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Re: Submission to Bass Coast Shire Council local law review

Thank you for the opportunity to comment regarding Bass Coast Shire Council's local law review. Our recommendations are below:

1. Boats and watercraft in foreshore reserves

PICS considers that it *should not be permitted* to moor, place, or leave boats or other watercraft in foreshore reserves. Please refer to earlier PICS correspondence with council on this subject. While the current local law allows this activity under permit, the reality is that council allows it to occur without permit or registration. This leads to boats and watercraft being stored within Hooded Plover refuge areas, putting nests and chicks at risk when watercraft are hauled in and out. PICS has also observed a watercraft user grooming the foredune with a shovel to allow access to the beach, watercraft being stored in revegetation areas and secured to vegetation, extensive dune vegetation clearings perpetuated by watercraft storage, trailer-sized vessels being stored in dunes, an abandoned catamaran blown into the mouth of Boat Creek, and a reflective traffic pole hung from dune vegetation to guide a boat user back to a dune storage area at night. PICS considers that these practices, and the damage that they create, must stop. At minimum, watercraft storage should be regulated (with limits on craft numbers, craft type and size, and storage areas) via a permit system, registration fees, penalties, and enforcement patrols.

2. Domestic animals

Local law should be updated to include all current domestic animal provisions and penalties in one place, so that the rules are clear to everyone. This should include provisions to protect wildlife from domestic animals, including off-leash area conditions. The requirement to place dogs on leash within 50 metres of a signed threatened species wildlife refuge should be applied across the whole of the shire.

Local law penalties for domestic animal offences should be increased to better deter infringements. Rules and penalties should be clearly signed at all beach and municipal reserve entry points to maximise public awareness and remove barriers to enforcement.

3. Tree protection

PICS commends the proposal to include improvements to tree protection where there are current gaps in protection offered by planning scheme vegetation protection overlays. We support the proposal to define what constitutes a “significant tree” and to require a permit before pruning or removal of any tree deemed significant. Consideration should also be given to requiring a permit for works on the land beneath and surrounding the tree (Tree Protection Zone). The TPZ is calculated for each tree using a standard formula and includes the active root zone, where works such as excavation, construction, and paving may impact upon the health of the tree.

4. Short-stay accommodation

PICS commends the proposal to amend local law to better regulate the use of short stay rental accommodation (holiday homes). Short-stay rental properties should be subject to a rental levy to contribute to managing the environmental and neighbourhood amenity impacts associated with short-stay accommodation, including a complaints hotline. Local law should limit noise and light emissions from these properties, restrict the number of vehicles able to be parked outside the property to ease congestion, and include mandatory requirements for additional waste services to be funded by property owners.

5. Smoke-free areas

PICS supports the provision for declaration of smoke-free areas under current local law. We recommend that council extends the declaration of smoke-free areas to all municipal beaches, foreshore areas, and reserves. Mornington Peninsula Shire Council is in the final stages of a trial introduction of smoke-free zones on foreshores and beaches, including signage and cigarette bins at reserve entrances, to limit cigarette butt litter.

6. Parking

PICS recommends local law provision for the introduction of user-pays parking at beaches to fund the upkeep of facilities and management of environmental impacts. We recommend fee exemptions for ratepayers and permanent local renters, where they can substantiate their primary residential address.