summary</b> .....	<b>9</b>
Enforcement .....	9
Waste and water quality .....	9
Campfires .....	10
Biosecurity, livestock interference, and dogs .....	11
Liability .....	12
Environment and Firewood .....	12
Appropriate behaviour .....	13
Camping .....	14
Licensee use of Crown land .....	14
Public access for camping and fishing .....	15

# Executive Summary

Public consultation on the proposed Land (Regulated Watercourse Land) Regulations was delivered online on Engage Victoria from 3 March 2021 to 26 April 2021.

The proposed regulations aimed to:

1. manage recreational activities including camping on licensed river frontages, and
2. create consistent rules on regulated watercourse land to help recreational users better understand what can and cannot occur when visiting these areas.

The Department of Environment, Land, Water and Environment (DELWP) sought feedback on the proposed regulations to ensure they reflect the views of Victorians, and include appropriate rules for:

- Protecting cultural and environmental values;
- Protecting health and safety, including bushfire risk;
- Protecting livestock;
- Allowing camping on licensed river frontages;
- Ensuring appropriate camping behaviour;
- Protecting the community's right to access public land.

The opportunity to participate in reviewing the proposed regulations was broadly advertised to interested stakeholders. The Engage Victoria website received over 8,700 individual visitors, resulting in 1,100 submissions. This included survey responses, general comments, and written submissions.

Submissions were received from a range of stakeholders, including landowners and licence holders, recreational users including campers and anglers, government agencies, management bodies, and other interest groups.

The number, detail, and diversity of the submissions received, along with media coverage and correspondence with government and agencies, demonstrates the significant community interest in the changes to the regulations.

## Overall feedback

A significant proportion of the submissions expressed concerns about allowing new recreational activities including camping on licensed river frontages, and the impacts on environmental and cultural values, agricultural interests, and public safety. Compliance and enforcement were also significant concerns.

Many submissions expressed concerns relating to the increased bushfire risk from campfires, impacts on water quality from increased human waste, destruction of vegetation, vehicle damage to the frontages, and increased litter.

Traditional Owners, including formally recognised Traditional Owner Corporations, the First Principles Review Committee, and the Federation of Victorian Traditional Owners, expressed significant concerns about the impact of the proposed regulations on Aboriginal cultural heritage and Traditional Owner rights, responsibilities, and aspirations.

Some submissions expressed broad support for improving access to public land for recreation. Many of these submissions were general and did not outline support for each individual aspect of the regulations. Many submissions that indicated support for the changes highlighted some concerns regarding aspects of implementation, such as the enforcement of specific aspects of the regulations.

A detailed summary of feedback is found on pages 9 - 15.

## Overview of government response to feedback

In response to the diverse views expressed through the consultation process, the regulations have been modified to address concerns, particularly how they relate to camping on licensed Crown river frontages. For licensed Crown river frontages, camping will be limited to designated areas only. Other changes have been made to align the regulations with regulations managing recreation on other public land in state forests and national parks. A summary of the final regulations is provided on page 3.

Selected sites for camping will be assessed and determined to be suitable from a range of perspectives, including the potential impacts on Traditional Owner heritage values, environmental values, and adjoining farming interests.

Camping areas will be released in stages, following public land values assessments by DELWP and cultural heritage assessments by Traditional Owners.

# Final regulations

	Draft regulations – licensed and unlicensed river frontages	Final regulations – licensed river frontages (designated camping areas)	Final regulations - licensed river frontages (no camping areas)	Final regulations – unlicensed river frontages
Camping near dwelling*	100 metres	200 metres	No camping	200 metres
Length of stay*	28 nights	14 nights		28 nights
Disposal of soap / detergent*	20 metres from waterway	50 metres from waterway		
Disposal of human waste*	Burying at least 50 metres from waterway	Burying at least 100 metres from waterway; or Portable toilet located 50 metres from waterway; or Using any toilet facilities provided		
Portable toilets*	Permitted	Permitted 50 metres from waterway		
Firewood	½ cubic metre per day	No firewood collection		
Fires	Not permitted in areas under cultivation or with riparian improvement works	May be permitted in some designated camping areas	Not permitted, including in areas under cultivation or with riparian improvement works	Not permitted in areas with riparian improvement works
Dogs	(licensed frontage) Dogs permitted if – <ul style="list-style-type: none"> <li>On leash, chain, or cord</li> <li>Gundogs crossing</li> <li>Gundogs if hunting with permission of licensee</li> </ul>	No animals permitted except gundogs crossing	Dogs permitted if – <ul style="list-style-type: none"> <li>Gundogs crossing</li> <li>Gundogs if hunting with permission of licensee</li> </ul>	Dogs permitted

\*The land manager (Secretary of DELWP or Parks Victoria) has the ability to vary the default distances in particular areas.

# Introduction

## This report

This report summarises the findings of public consultation on the proposed Land (Regulated Watercourse Land) Regulations undertaken in 2021. This report also analyses feedback received from stakeholders and provides a summary of amendments made to the regulations following consultation.

This report was prepared by DELWP, and reviewed by portfolios of DELWP, VFA, and Agriculture Victoria.

## Background

The Department of Environment, Land, Water and Planning (DELWP) and the Victorian Fisheries Authority (VFA) are delivering the Victorian Government's election commitment to further encourage families and friends to spend time together in the outdoors by enabling camping on licensed Crown land adjoining rivers.

In 2018, Government committed as part of the 'Fishing and Boating' election commitments to "guarantee access to fishing and camping on Crown land that has grazing licences and river frontage."

To implement this commitment, Parliament passed amendments to the *Land Act 1958* to remove the prohibition on camping on licensed river frontages. The amendments allowed for the making of regulations to manage camping and recreational activities on regulated watercourse land.

Regulated watercourse land are Crown river frontages including:

- Crown land which has a frontage to a waterway and is licensed under the *Land Act 1958* (licensed Crown river frontages);
- Crown land which has a frontage to a waterway and is not licensed under the *Land Act 1958* (unlicensed Crown water frontages)

Despite the name, an unlicensed Crown water frontage may be licensed under another Act, commonly the *Forests Act 1958*.

In this document, the phrases unlicensed Crown river frontages and licensed Crown river frontages will be used. The proposed regulations use the terms unlicensed regulated land, licensed regulated land, and regulated land when referring to both types of land.

The regulations will apply to unlicensed Crown river frontages and approximately 10,000 licensed Crown river frontages along thousands of kilometres of waterways across the State. The regulations replace aspects of the Land Regulations 2016 and the Forests (Recreation) (Temporary) Regulations 2021.

# Engagement Approach

In anticipation of the level of interest and to assess the potential impact of the proposed regulations, DELWP worked together with the VFA to design and deliver an engagement approach that enabled everyone to have their say on the proposed regulations.

The online Engage Victoria platform was the primary mode of engagement providing the opportunity for all interested stakeholders, including Crown water frontage licence holders and recreational users, to provide comment on the draft regulations.

With ongoing coronavirus (COVID-19) circumstances and changing restrictions, the opportunity to plan and deliver in-person events across Victoria was significantly compromised. Where possible, DELWP and the VFA representatives attended meetings with community groups or participated online through video conferencing. These meetings provided valuable opportunities to answer questions about the regulations and to hear feedback directly from interested community members and organisations.

DELWP has considered all the submissions in accordance with the principles and guidance outlined in the Victorian Auditor General Office's *Public Participation in Government Decision-making – Better Practice Guide*.

## Victorian Traditional Owners

Victorian Traditional Owners have cultural, spiritual, and economic connections to land, water, and resources through their cultural heritage and relationship with Country. Aboriginal people have the oldest continuing living culture in the world and have managed their land and waterways over thousands of generations.

Victorian Traditional Owners expressed concerns regarding the changes to the *Land Act 1958* and the implementation of the government's policy to enable camping on Crown river frontages with grazing licences. These concerns have included the possible impact on sensitive environmental or Aboriginal cultural heritage values, and on the rights and responsibilities of Traditional Owners under the *Native Title Act 1993* (Commonwealth), *Traditional Owner Settlement Act 2010*, and *Aboriginal Cultural Heritage Act 2006*.

Government has heard the concerns of Victorian Traditional Owners, worked directly with Traditional Owner Corporations in developing the approach to the assessment of Aboriginal cultural heritage values, as part of the broader assessment of licensed Crown river frontages suitable for camping. In undertaking these assessments and in the ongoing implementation of these changes, government is committed to ensuring that the planning and management of these areas includes Traditional Owners, and supports their aspirations and the principles of self-determination.

## Targeted consultation

Throughout the consultation period DELWP and the VFA representatives attended meetings with several community groups, including regional Landcare groups, landowners, licence holders, and others. DELWP and VFA also attended meetings with peak representative groups.

In addition to the public consultation, meetings were held with portfolio areas of DELWP and relevant partner agencies.

## Engage Victoria

Engage Victoria is the Victorian Government's online consultation platform. The site offers a central point for the Victorian community to participate and to have a say in the development of government policies and programs. Engage Victoria has significant reach across the Victorian community and provided the opportunity for the public to provide comment on the draft regulations.

## Survey design

The online survey on the Engage Victoria website included six questions and an additional 'general comment' function.

Question 1 asked for feedback on a set of regulations that allow the Land Manager to permit, restrict or prohibit a particular activity in a designated area.

Questions 2 to 6 asked if a set of related regulations are appropriate and if there were any changes the respondent would like to see. These questions referenced regulations related to:

- Question 2: Protecting the environment
- Question 3: Prohibiting interference with livestock and structures and maintaining good order
- Question 4: Managing hygiene and waste to protect water quality and amenity
- Question 5: Managing camping
- Question 6: Managing campfires

These questions included a summary of the intent of selected regulations. They did not reference all the draft regulations, which were provided in full in an attachment on the Engage Victoria website.

Respondents were encouraged to provide comments that did not fit into the above categories in the 'general comment' function. Respondents also had the option to respond to the survey by email or post, or to provide feedback in a general written submission.

### **Promotion and coverage**

Several communication channels were used to promote the consultation on Engage Victoria and encourage all interested parties to participate.

Ministerial media releases announcing the consultation were picked up by media outlets throughout metropolitan and regional Victoria. The proposed regulations and opportunity to provide comment was extensively covered, particularly through regional newspapers. The topic also received coverage on regional and state-wide radio and talk-back programs.

The Engage Victoria survey was promoted online by the VFA on the VFA website and on social media. It was also promoted widely on the social media pages of management bodies, community organisations and interested individuals.

DELWP also issued a letter to the holders of Crown water frontage licenses issued under the Land Act, informing them of the review and how they can participate.

# Participants

There were over **21,600** views of the Engage Victoria website by **8,700** viewers. In total, **1,072** submissions were received during the consultation period, including **575** online survey responses and **497** general comments and written submissions.

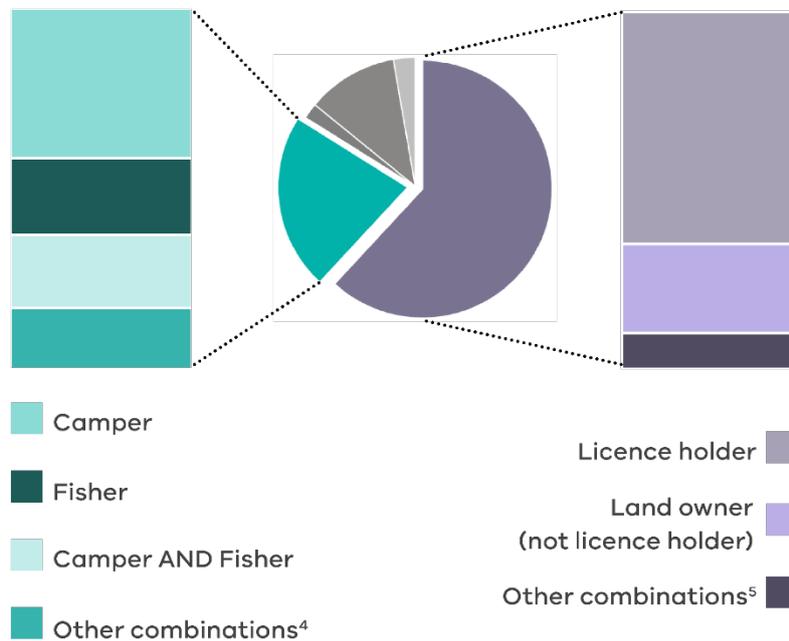
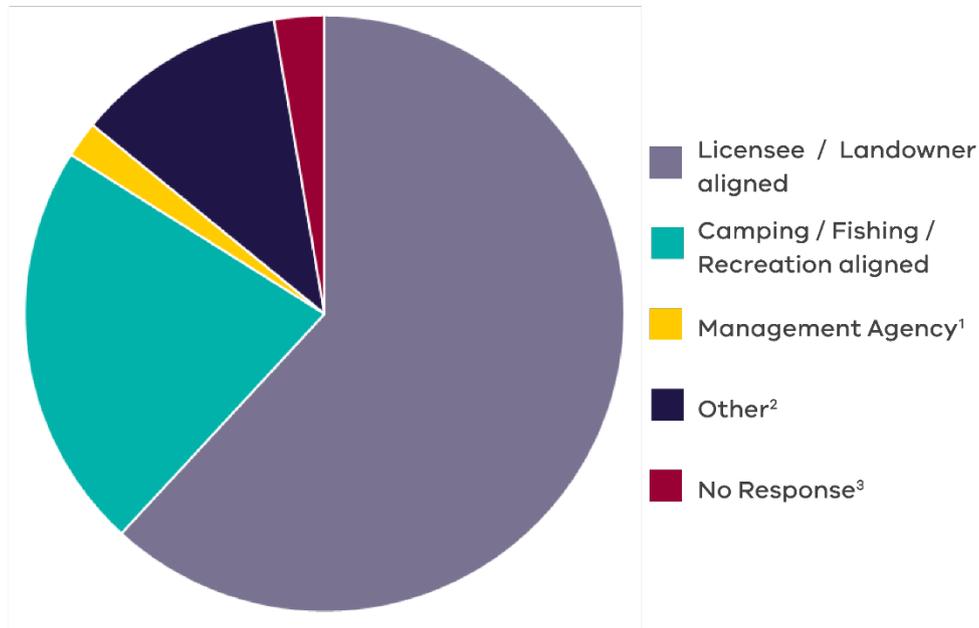


Figure 1. Breakdown of participants' alignment

<sup>1</sup> Includes catchment management authorities, water corporations and local government.

<sup>2</sup> Includes community and Landcare groups, non-governmental organisations, representative bodies, various individuals including researchers, residents, or 'community members' in general.

<sup>3</sup> Includes submissions by email or post that did not respond to this question.

<sup>4</sup> Includes combinations of campers, fishers, and 'other' descriptors.

<sup>5</sup> Includes combinations of license holders, landowners, campers, fishers, and 'other' descriptors.

# Submission themes

Participants broadly used the consultation opportunity to comment on concerns and issues related to the proposed regulations, in addition to providing feedback on specific aspects of the regulations. A count of submissions that raised a particular issue is illustrated below.

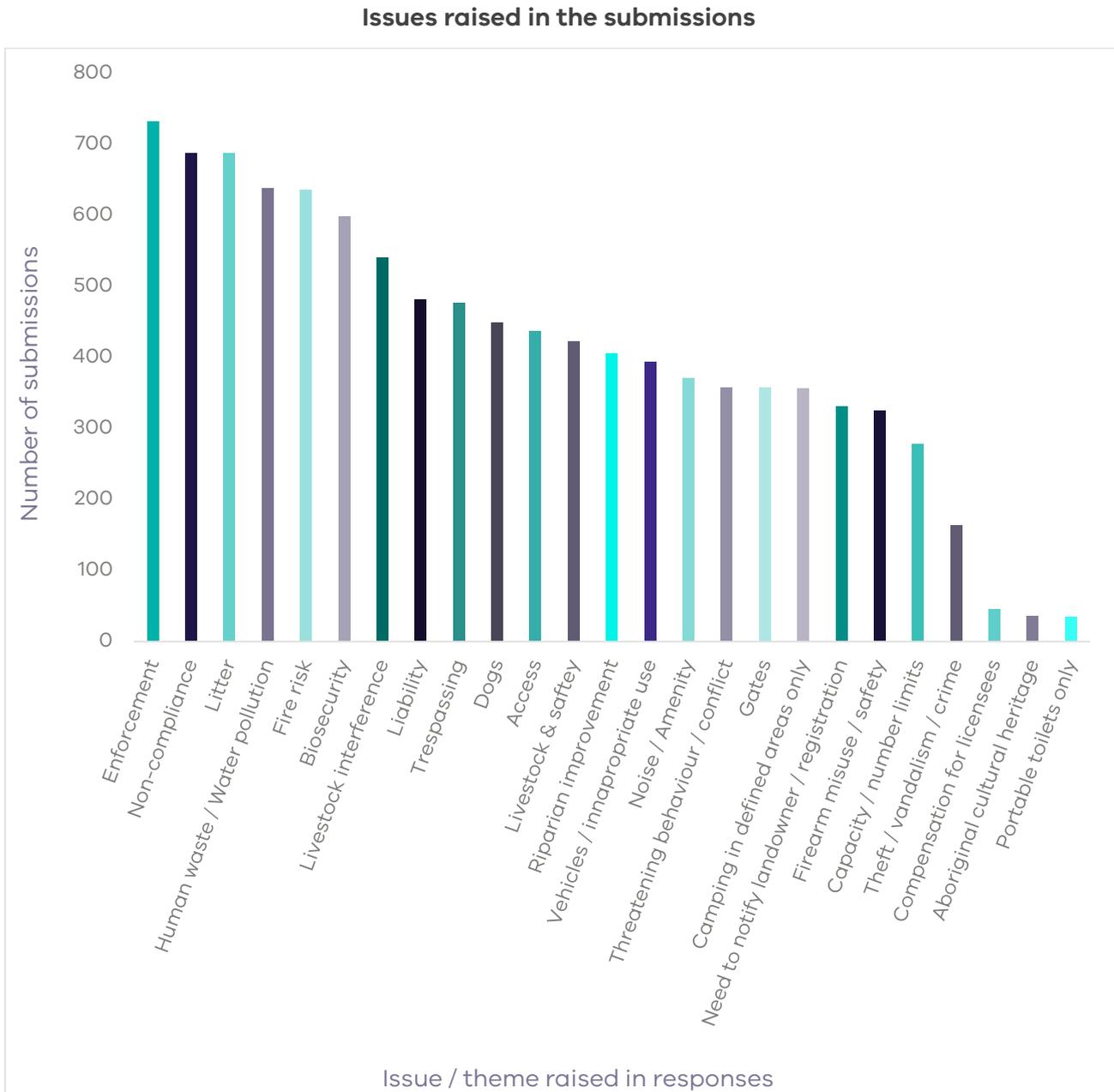


Figure 2. A count of common issues raised in the submissions

# Submission Summary

The following summary is structured according to common themes and issues identified in the submissions and are listed in order of frequency.

Each themed summary includes common observations, concerns, and recommendations identified in the submissions. A government response is provided to show how the regulations have been amended in response to the feedback.

## Enforcement

Many participants expressed concerns related to enforcement and non-compliance with the regulations.

*“There is grave concern within our communities in relation to the possible behaviour of some campers and what resources will be available to ensure campers adhere to the regulations and behave in a responsible manner.” – Local government*

*“I am also very concerned that the best regulations (written with the noblest of intentions) count for nothing unless there is strong enforcement.” – Licensee*

### Participant observations and concerns

- The regulations are ineffective if they cannot be appropriately enforced.
- Enforcement agencies do not have the capacity to patrol all licensed river frontages.
- Too impractical to collect evidence to enforce some regulations.
- Burden of education and monitoring will fall to licensees.

### Participant recommendations

- Ensure additional resources and authorised officers are made available to enforce regulations.
- Consult with enforcement agencies.
- Install signage explaining the rules.
- Clarify how to report illegal activities.
- Increase penalties for various regulations.

## Government Response

- Camping in licensed frontages will be limited to designated camping areas. As these designated areas are known, they can be more easily patrolled.
- The public can already access licensed Crown river frontages for recreation. Many of the regulations are like those currently in place.
- VFA will operate a 24-hour hotline 13FISH for reporting misconduct.
- VFA, DELWP and Parks Victoria will work together to enforce the regulations.

## Waste and water quality

A range of participants were concerned with waste and water quality. Most comments related to proposed **regulation 32** (faeces must be buried more than 50 metres from a waterway), proposed **regulation 33** (disposal of soap and detergent more than 20 metres from a waterway), and proposed **regulation 34** (removal of all waste and property).

*“These distances [100 metres] align with the setback distances specified EPA 891.4 Code of Practice for Onsite Wastewater Management (up to 5000L/day), which protects public health and the environment.” – Water corporation*

*“We are concerned that waterways will be polluted, and this will affect native species and also landholders using river water, for stock and domestic, and the water supply of towns further downstream.” – Licensee*

### Participant observations and concerns

- Faeces and soap will impact water quality for domestic, stock, and irrigation purposes.
- Faeces and soap will impact the health of livestock.
- Faeces and soap will impact sensitive river environments.
- Campers are unlikely to bury faeces properly.
- The rules do not align with council requirements or other public land regulations.
- Unlimited camping will create issues with waste and litter and cannot be enforced.

### Participant recommendations

- Prohibit disposal of faeces on licensed river frontages, or within 100 metres of a waterway.
- Provide toilet facilities.
- Prohibit disposal of soap and detergent on licensed river frontages, or within 50 metres of a waterway.
- Educate campers on leave no trace principles.
- Provide rubbish bins.
- Retain disposal of faeces but specify the depth faeces must be buried.

### Government response

- Camping in licensed frontages will be limited to designated camping areas.
- Burying of faeces is now prohibited within 100 metres of a waterway, in line with other public land regulations.
- Portable toilets, if available must be located more than 50 metres from a waterway.
- Disposal of soap and detergent is now prohibited within 50 metres of a waterway, in line with other public land regulations.

## Campfires

Many participants were concerned about increased fire risk related to camping. The proposed **regulations 39 and 40** permit campfires on licensed river frontages except in areas containing riparian management works, in cultivated areas, or in designated 'set aside' areas.

*"Every weekend there are cases of fires left unattended and there are frequent breaches of restrictions. Camping along the waterways will only spread and exacerbate the problem."* – Licensee

*"...communities were significantly impacted by the 2019/20 Black Summer bushfires. Communities throughout the Shire do not have any appetite for increased exposure to grass or bush fire."* – Local government

*"Campfires should not be permitted during the fire danger period on any licensed frontage where camping is allowed."* – Camper and fisher

### Participant observations and concerns

- Campfires on remote river frontages will increase the risk of bushfire, impacting the environment and endangering life and property.
- Authorised officers do not have the capacity to enforce campfire rules on remote river frontages.
- Digging fire pits will impact the environment.
- Prohibit fires in riparian management works and cultivated areas.

### Participant recommendations

- Prohibit campfires.
- Prohibit campfires except in fire pits or in designated areas that can be accessed by emergency services and authorised officers.
- Prohibit campfires over the summer fire restriction period.
- Prohibit campfires in areas with high fuel loads.
- Retain the campfire regulations and provide additional resources for enforcement.

## Government response

- Campfires are now prohibited on licensed river frontages except in designated areas. Selection of these areas considers fire risk and emergency vehicle access. As these designated areas are known, they can be more easily patrolled. Campfires may not be permitted in all designated camping areas, depending on site and landscape bushfire risk factors.
- Where campfires are prohibited in a camping area, fuel stoves and barbeques may be used.

## Biosecurity, livestock interference, and dogs

Many participants raised issues related to biosecurity, livestock interference and presence of dogs. Comments also related to proposed **regulation 16**, which allows areas to be set aside to manage or prevent the likely occurrence of a biosecurity risk.

*“The movement of vehicles, equipment and people creates a high risk in terms of spreading diseases, pests and weeds, thereby placing a further burden on landholders to manage the risk, potentially having a negative impact on landholders’ businesses.” – Local government*

*“The presence of dogs will further impact herd behaviour particularly in mobs where dogs have not been used by the farmer. In herds naive to dogs, even docile cattle will aggressively defend their territory from this predator (chase dogs). They will do this regardless of whether a dog is on a lead or not.” – Agricultural representative body*

### Participant observations and concerns

- Camping activities and dogs threaten biosecurity by introducing agricultural pests and diseases.
- Camping activities on licensed land can impact agricultural biosecurity requirements.
- The presence of people, dogs, or activities associated with camping may spook livestock, risking harm to livestock and campers, and damage to infrastructure.
- Dogs can impact the environment and native wildlife.

### Participant recommendations

- Require permission from the licensee to camp on licensed river frontages.
- Set up a permit or registration system to fulfil biosecurity requirements.
- Ensure campers remove vegetation and soil from persons, equipment, and vehicles, before entering licensed river frontages.
- Prohibit camping where livestock are present, when bulls are present, or when calving or lambing.
- Prohibit dogs.

## Government Response

- Camping on licensed river frontages will be limited to designated camping areas. The assessment of areas will ensure they are suitable for camping, with consideration of the environment and public safety.
- The public are already able to access licensed Crown river frontages for recreation. Many of the regulations are like those currently in place for these activities and most recreational visitors will be respectful of the activities of licensees and landholders.
- Dogs and other animals are now prohibited on licensed river frontages, except assistant animals, gundogs if hunting with permission of the licensee, and gundogs crossing the area.
- Gundogs are not permitted in designated camping areas for the purpose of hunting.
- Proposed **regulation 19** is retained, which prohibits the introduction of vegetation.
- Proposed **regulation 16** is retained, which allows areas to be set aside to manage or prevent the likely occurrence of a biosecurity risk.
- Government is exploring the potential for introducing a registration system for the designated camping areas. Mandatory registration is not a feature of other public land in Victoria.

- Access or passage via private property is trespass, and not permitted without the permission of the landowner/occupier.

## Liability

Many participants were concerned about the impact of camping on licensee and landholder liability.

*“Holders of crown land licenses already are required to have public liability for their land used, however the introduction of camping brings with it the likelihood of alcohol being involved, which increases the risk of dangerous or reckless behaviour, which may result in claims against liability insurances and in turn create another financial burden to farmers as their premiums increase.” – Licensee*

*“Farmers should not be penalised through paying higher insurance rates because of people camping on their grazing leased river frontages.” - Camper*

### Participant observations and concerns

- Allowing camping and other recreational activities on licensed land used for farming increases the risk of injury, incident, or property damage.
- Licensee’s public liability insurance does not cover this increased risk and licensees could be held financially liable if an incident occurs.
- Licensed river frontages are considered workplaces and licensees could be held criminally liable if an incident occurs.

### Participant recommendations

- Limit where camping and other recreational activities are allowed.
- Provide clarity about who is liable if an incident occurs on licensed river frontages.

## Government response

- Camping in licensed frontages will be limited to designated camping areas. It is expected that licensees would have public liability insurance since the public is currently permitted to access licensed Crown land river frontages for various recreational activities. Should an incident occur, each individual case would be considered on its merits through the legal process.
- Access or passage via private property is trespass, and not permitted without the permission of the landowner/occupier.

## Environment and Firewood

Many participants were concerned about protecting the environment. Most comments related to **regulation 19**, (prohibits damage of vegetation), **regulation 21** (prohibits digging of soil), **regulation 23** (firewood collection), and **regulation 16** (protection of natural values and river bank management areas).

*“Wood, both as standing dead or alive timber, or as fallen whole trees/shrubs, logs and branches provide valuable habitat for both in-stream and terrestrial native fauna. We believe that while regulation 18 does provide some protection for vegetation: Firewood collection should be prohibited.” – University researcher*

*“Further time needs to be taken to assess terrain and evaluate whether in consideration with ecologists, scientists, and Traditional Owners, potential sites are appropriate and that campers with their inevitable human waste will not compromise the natural environment.” – Camper*

### Participant observations and concerns

- Activities including camping, firewood collection, digging of campfire pits, and burying of human faeces, are not in the interest of protecting the environment.
- Fallen wood and logs are important habitat for native animals.
- There is not enough firewood available on river frontages to meet campers' demand.
- Too difficult to enforce.

### Participant recommendations

- Prohibit firewood collection.
- Reduce firewood collection limit.
- Limit where camping is allowed.
- Prohibit camping in all revegetation areas, areas with threatened species, and areas with significant habitat values.
- Provide more guidance on the definition of 'natural values' in **regulation 16**.

### Government response

- Camping in licensed frontages will be limited to designated camping areas. The assessment of areas will include whether campfires are permitted. Where campfires are permitted, firewood must be brought in.
- The process to assess the suitability of a designated camping area will seek to strike the balance between providing opportunities for recreation while ensuring the environment is protected and the interests of adjoining landowners and existing licensees are considered.
- Firewood collection is now prohibited on licensed and unlicensed river frontages.

## Appropriate behaviour

Many participants raised concerns about inappropriate behaviour relating to trespass, vehicles, gates, access, and noise. Some comments relate to **regulation 25** (prohibits nuisance or dangerous behaviour) and **regulation 27** (requires gates to be closed after opening).

*"Campers on unrestricted camping areas have a history for excessive noise, excessive drinking and generally acting in anti-social manner with no respect for others or their property." – Licensee*

*"Noise restrictions should be enforced, i.e. campers with generators or loud music after hours where they are in close proximity to others." - Camper and fisher*

### Participant observations and concerns

- Campers are likely to behave inappropriately or dangerously, including engaging in drunken behaviour, excessive noise, litter, and inappropriate vehicle use on river frontages.
- Campers are likely to trespass on private land to access river frontages, either knowingly or unknowingly.
- Campers are likely to trespass on private land to adhere with the regulations, such as setback distances for disposing of faeces or soap.
- Campers are unlikely to close gates after opening them.
- Licensees may discourage public access to licensed Crown river frontages.

### Participant recommendations

- Limit where camping is allowed.
- Prohibit vehicles for recreational use on licensed land.
- Prohibit firearms.
- Educate campers about expected behaviour, relating to biosecurity, gates, safety, noise, and environmental protection.
- Provide more guidance on the definition of 'behaviour that is likely to be a nuisance.'
- Provide clear and accurate mapping to campers that displays public land boundaries and preferred public access routes.
- Educate licensees about their responsibility to provide pedestrian access to licensed Crown river frontages.

## Government Response

- Camping in licensed frontages will be limited to designated camping areas. The public are already able to access licensed Crown river frontages for recreation. Many of the new regulations are like those currently in place for these activities and we would expect recreational visitors to be respectful of properties nearby.
- Vehicle access on licensed Crown river frontages, other than on formed roads or tracks, remains prohibited and subject to the Land Conservation (Vehicle Control) Regulations.
- Access to licensed Crown river frontages is only permitted via public access points. Trespassing on private land is illegal.
- The regulations regarding gates and appropriate behaviour are retained.

## Camping

Many participants commented on the length of stay provision and the permitted camping distance from a dwelling, which are provided for in proposed **regulation 35**.

*“Camping should be at least 200 metres from a dwelling to increase safety for residents and the minimisation of being impacted by poor behaviour, unsolicited access and dogs coming onto the property.” - Licensee*

*“This is too long, 28 days is settling in and taking up residence. 14 days is more than enough and would allow more people to enjoy crown land, rather than a few.” – Licensee*

### Participant observations and concerns

- The length of stay is too long and could encourage squatters.
- The length of stay will interfere with farming operations on licensed land.
- The length of stay will lead to greater impacts on the environment.
- The permitted camping distance from a dwelling is too close, due to concerns related to privacy, safety, and noise.
- The camping regulations are appropriate.

### Participant recommendations

- Reduce the length of stay – varying suggestions from less than 5 nights, to between 7 and 14 nights.
- Increase the dwelling distance – varying suggestions including 500 metres, 400 metres, or 200 metres.
- Introduce capacity limits on camping areas.
- Limit camping to designated sites.

## Government response

- Camping in licensed frontages will be limited to designated camping areas.
- A rigorous assessment process will be undertaken to ensure sites are safe for camping, with environmental and agricultural impacts considered as well as any impact on Aboriginal cultural heritage.
- The maximum length of stay in designated camping areas is 14 nights.
- The maximum length of stay in unlicensed areas remains 28 nights.
- The permitted camping distance from a dwelling has been adjusted from 100 metres to 200 metres.

## Licensee use of Crown land

Some participants raised concerns about how the regulations affect licensees and the ability to maintain and use licensed land.

*“The regulations are silent on the duties and obligations of the licensee. At the moment works required under the licence may be a breach of the regulations.” – Representative body*

#### Observations and concerns

- The regulations prevent licensees from carrying out activities that are in accordance with the license, such as managing fuel loads.
- The regulations prevent licensees from installing signs and barriers that support activities that are in accordance with the license, such as installing signs noting maintenance activities, safety hazards, or boundaries of revegetation areas.

#### Recommendations

- Clarify the contradictory rules in the regulations and license conditions.
- Include exceptions for license holders to undertake activities in accordance with the license.

#### Government response

- The regulations now allow licensees to undertake activities in accordance with the terms or conditions of their license. This allows licensees to complete maintenance works without committing an offence against the regulations.
- Signs and barriers are permitted if these support activities that are in accordance with the terms and conditions of their license.
- Signs and barriers remain prohibited if these restrict or discourage pedestrian access or use of Crown land.

### Public access for camping and fishing

Some participants expressed broad support for improving access to public land for recreation. Some of these submissions highlighted concerns regarding implementation and the enforcement of specific aspects of the regulations.

*“This is a great initiative. People need more areas to camp especially by our beautiful rivers. Regulations to protect the environment and private property are important but growing the camping and outdoor industries creates jobs and tourism.” – Camper and fisher*

*“I am in favour of this idea, but hope that the information and regulations are delivered in a way that makes it clear so no wrongdoing can be tolerated.” – Camper and fisher*

#### Participant observations and concerns

- The regulations provide reasonable controls.
- Support increased fishing opportunities.
- Support increased camping opportunities on Victoria’s rivers.

#### Participant recommendations

- Retain the draft regulations.
- Provide maps and information about the best camping areas.
- Install signage at access points and signage explaining the rules.
- Ensure additional resources and authorised officers are made available to enforce regulations.

#### Government response

- Camping on licensed Crown river frontages will be permitted in designated areas, with a rigorous assessment process applied to ensure sites are suitable and safe for camping, with environmental and agricultural impacts considered as well as any impact on Aboriginal cultural heritage.
- Camping on unlicensed Crown river frontages is permitted, subject to the regulations (e.g. for compliance with minimum distances, not in areas subject to riparian management works, etc.)
- Signage will be installed on licensed areas designated for camping.

