

Draft State Coastal Policy 2008

1. Context

The State Coastal Policy implements the sustainable development objectives of the Resource Management and Planning System of Tasmania. It identifies the outcomes required to meet these Objectives in coastal areas.

The coastal area comprises the entire coastline of the Tasmanian mainland and its many off-shore islands. It contains a diversity of shoreline types, ecological systems, coastal processes, settlements and land use, which provide a range of special assets and values.

The State's coastal assets and values are not only an integral and essential part of the natural environment, they also provide a livelihood for many Tasmanians and ensure a quality of life that is widely appreciated and valued.

It is important that the coast is well managed to ensure that the often competing demands for development and conservation are resolved in an appropriate manner so that the benefits of this important asset are available to the whole community.

2. Purpose

The purpose of the State Coastal Policy is to facilitate:

- 2.1 The conservation of natural, social and economic assets, values and processes of the coastal area;
- 2.2 The sustainable use or development of the coastal area; and
- 2.3 The satisfaction of social needs and development of culture.

3. Objectives

The objectives for the coastal area are:

- 3.1 To conserve, enhance and restore natural systems, values and processes of the coastal environment;
- 3.2 To sustainably use and develop natural and economic resources, and provide the required infrastructure;
- 3.3 To support and maintain the sustainable development of coastal communities;
- 3.4 To provide for safe and healthy lifestyles through provision of appropriate infrastructure;
- 3.5 To conserve and enhance visual quality, the character of settlements and scenic and open space values of natural coastal landscapes;
- 3.6 To provide, maintain and enhance appropriate public access to the coast; and

3.7 To conserve Aboriginal and historic heritage.

4. Outcomes

The Outcomes are designed to achieve the Objectives of the State Coastal Policy. No one outcome should be considered in isolation. Not all outcomes will apply in all circumstances. The extent to which particular outcomes will be achieved or advanced will be relative to the assets and values in the area, and the identified intent for that area.

The outcomes are that:

- 4.1 Natural geomorphic processes are retained, including hydrological, wave, wind and tidal processes;
- 4.2 The diversity, extent and condition of native coastal, estuarine and marine flora and fauna and their habitats, particularly those identified as significant or representative, are conserved and, where appropriate, rehabilitated;
- 4.3 Adverse impacts of use or development, direct and indirect, on areas of biodiversity or conservation value, including sites of geoconservation significance are avoided;
- 4.4 Water quality sustains healthy aquatic ecosystems, and supports agreed values and uses such as contact recreation, fishing and aquaculture;
- 4.5 Use and development of the coast is undertaken in appropriate and designated locations and where there is a demonstrated capacity for it to be adequately and appropriately serviced;
- 4.6 Economic and natural resources, and their use or development, are protected from incompatible uses and activities;
- 4.7 Appropriate provision is made for uses and developments, which are dependent upon shore-line locations;
- 4.8 Off-shore and on-shore development is integrated and compatible, together with their associated uses and infrastructure;
- 4.9 Residential, commercial and industrial development will be contained and integrated within existing settlements, or in expanded or new settlements, where such expansion has been strategically planned, as far as practicable, to avoid ribbon development;
- 4.10 Development in areas subject to hazard, including the effects of inundation, erosion, storm activity, landslide, bush fire and contamination, occurs only where the risks to life and property are contained within acceptable levels;
- 4.11 Development in areas at risk from the adverse impacts of climate change, occurs only where the risks are satisfactorily managed;

- 4.12 Visual quality and scenic values of the natural coastal landscape are protected or enhanced;
- 4.13 The amenity of the coast is conserved and complemented by appropriate and accessible public facilities;
- 4.14 The public has adequate and appropriately located and designed access to the coast, from both land and water;
- 4.15 Public safety and security is appropriately provided for, according to the level of risk;
- 4.16 Aboriginal culture and heritage is valued, respected and conserved; and
- 4.17 Historic heritage is valued, respected and conserved.

5. Implementation

- 5.1 All statutory instruments under the Resource Management and Planning System which manage or control use or development in the coastal area, including planning schemes, management plans and marine farming development plans, must give effect to the Objectives and Outcomes of this Policy.
- 5.2 The responsible authority or management body must review all statutory instruments referred to in section 5.1.
- 5.3 A review undertaken pursuant to section 5.2 must determine –
 - (a) the existence or otherwise of the following elements within the coastal area covered by the statutory instrument;
 - (i) areas subject to coastal geomorphic processes;
 - (ii) economic development that is dependent on coastal assets;
 - (iii) coastal landscapes; and
 - (iv) natural and Aboriginal and historic heritage values of a coastal and maritime nature;
 - (b) the extent of compliance of the statutory instrument with the Objectives and Outcomes of this Policy where those elements in (a) are present;
 - (c) the means required in the statutory instrument to ensure such compliance;
 - (d) the extent to which the statutory instrument provides for decisions to be made in a way that:
 - (i) recognises that a lack of full scientific certainty about the potential threats of serious or irreversible environmental damage should not prevent putting in place measures to avoid or mitigate such damage;
 - (ii) recognises the long-term implications flowing from the cumulative impact of multiple decisions; and

(iii) uses the best information available.

- 5.4 In preparing [any new] or amending a [current] statutory instrument, section 5.3 must be given effect as if it was a review under section 5.2.
- 5.5 In undertaking a review pursuant to section 5.2, regard shall be given to any guidelines issued under section 6.1.
- 5.6 There is nothing in this Policy that prevents the responsible authority or management body from including provisions in a statutory instrument to further the Objectives and Outcomes of this Policy outside the coastal area.

6. Guidelines

- 6.1 The Minister or the Resource Planning and Development Commission, with the approval of the Minister, may issue guidelines consistent with the terms of this Policy to assist with its implementation.

7. Authority

- 7.1 This State Policy is made pursuant to the *State Policies and Projects Act 1993*.

8. Application of the State Coastal Policy

- 8.1 The State Coastal Policy applies to all of Tasmania, including its off-shore islands.
- 8.2 A decision made in accordance with the provisions of a planning scheme approved under the *Land Use Planning and Approvals Act 1993* as being in accordance with this Policy, is taken as being in accordance with this Policy.

9. Definitions

In this Policy, unless the contrary intention appears:

“coastal area” means State waters and all land to a distance of 2 kilometres inland from high water mark of State waters.

“development” has the same meaning as provided in the *Land Use Planning and Approvals Act 1993*;

“environment” has the same meaning as in the *Environmental Management and Pollution Control Act 1994*;

“land” has the same meaning as in the *Land Use Planning and Approvals Act 1993*;

“planning scheme” means a scheme in force under section 29 of the *Land Use Planning and Approvals Act 1993*;

“ribbon development” means a narrow band of development extending along one or both sides of a road outside a residential, mixed use, industrial, business or commercial type zone;

"State waters" has the same meaning as in the *Living Marine Resources Management Act 1995*;

“use” has the same meaning as defined in the *Land Use Planning and Approvals Act 1993*.