

3 September 2015

Mr Hugh Bramwells  
Project Officer Riparian  
Waterway Health  
Catchments Branch  
Water and Catchments  
Department of Environment, Land, Water and Planning  
Level 11, 8 Nicholson St  
East Melbourne Vic 3002

Dear Mr Bramwells

**PROJECT PLAN: RECREATIONAL ACCESS AND USE OF CROWN  
LAND WATER FRONTAGE**

BWV thanks you for the opportunity to comment on this and associated papers.

BWV represents the common interests of over 70 Victorian bushwalking clubs, with in excess of 8,000 members. BWV also aims to proactively represent the interests of all recreational walkers in Victoria as well as walkers visiting from interstate and overseas. One of the common interests of BWV clubs and their members is the conservation of the ecosystems and natural landscapes through which they walk, so that they can enjoy the maximum variety of native flora and fauna and unspoilt scenery and ensure their preservation for future generations. Founded in 1934, BWV has a long history of active interest in conservation, including being one of a group of like-minded organisations pressing for legislation to create a comprehensive system of national parks in Victoria as early as the 1940s.

BWV has perused the DELWP fact sheets concerning Crown frontage that touch on public access (fact sheet Question 2 refers), and has the following comments, particularly with reference to Question 1, because for BWV recreational access and use of Crown frontage is an especially important issue, but also addressing, *en route*, Questions 3 and 4:

- Many of our members would not be aware that they may still access Crown stream frontages even if the land is subject to a Crown frontage licence, and in

many circumstances (eg in the case of non-revegetation areas) even if they are subject to a riparian management licence. When stiles, gates and appropriate signage are provided (DELWP Overview), this will be apparent, but such indicators are not always present.

- In fact, there is typically no signage indicating that public access to licensed land is available, so that our members will not know whether they have free access to the land or not, and privacy provisions make it often extremely difficult to establish, through governmental or other avenues, who manages the land, in order to resolve the question.
- Some farmers do not want walkers entering property over which they feel they exercise some degree of ownership through licence, and they therefore cannot be relied upon to indicate that their riparian land is open to the public. We believe therefore, that DELWP must take responsibility for ensuring that appropriate signage is put in place.
- As an ideal, BWV supports the concept of ‘freedom to roam’ (such as has been traditionally accorded to holders of Miners’ Rights), and it is disappointing to us that only 17.6% (derived from the Overview) of river and creek frontage in Victoria is Crown frontage, the remainder being privately-owned. The reality is even worse when land under licence is taken into account, with only 7.6% of riparian land actually free of private ownership or licence. 2.9% of that is in national and state parks and reserves, so that only 4.7% of riparian land in this State is walkable without some form of restriction. We find this situation far from satisfactory, as riparian frontages offer some of the best walking areas in large sections of the State, including waterfalls and gorges of great natural beauty (as in Barfold Gorge near Redesdale) which we believe should be made easily accessible to the public. Ideally, we would like to see the government assuming greater control of Victoria’s riparian lands.
- In relation to Question 5, while DELWP may make relevant information available on its website, and we would urge that this be done, it is doubtful if the level of detail we need on particular pieces of public land we wish to traverse could practicably be provided (the database would be enormous, and privacy considerations would militate against our receiving the information we desire anyway). In any event, there is no substitute for signage on the spot. Nonetheless, in line with Question 6, we would like to be kept abreast of all relevant developments by direct email where possible via the address [admin@bushwalkingvictoria.org.au](mailto:admin@bushwalkingvictoria.org.au).
- We are pleased to see BWV listed amongst your stakeholders, within the category of ‘key recreational user bodies’ (Brief, first page), and we trust that therefore, as a matter of course, DELWP will keep us fully apprised of developments on this subject. We are also pleased to see “walking” listed amongst three pursuits (the others are fishing and bird-watching) normally permissible under riparian management licences (second page of “Managing Crown water frontages”).

- We support the watering of stock away from riparian frontages through the use of dams and troughs. This greatly facilitates water purity, and obviates the pugging, erosion and land degradation that typically accompanies cattle having access to water frontages. It is a matter of profound regret to us that 82.4% of the State's river and creek frontage is privately-owned and not open to public access or subject to the kinds of restriction that would ensure high quality water in our State's waterways.
- For related reasons, while we thoroughly support weed control (first page "Riparian management licences"), we have serious concerns about using herbicides on riparian land where there is any possibility that toxic chemicals will find their way into our rivers and streams, and we trust that this will be taken care of in the relevant licencing agreements.
- We very much applaud the 8000km of fencing off of riparian land that has taken place in the last decade through collaboration of landholders with catchment management authorities, Melbourne Water and rural water corporations under 'take and use licences' ("Cutting the Cost of TULs", first page). We also laud the trend towards converting Crown land water frontage licences to riparian management licences where this results in enhanced environmental outcomes (same reference).

We hope that in implementing the Plan, you will fully take into account our comments.

Yours sincerely,

A handwritten signature in black ink that reads "Tony Walker". The signature is written in a cursive style with a large, sweeping 'T' and 'W'.

Tony Walker  
President