

## 1.0 Background:

The Boating Industry Association of Victoria (BIAV) is a not for profit, membership-based industry association and is the peak body for the Victorian light marine industry.

The BIAV mission is to:

- promote safe, sustainable boating and facilities through industry leadership;
- develop and promote professional standards and services for its members and the boating community

The BIAV welcomes the opportunity to comment on the draft Marine and Coastal Policy and acknowledges the work undertaken by the Department of Environment, Land, Water and Planning (DEWLP) in developing this draft policy and the exemplary consultation process.

The BIAV's intent in this submission, supported by our members and the BIAV Board, is to provide high level advice to the Victorian State Government about our recreational boating community and industry's views on how the use and protection of our marine and coastal environment should be planned for and managed.

The BIAV supports the draft Marine and Coastal Policy Vision: *Our vision is for a healthy, dynamic and biodiverse marine and coastal environment that benefits the Victorian community now and in the future.*

## 2.0 Introduction:

Recreational boating is an important recreational and lifestyle choice for a significant number of Victorians. Each year around 1 million Victorians choose to undertake recreational boating activities, with 58% of recreational power boating activity occurring in Victorian bays and coastal waters .

Table 1.0: Victorian Boating Statistics (30th June 2019)

Registered Vessels	Marine Licences	# Trailer Boats <sup>i</sup>
195,000	420,000	189,000

Recreational boating delivers **\$4.5 billion** contribution to the Victorian economy and provides **17,700 FTE jobs**<sup>ii</sup>.

Ernst and Young (2008)<sup>iii</sup> found that recreational boating on Port Phillip Bay contributed \$995 million to Victorian GSP, a contribution seven times that of the Spring Racing Carnival and comparable to that of Melbourne Airport.

The Ernst and Young (2008) study also found *"Under a forecast of medium difficulty of capture there is another 180,000 potential boat owners"*.

**"Boating is an important recreational and social outlet for many people. Boat registration is increasing faster than population growth"** Victorian Coastal Strategy (2008)

While recreational vessel registrations have increased over the past decade, fleet growth over the past 5 years totalled 3.3% (average 0.66% pa) and increased by **0.17%** from 2017/18 to 2018/19, with majority growth in the PWC sector.

TSV reporting in 2015 showed a marked decline in percentage of the Victorian recreational fleet undertaking recreational boating activity on Port Phillip and Westernport Bays (*i.e. 68% in 2008 vs 53% by 2015*) and also that boaters were increasing travel distances [*to launch*] in order to escape overly congested metropolitan facilities on a chosen day. The average annual number of trailer boat launches was 19 per registered vessel.

***"On average, boaters travelled 93.6 km from where the boat was stored to where the boat was launched"***. TSV Boater Behaviour Report (2015)

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The BIAV conclusion is that observed changes in recreational fleet profile, boater usage choice and behaviours can be attributed in part, to the last two decades of coastal management regimes that have not delivered beneficial management of recreational boating access.

**The key driver of recreational boating activity is quality of access to the water!**

In providing guidance for delivering on the objectives of the Marine and Coastal Act 2018, the BIAV submits that a final Marine and Coastal policy must deliver a more clearly defined policy suite aimed at surety for future marine business operations, improving quality of access for recreational boaters and direction for enhancing and protecting the marine and coastal estate.

**‘It is important to provide clear, consistent direction for planning and managing the use and development of coastal, estuarine and marine environments in a way that is environmentally sustainable’** Victorian Coastal Strategy (2008)

In addressing drivers of change, particularly population growth, explicit policies that provide value and use specific considerations for planning, management and decision-making in the marine and coastal environment are essential. This will be of particular importance for recreational boating facilities located, or to be located, on the coast.

The BIAV humbly submits that while policy ‘clarity’ is provided in the draft Marine and Coastal policy for protection of the coastal and marine environment, there remain concerns with regard to qualifying a number of other important outcomes and policy points.

If the final Marine and Coastal Policy does not provide a more focussed level of guidance and direction, BIAV is concerned that outcomes for delivering strategic and improved recreational boating access will be stalled or remain undelivered.

Table 2: VCS Implementation Plan - Key Coastal Projects 2014-2019

3.4 Boating and water-based activities					
2	Identify accountability for planning and management of boating activities.	73	DEDJTR	TSV, LGs, PV, CoM, waterway managers	The Safe and Accessible Waterways Strategy will address this. Public consultation for the strategy occurred in late 2016, and the strategy likely to be considered by Government in early 2017.

VCS Implementation Plan Appendix 29

Finally, a BIAV general comment on the draft policy as written would be that it does not deliver a balanced nor sustainable policy suite for simplified management nor equitable planning in the marine and coastal estate. It does however, deliver on some important environmental objectives, particularly ICZ management.

That said, should ‘balance’ not be achieved, it is likely that intervention would be necessary, particularly when noting the current State Government policy on recreational boating, including boating access.

**‘The VCS provides a comprehensive, integrated management framework for the coast of Victoria. The purpose of the strategy is to provide...a policy statement for exercising discretion by decision-makers where appropriate’.** A Policy Framework for Open Ocean Access Launching Facilities in Victoria (October 2010)

Further detailed response to individual policy points are provided below.

**3.0: BIAV Specific Comment on Draft Policy Suite:**

Policy Number	BIAV Comment
<b>Chapter 8 - Ecologically Sustainable Use and Development</b>	
8.6	<b>Avoid development in low lying coastal areas</b> Not supported. BIAV submits that all coastal recreational boating facilities are in low lying coastal areas, are coastally dependent and as such, would benefit from a more explicit policy consideration in the final policy suite.
<b>Chapter 10 - Buildings, Structures and Access</b>	
10.1-10.15	Not supported. BIAV has the most concern with the policy suite contained in Chapter 10. As written there, is no clarity for future development of recreational boating facilities other than to avoid development. Recreational boating access is a high enough priority for the Victorian community and the Victorian government to require a more explicit policy suite that does not obstruct delivery of government policy or improved recreational boating access..
<b>Chapter 12 - Recreation and Tourism</b>	
12.1	Supported.
12.2-12.4	Not supported in part. BIAV has some concern with regard to equity of use in that it is being misinterpreted by this policy suite. BIAV submits that the principles of equity and amenity outlined in <i>Cheers and Ors v Mornington Peninsula CC</i> [2018] VCAT 731.
12.6	Not supported. In particular, part (b) of the policy delivers a blanket assumption that is unrealistic in terms of dredging requirements and even impacts on the environment. By way of example, the draft policy would encourage beach renourishment but reuse the removal of beach sand from a harbour.
<b>Chapter 15 - A Marine Spatial Planning Framework for Victoria</b>	
General Comment: This process made it very clear that the marine space should be well planned for and that this very much extends to boating and its importance to society. In all spatial planning, access to the water should be a priority. This is related to the increasing population, the ever increasing demand for recreation and lifestyle, the known personal benefits of boating, and the economic and societal benefits of boating. Although this was not in anyway disputed during the Marine Spatial Planning development process, it does not seem to be reflected in the draft. This is of concern.	

<sup>i</sup> 97% of registered vessels are trailer boats (*B. Scullin pers comms*)

<sup>ii</sup> BIAV. Drivers of Growth (2015)

<sup>iii</sup> The Economic Value of Boating in the Bays. Ernst and Young (2008)