

One Gippsland  
Land (Regulated Watercourse Land) Regulation  
Submission April 2021





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## Executive Summary

The Gippsland region has faced a range of economic setbacks in recent times and is currently undergoing economic transition due to the progressive closure of the regions traditional energy sector.

Providing nearly half of Gippsland's Gross Regional Product, the food and fibre sector is essential to the recovery and continued success of the region.

One Gippsland would like to raise concerns regarding the amendments to the *Land Act 1958* that will remove the prohibition on camping on licensed river frontages, which could impact food and fibre businesses across our region.

Noting this legislative amendment has already passed, One Gippsland has outlined its position on proposed regulations through this submission highlighting the expected impacts to farmers and licenced water frontage holders including:

- Fire Safety;
- Environmental Concerns; and
- Interference with Livestock and Property.

## About Gippsland and One Gippsland

Gippsland is a geographically, socially and economically diverse region. At approximately 41,000 km<sup>2</sup>, it is the largest region in Victoria. Home to over 270,000 people<sup>1</sup> and 6 Local Governments, the region annually produces \$16 billion in Gross Regional Product (GRP).

One Gippsland is a peak regional advocacy body representing this diverse region. We aim to connect the dots between government, business and community, while also working collectively to champion the interests of our region and people.

It is our mission to create a thriving and dynamic region that harnesses social, environmental and economic capabilities and assets. We do this to ensure that Gippsland continues to have remarkable diversity so that we can offer resident's opportunities for a great lifestyle and access to services at all stages of life.

A recent report produced by SGS Economics shows that Gippsland has undergone a series of economic shocks that have impacted the economic output of the region. Between 2015 and 2020 the combined effect of the COVID-19 restrictions, bushfires, dairy crisis, drought and Hazelwood closure have had the following impact:

- Direct output loss of **\$3.28 billion**;
- Combined direct and indirect output loss was **\$6.86 billion**;
- A total of **10,213 job losses** (direct and indirect); and
- Gross regional product shrunk by **\$2.66 billion**.

The closure of the native timber industry is expected to negatively impact direct output by **\$548 million** and further shrink Gross regional product by **\$431 million** in the next 10 years.

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<sup>1</sup> [https://quickstats.censusdata.abs.gov.au/census\\_services/getproduct/census/2016/quickstat/205?opendocument](https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/205?opendocument)



Despite these challenges, Gippsland has great growth aspirations including:

1. Being Australia's **most liveable region** by 2040;
2. Attracting an additional **75,000 residents** 2040; and
3. Increasing the annual **Gross Regional Product to \$23.2 Billion** by 2040.

To be able to meet these goals, assistance will be required to ensure that key industry in Gippsland is supported to be as productive and competitive as it can while recovering from these economic challenges.

### **The Food and Fibre Sector in Gippsland**

The Gippsland economy is in transition due to the progressive closure of the region's traditional energy sector. As outlined above, there has been a range of economic shocks that have further impacted the region's ability to respond to opportunity and grow its Gross Regional Product (GRP).

The food and fibre sector is a major contributor to the Gippsland economy with agriculture, forestry and fishing alone employing 15,400 people or 12 percent of the region's workforce. It's worth around \$7 billion annually, making up 43 per cent of the region's \$16 billion GRP. This includes both primary production, and pre- farm-gate produce (worth roughly \$2.2 billion annually), and the broader food and fibre value add and supply chain. In addition to bolstering almost half of the regional economy, Gippsland produces 30.6 per cent of Victoria's dairy production, 28.1 per cent of its beef and 25 per cent of its vegetables<sup>2</sup>.

Spanning over 41,500 kilometres squared, Gippsland is one of the most diverse regions in the country. With 28 per cent of this land size being used for agricultural purposes, the food and fibre sector is also very diverse in its offerings with strong industry sectors such as dairy, meat, horticulture, seafood and forestry.

Although specific value chain and sector data is often isolated and fragmented, it is estimated that dairy is worth \$3 billion, forestry worth \$1.2 billion, meat and horticulture both worth \$1 billion each and fishing and aquaculture worth \$500 million. These figures are based on commodity output only and therefore do not fully capture the value chain impact of Gippsland's food and fibre sector.

It is estimated that in Gippsland there are over 6,500 agriculture, forestry and fishing businesses that contribute to around 250 small communities across the region with the viability of further 2,500 businesses dependent on the food and fibre value chain.

Given its vast economic footprint to both the regional and state economy and its significant role in regional employment, this sector has been identified by the Victorian Government and key stakeholders as a priority future industry.

As illustrated above, many external forces have worked against the Gippsland economy in recent years, further legislation brought in that could impact the profitability of agriculture businesses could be detrimental to Gippsland's economic recovery, prohibiting the region from achieving its full potential.

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<sup>2</sup> [https://agriculture.vic.gov.au/\\_data/assets/pdf\\_file/0011/554159/gippsland-report.pdf](https://agriculture.vic.gov.au/_data/assets/pdf_file/0011/554159/gippsland-report.pdf)



## Response to Governments Proposed Land (Regulated Watercourse Land) Regulations

One Gippsland understand that the State Government has already passed this legislation and is now consulting on the legislation's specific regulations. This is an ongoing concern for many of the water frontage licence holders in our region. Many farmers in Gippsland who's land runs adjacent to land that permits general public use have already seen a wide range of impacts causing significant stress and danger to their livelihoods and property (see case study below for more detail).

We would like to highlight the very real and significant risks this legislation poses. We urge the State Government to reconsider implementing these changes and have outlined our concerns below in reference to specific regulations where relevant.

### Fire Safety

Gippsland is a severely bushfire prone region, with high fire risk weather that can change very quickly. Unattended campfires, the spread of embers or campfires that have not been adequately extinguished all pose very real and very detrimental risk to the entire Gippsland region.

One Gippsland note **Regulation 40**, which allows land managers to prohibit campfires in certain areas or during certain times. One Gippsland urge the State Government to prohibit campfires in **all high risk locations during the entire bushfire season** as even the smallest flouting of these rules can have dire impacts.

Further, in relation to **Regulation 14** (that would enable land manager to temporarily close regulated land in anticipation of or in the event of an emergency (e.g. a flood or fire)), One Gippsland recommend that land managers use this rule liberally and be conservative with what constitutes as high fire risk weather as fire events can often commence, change and become dangerous very quickly. High and extreme fire danger days should see locations under this amendment closed for recreational use of any kind.

One Gippsland also strongly suggest that **Regulation 37** (which enables land manager to designate areas where camping is only permitted with a permit issued by the land manager) should be used in high fire risk locations, and locations near private property, livestock or high traffic areas for livestock and native fauna. This is so that council and Government can understand who is located where if a fire event was to occur and/or to be able to track potential perpetrators of any damage done to property, livestock, flora and fauna.

### Environment Concerns

One Gippsland would also like to stress the environmental impacts that could occur as a result of this legislation.

Biosecurity risk and the interruption of restoration of natural vegetation poses great risk to the native environment in Gippsland and could have severe knock on affects to livestock and native animals.

Noting **Regulation 16**, One Gippsland seek confirmation and clarity from the Government on the framework and process of identifying land that should be restricted or have prohibited access. It is our strong recommendation that this kind of analysis be completed before this legislation comes in to effect and be done in consultation with neighbouring land owners and the community and that it is regularly reviewed.



Further, in relation to **Regulations 18, 19, 21 and 23** One Gippsland fear that due to inability to properly enforce these regulations, extensive damage may be done to native vegetation and policing of these regulations will fall to neighbouring land owners. Adequate penalties and enforcement capabilities must be clearly demonstrated to ensure that this does not occur.

One Gippsland seek assurance that any illegal removal of native vegetation or firewood by recreational users of the regulated land will not result in water frontage licence holders being prosecuted.

One Gippsland would like to highlight the biosecurity risks posed if **Regulations 32 through 34** are not adequately adhered to. Proper policing and penalties for these regulations must be enforced to ensure these risks are at a minimum.

One Gippsland would further like to comment on the risk of pollution and littering, noting **Regulation 34** which outlines that any person using the land must remove their waste and property. One Gippsland believe that to reduce the likelihood of this waste being left behind, rubbish bins should be placed and entrances/exits to the land that this legislation relates to.

#### **Interference With Livestock And Property**

One Gippsland believe **Regulation 20**, that sets out the prohibition of interfering with any livestock on regulated land including preventing livestock from accessing the watercourse, should be amended to prohibit the use of any land in common watering locations or near common livestock areas. This is to ensure that no risk is posed to animals by campers. Flora disturbances or disruption to birthing or young animals may result in mistreatment or death; this is a detrimental impact that must be avoided.

In relation to **Regulation 22** which prohibits any recreational use of land which is being cultivated in all circumstances. One Gippsland would also like to seek clarity and transparency on the guidelines granting this permission.

**Regulation 35** that prohibits camping within 100 metres of a dwelling, is also of concern. As shown in the attached case study from Bulmer Farms, extensive damage has been done to property and irrigation systems by the use of motorbikes and in some cases pumps being switched off so campers can charge phones or plug in camping equipment.

If the Government are to proceed with this legislation, stricter regulations should be implemented that not only prohibit but enforce penalties for public land users who trespass, tamper with or damage private property.



### Case Study – Bulmer Farms

Bulmer Farms holds numerous licenses of Mitchell River frontage in East Gippsland, some of which are accessed by the general public for swimming, fishing and general recreation.

The business takes great pride in the stewardship it holds over leased or owned land and actively farm in an environmentally sustainable manner that promotes regenerative agriculture. The Mitchell River is a major water source for the business; a vital part of their livelihood and shapes how the business operates through good and challenging periods. The river is highly respected and cared for as locals who have lived, drank, worked and socialised from it and around it their whole lives.

The general public already enjoy access of certain parts of the river that the properties adjoin, Bulmer Farm staff are frequently cleaning up rubbish left behind, have had to distinguish campfires, have had motorbike riders and four wheel drivers trespass onto properties causing damage to irrigation infrastructure, and seed beds. This issues also poses a great OH&S threat to farm employees who operate the properties 24/7 over the peak production period.

On more than one occasion, machinery has been tampered with and fuel stolen. Electricity has been leveraged and irrigations pumps switched off for individuals to charge mobile phones and camping appliances. Livestock have been distressed and gates left open. Illegal hunting and damage to livestock is also a real concern. Further, young children live on these properties and should not have to endure the risk that strangers pose to being in close proximity to their homes.

For further information from Bulmer Farms, please contact Andrew Bulmer on 03 5157 1709.

### For More Information

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