Executive Summary

Tasmania has a vast amount of coastline relative to its land mass. While the Tasmanian coast features a diverse range of natural and cultural values and iconic landscapes, it is also a major economic asset for the State. It contributes to the State and regional economies through tourism and recreational activities and provides for a range of commercial and industrial uses such as fishing and aquaculture, ports and shipping, renewable energy, tourism and much more.

The draft Tasmanian Coastal Policy Statement articulates key policy principles, goals and policy directions for consideration by stakeholders and the general community. It outlines an approach to defining the coast and the high level roles and responsibilities of different levels of government and private parties. The development of the draft Policy Statement was the focus of the first phase of the project.

Consultation on the Policy Statement was undertaken in July and August 2013 through facilitated workshops with stakeholders, written submissions from individuals and organisations and face-to-face meetings with particular stakeholders, including statutory authorities.

Overall there is support for the broad intent and direction of the draft Policy Statement.

Draft vision and guiding principles
There was general support for the draft vision and guiding principles. However, there were also suggestions for revision. Particular concerns were expressed with respect to the principle of minimal regulation and the precautionary principle, however these principles also received support from other stakeholders.

Goals and policy directions
There was a strong level of support shown for the general scope of the goals and directions. Numerous comments were received with respect to the language used in the policy directions, with a particular emphasis on consistency. A large number of submissions support a prohibition on new canal estates.

The recognition of coastal hazards as a key policy issue is supported. Several stakeholders sought further clarity on how ‘defend’, ‘adapt’, or ‘retreat’ decisions will be made, particularly in relation to existing settlements.

Implementation, roles and responsibilities
There is strong support for the definition of the coast to reflect the features of the coast, and for the use of the natural, modified and developed coast typology to differentiate the management and planning emphasis. However, there was recognition that further work would be required to develop these concepts.

There is also support for recognition of the role of community organisations in implementing a coastal policy. There was some concern however at the breadth of responsibilities identified for local government relative to its available resources.

There is a high-level of interest in understanding the implementation approach, with several stakeholders indicating that this is critical to the ongoing effectiveness of the coastal framework.
Next steps
In light of the comments received on the draft Policy Statement, the Government will now consider the most appropriate way of incorporating the feedback into a revised Policy Statement and progress its implementation.
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I: Background to the Consultation Report

Tasmania’s coast

Tasmania has a vast amount of coastline relative to its land mass. While the Tasmanian coast features a diverse range of natural and cultural values and iconic landscapes, it is also a major economic asset for the State. It contributes to the State and regional economies through tourism and recreational activities and provides for a range of commercial and industrial uses such as fishing and aquaculture, ports and shipping, renewable energy, tourism and much more.

The coast is a dynamic system, shaped by coastal processes and pressures, which can present a risk to natural and physical values in coastal areas. Projected climate change, in particular sea level rise, is expected to have significant impacts on our coastlines, creating coastal hazards such as permanent and temporary inundation and erosion. This risk will have major implications for how we use and develop these areas.

There is also a range of community expectations regarding use of the coast, particularly for recreational purposes and for public access.

The coast is valued for a variety of reasons by different stakeholders, including the State Government, councils, communities, developers, individuals and special interest groups. The planning and management of the coast must therefore balance environmental, economic and social goals and outcomes, and take into consideration the range of issues or values that these stakeholders consider important.

Policy context

The State Coastal Policy 1996 is currently the key policy governing sustainable development and management of Tasmania’s coast. It is a State Policy under the State Policies and Projects Act 1993, a key piece of legislation within the State’s Resource Management and Planning System (RMPS).

Various reviews of the State Coastal Policy 1996 have indicated that a more strategic and contemporary approach to Tasmanian coastal planning and management is needed. While some specific issues have been highlighted, the general message from stakeholders and the community is that greater clarity on long-term priorities for the coast is required in terms of type and location of use and development, and management and conservation of natural and cultural values.

A new Coastal Protection and Planning Framework – Policy Statement and Implementation Plan

In mid-2012, the Tasmanian Government committed to developing a Coastal Protection and Planning Framework. The aim of this project is to address the issues identified with current arrangements and provide a blueprint for the planning and management of the State’s coast now and into the future.

The first step in this process is the development of a Government policy position for the coast. This document presents the draft Tasmanian Coastal Policy Statement, which articulates key policy principles and goals for consideration by stakeholders and the general community. It also outlines an approach to defining the coast and high level roles and responsibilities of different levels of
government and private parties. The development of the Policy Statement was the focus of Phase I of the project.

The final Framework will comprise the final Tasmanian Coastal Policy Statement and an Implementation Plan which will outline how the Policy Statement will become action and how it will be integrated with the RMPS. This work is the focus of Phase 2 of the project, which is expected to be completed by the end of 2013.

Phase 2 is also giving consideration to how the coast is defined, including the level of emphasis on the goals and policy directions, possible mapping requirements, as well as current policy gaps, particularly in relation to climate change.

*Structure of the Coastal Protection and Policy Framework*
Purpose of the Tasmanian Coastal Policy Statement

The purpose of the Tasmanian Coastal Policy Statement (the Policy Statement) is to provide the Tasmanian Government’s strategic direction for the protection, planning and management of Tasmania’s coast. It seeks to balance environmental, economic and social goals and outcomes, consistent with the sustainable development principles of the RMPS.

The draft Policy Statement comprises a long-term vision for Tasmania’s coast, along with key goals and policy directions, and principles for decision making and action. The Policy Statement, when finalised, is not intended to have statutory weight, but rather provide strategic, long-term direction and guide the design and settings in a range of coastal related policy instruments and processes. How the Policy Statement aligns with and is implemented through existing (and/or new policy instruments) is being considered as part of the second phase of work.

It is important to note that while the Policy Statement will apply to State Waters, Tasmania has an established legal and regulatory regime to manage marine resources in State Waters, which this Policy Statement will not override.

How did the consultation take place?

The Consultation Draft of the Policy Statement was released to facilitate discussion and feedback on the proposed strategic direction for the State’s coast to ensure that we are reflecting the priorities and issues that need to be addressed now and into the future. The Policy Statement was made available on the Department of Premier and Cabinet (DPAC) website on 5 July 2013.

The release was publicised through public notices in the three major newspapers and available coastal regional newspapers. Identified stakeholder groups were also contacted directly and invited to make a submission, participate in a facilitated workshop, or – for some stakeholders – be part of a face-to-face meeting.

A schedule for facilitated workshops was developed based on initial responses to the invitation. Stenning and Associates, led by Nick McShane, was contracted to facilitate the workshops with groups of stakeholders. Below are details of the six workshops that were held.

<table>
<thead>
<tr>
<th>Group</th>
<th>Stakeholder Attendees</th>
<th>Date</th>
<th>Location</th>
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<tbody>
<tr>
<td>Southern Land Managers / Environmental Groups</td>
<td>10</td>
<td>26 July 2013</td>
<td>Hobart</td>
</tr>
<tr>
<td>Northern Land Managers / Environmental Groups</td>
<td>3</td>
<td>6 August 2013</td>
<td>Launceston</td>
</tr>
<tr>
<td>Northern Councils</td>
<td>6</td>
<td>6 August 2013</td>
<td>Launceston</td>
</tr>
<tr>
<td>North West Councils</td>
<td>16</td>
<td>7 August 2013</td>
<td>Burnie</td>
</tr>
<tr>
<td>Southern Councils</td>
<td>14</td>
<td>13 August 2013</td>
<td>Rosny Park</td>
</tr>
<tr>
<td>Business and Industry</td>
<td>12</td>
<td>16 August 2013</td>
<td>Hobart</td>
</tr>
</tbody>
</table>
Parties were invited to provide feedback on all aspects of the Policy Statement with a number of guide questions to stimulate discussion.

Over 100 written submissions were received from stakeholder groups and individuals and have been published on DPAC website where the submitter has not objected.\footnote{Submissions are available from: www.dpac.tas.gov.au/divisions/policy/draft_tasmanian_coastal_policy_statement/public_submission_on_draft_tasmanian_coastal_policy_statement}

The project team also conducted face-to-face meetings with the key stakeholders, such as statutory authorities that have operations in the coastal area.
2: Key Issues, Balance and the Definition of the Coast

In the consultation process, stakeholders were given a number of broad questions including whether:

- the draft Policy Statement addresses the key issues and priorities for the coast;
- there is anything missing;
- the balance is right between environmental, economic and social goals and outcomes;
- when defining the coast, an interim default (or fixed) landward distance(s) would be appropriate for identifying the coastal boundary while the customised approach – based on local features and conditions – is further examined in Phase 2;
- the proposed ‘coastal typology’ is considered useful; and
- there is merit in exploring how the different types of coast might guide the emphasis of goals and policy directions and prioritization of resource allocation.

Key Issues

- There was a strong desire across all stakeholders for greater certainty and direction in coastal policy in Tasmania. Some stakeholders indicated that there could be a need for some trade-off between industry access to the coast and providing certainty for development.
- Most respondents supported the approach which seeks to balance environmental, economic and social values. However, many respondents were concerned that the document did not provide for sufficient protection of the environment. Conversely, several respondents were concerned that the emphasis on minimisation of harm to the environment would preclude reasonable development.
- The substantial focus on managing the potential impacts of climate change and coastal hazards was generally welcomed; however, some respondents indicated a concern that the management of risk to existing settlements was not given sufficient attention.
- There was general view that there needed to be more detail regarding how the policy would be implemented.
- Several submissions were predicated on an assumption that the proposed Policy Statement would be a direct substitute for the State Coastal Policy 1996 under the State Polices and Projects Act 1993.

Where does the policy apply? / Definition of the coast

While some stakeholders felt that the draft Policy Statement did not assist in defining the coast or assist in the delineation of a coastal boundary, there is general support for the use of a coastal values or coastal features-based definition rather than an arbitrary distance.
There was a sense of urgency that a definition was required immediately for statutory planning purposes and that it should be clearly defined or definable on a map. This was expressed in the context of planning decisions that need to take into account the potential effects of sea level rise, erosion and coastal hazards. Some stakeholders proposed that as councils already have highly developed mapping under existing planning schemes, it would be a relatively simple process to define spatially where the coastal boundary should exist.

While some stakeholders indicated that boundaries should be the subject of agreement, particularly between council staff and the State Government, others believed that, for consistency and as the owner and proponent of the Policy, it was the State Government’s role to determine coastal boundaries.

There was support for broadening the definition of the coast to include the feature, values and processes associated with the coast. However some stakeholders indicated that this needs to be balanced with respect to cost, complexity and certainty, and that a reduced number of values may be appropriate.

The coast should have a consistent definition, based specifically on landform and coastal ecosystem processes, and should not be dependent on local perceived and subjective aesthetic, public access or economic values.

Forest Industries Association of Tasmania (FIAT)

Discussions with stakeholders indicated that there are significant tools already available to map the values associated with coastal obligate species.

The Tasmanian Farmers and Graziers Association submitted that the definition of the coast should be consistent around the State to minimise complexity for landowners. Some stakeholders indicated potential support for a landward distance of 100 metres in coastal settlements as a default, or for an interim period.

One stakeholder indicated support for a simple definition based on 20 metres above sea level.

Some stakeholders indicated that the definition should be more explicit in recognising non-estuarine marine habitats, including sandy, silty, sea grass and reef areas.

There is some concern about the use of catchments in the definition, as this could potentially cover the entire State. It was also noted in stakeholder discussions that catchment management issues, while important to the coast and particular aquaculture sectors, are a statewide, rather than specifically coastal issue.

Definition of the coast needs to allow for adequate monitoring and management of upstream and land-based activities that influence water quality in oyster farming areas

Oysters Tasmania

Coastal viewscapes and aesthetic values were identified in both submissions and discussions as critical elements that are important to the coast and require appropriate planning. Discussions with stakeholders indicated that these could be managed under non-coastal specific instruments and therefore could be managed separately to the definition and mapping of the coast.
The recognition of coastal process in the context of climate change, including recognition of retreat pathways for species adapting to rising temperatures and sea levels was identified as a significant contribution of the draft Policy Statement. It was proposed that priority for mapping should focus on those settled areas that are likely to be subject to coastal erosion, to support risk and asset management and infrastructure investment strategies.

The different types of coast

A simple typology differentiating between types of coast in Tasmania is proposed to help break down the complexity in conceptualising the coast and how the Policy should apply, and to help guide and focus effort in implementation. For the purposes of this Policy Statement and the Framework more generally, there are three broad types of coast in Tasmania – the Developed Coast, the Modified Coast and the Natural Coast.

Most stakeholders that commented on the coastal typologies indicated that it is a useful contribution to the development of the Policy Statement. The coastal typologies assist by reducing some of the complexity and allowing the different policy priorities for different parts of the coast to be identified. However, one stakeholder was of the view that the coastal typologies are of only academic or communication value and could not be applied in a management context.

A key benefit identified in submissions was the differentiation of management priorities in each area, for example:

- Natural – sustaining natural values and processes;
- Modified – balancing the impact of development with natural values and processes; and
- Developed – prioritising economic development over natural values

Clarification of the relationship between the goals and typology was requested, particularly whether the typology would constrain the goals in terms of what is permitted in a particular type of coast.

Several stakeholders thought that having only three types of coast may be insufficient. The Kingborough Council submitted that it may be useful to subdivide the ‘developed’ coast into those areas where the foreshore is relatively intact (with intensive suburban development behind) and those where it was substantially modified, such as the Hobart port area.

The Hobart City Council suggested that the typology could be extended to specify different categories within each type of coast.

The facilitated workshops and some submissions raised the following issues:

- the appropriate treatment of the transition between the natural, modified and developed coast;
- how enclaves of development within natural areas, or natural areas within the developed coast, would be treated; and
- whether and how different types of coast could change or be reclassified over time.
Stakeholders also commented on the three different types of coast:

- Developed – lack of emphasis on existing settlements, need to include recognition of coastal hazards and the dynamic nature of the coast.
- Modified – emphasis on opportunities for intensification of development may be inappropriate. An emphasis on aesthetic values undermines the importance of other natural values such as maintaining ecosystem services.
- Natural – stakeholders queried which classifications of Crown land or other reserves would be identified as ‘natural’ under the typology and how areas of natural coast on private property held by farmers would be treated.

It was suggested that for implementation of the typology it would be useful if the different types of coast were clearly identified. Other stakeholders suggested that it would be appropriate to use relevant experts in geomorphology, zoology and other coastal values to assist in classifying the different types of coast. The Tasmanian National Parks Association suggested that some of the problems associated with a typology, such as data and subjectivity, could be resolved by using a typology based on natural and cultural values sensitivity. This would use technical rather than subjective criteria, allow for conditional classifications of zones where there is not enough information to make a judgement and more research was required, as well as enable enclaves of highly sensitive areas or values to be identified.

Several submissions indicated there should be guidelines for how the different categories of coastline will be developed or managed (guidelines and illustrative examples), including specific provisions for different types of coast, e.g. the conversion of conservation areas into golf courses and ensuring the maintenance of access for renewable energy infrastructure.

A gap identified in both the facilitated workshops and some of the submissions was the treatment of the seaward coast. This was with particular reference to the aquaculture industry, and also with potential reference to marine parks. Stakeholders indicated that it is unclear whether the seaward coast represents a fourth typology, would be classified based on the landward typology, or some other variation.
3: Tasmanian Coastal Policy Statement

Vision for Tasmania’s coast

Tasmania’s coast is planned and managed to ensure its sustainable use and development to achieve important economic and social benefits for current and future generations, while conserving its diverse and distinctive natural and cultural values.

There was general support across stakeholders for the vision. Some respondents expressed concern that the vision was not sufficiently aspirational, but is rather a statement of what we do now and that it is more operational and regulatory, rather than visionary. It was also noted that the vision is an expression of the principles of sustainable development from the RMPS and was only nominally coastal.

Several alternative wordings were proposed:

Tasmania’s coast is sustained for current and future generations, where:

- Natural areas and values are identified and protected from development so that they are maintained for future generations
- Development is focussed within existing areas and settlements
- Existing rights for indigenous and European cultures are respected
- Sustainability of interactions between humans and the coast is improved.

Michael Purves, West Tamar Council

Tasmania’s coast is planned and managed to conserve its diverse and distinctive natural and cultural values while ensuring its sustainable use and development to achieve important economic and social benefits for current and future generations.

Stakeholder workshops

Concerns were also raised that the vision identifies some but not all values associated with the coast, whether the ‘coast’ can be ‘planned’, and whether the current wording creates an implied priority for economic development. Some stakeholders proposed that a section explicitly identifying the values associated with the coast should be included in the Policy Statement. The identification of an explicit limit to development and use of the coast was proposed in the Tasmanian Conservation Trust submission.
Guiding principles

Four principles were proposed to guide application of the Policy Statement in planning, management and decision making for the coast:

1. **Balanced, evidence and risk-based decision making, including application of the precautionary principle**

   Decisions will be based on evidence, will weigh up the risk of various options and will apply the precautionary principle. Decision-making will be based on a balanced assessment of potential environmental, economic and social impacts. Applying the precautionary principle means that when there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. This is not a ‘no development’ approach as it still gives decision makers the ability to decide to take action, however they must take into account impacts on the environment in choosing to proceed.

   The principle of evidence and risk-based decision making is almost universally supported by stakeholders.

   Some concerns with the principle were identified with respect to:

   - the availability of evidence to support decision-making;
   - the application of balanced decision-making; and
   - inclusion and application of the precautionary principle.

   The availability and quality of information to support evidenced-based decision-making arose in both stakeholder workshops and written submissions.

   *Having been involved in collection, analyses and publication of coastal data, Birdlife Tasmania is acutely aware of the overwhelming lack of credible scientific data for many coastal areas, coastal species, coastal communities and coastal habitats.*

   *Eric Woehler, Birdlife Tasmania*

   Discussions with stakeholders indicated that while there is a substantial amount of data available, in many cases it is not organised or accessible to support coastal decision-making in the most effective way.

   Some stakeholders were concerned that the current onus for the collection of data lies with the proponents and opponents of development, leading to an increase in costs and a decrease in certainty. They proposed that the State Government should commit to the ongoing collection of independent data, using best practices and recognised protocols, and subject to independent peer review.

   In general there is support for a triple-bottom line approach and balanced decision-making that takes into account environmental, economic and social values. Some stakeholders asked what tools would be used, and the methods and priorities to be applied, in the approach to balanced decision-making. However, one submission expressed concern that balanced assessments would enable development on the coast in situations where it should be restricted.
The inclusion of the precautionary principle is strongly supported by a number of stakeholders. However, some issues were raised and several industry groups indicated that they do not support the inclusion of the principle. The issues raised included:

- that the precautionary principle could be used to frustrate reasonable developments through appeal processes;
- that it ‘lacks evidence’ and is based on ‘scientific laziness’;
- that, in application, the precautionary principle is already a component of risk-based decision making and is therefore not required; and
- whether in restricting its application to environmental issues, the precautionary principle fails to recognise the importance of protecting human life and property in emergency management.

The relationship between the use of the precautionary principle and the availability of evidence is highlighted in submissions, including a suggestion that an independent process is needed to guide decisions where there is a dispute over scientific evidence. The Institute for Marine and Antarctic Studies proposes the establishment of a Tasmanian Coastal Policy Science Advisory Panel to support the application of evidence-based decision making by Government.

There were also suggestions that the wording of the precautionary principle could be reframed to be more easily understood, including proposals that the principle should be defined to transfer the ‘onus of justification’ to proponents in relation to potential risks or impacts.

2. **Minimal regulation, where necessary**

Regulation of activities and the use or development of coastal land will be harmonised across the range of relevant instruments and limited to that which is necessary.

Some groups of stakeholders have concerns with this principle. Other groups, particularly from industry, strongly supported minimal regulation.

While there was support for minimising duplication, it was identified that regulation needs to:

- be clear and understood, not diffused through a range of relevant instruments;
- focus on simplification to ensure no or minimal overlap in regulatory requirements; and
- avoid creation of unnecessarily complicated development approval mechanisms.

Some stakeholders that supported the intent of the principle suggested that there is potential for the wording to be clarified.

One stakeholder suggested that the concept of minimal regulation should be minimal ‘additional’ regulation, to recognise that regulation needs to be sufficient in order to guide responsible management and to provide certainty for proponents and landowners.
Another stakeholder suggested that the principle of ‘minimal regulation’ should be expanded upon to dispel any notion that the use or development of coastal land is not going to be sufficiently regulated. While some stakeholders are concerned that application of the principle would reduce protection for the environment, for many the fundamental concern appears to be associated with effective enforcement of regulation for the coast.

The high number of formally-listed Threatened Species in Tasmania serves as strong evidence of the failure of regulators and managers to enforce existing regulations and legislation.

Eric Woehler, Birdlife Tasmania

Several stakeholders expressed concerns as to who would determine ‘that which is necessary’ and whether that assessment would be sufficiently forward looking with respect to climate change and take uncertainty into account.

The Burnie City Council suggested a revised principle whereby the coastal regulation should only be considered if:

a) there is an asset or outcome within the jurisdiction or responsibility of the State that is significant for the whole or part of the State;
b) the health, performance or security of that asset or outcome is or is likely to be at risk;
c) the consequence of exposure to such risk is unacceptable;
d) intervention is necessary to articulate the importance of the asset or outcome or to assure access or protection; and
e) the benefit of intervention exceeds the cost of compliance or enforcement.

Patrick Earle, Burnie City Council

The principle of harmonisation received strong support from most stakeholders.

Hydro Tasmania submitted that the minimum regulation principle should be carefully implemented to avoid the creation of unnecessarily complicated development approval mechanisms. This objective was also supported by other stakeholders.

Hydro Tasmania broadly recommended the integration of coastal development into the existing development approval processes under the Land Use Planning and Approvals Act 1993 (LUPAA) and the Environmental Management and Pollution Control Act 1994 (EMPCA) with specific reference to:

- Ensuring that local government is able to adequately regulate the use and development of offshore areas, either through compulsory application of section 7(d) of LUPAA in all planning schemes, or another similar mechanism.
- A trigger under Schedule 2 of EMPCA for offshore energy developments to provide certainty of process.
- Mechanisms to streamline the land owner consent process for offshore areas and terrestrial coastal Crown land.

The need to streamline approval processes, particularly with respect to Crown land, was also identified in discussions with other stakeholders.
In facilitated workshops, the aquaculture industry indicated concern that the draft Policy Statement would result in the integration of marine farm planning into land use planning systems, resulting in delays and higher costs to the industry.

3. Equity of access and opportunity

Access to recreational and economic opportunities associated with the coast will be provided on an equitable basis recognising, where appropriate, the special connection of Tasmanian Aboriginals to the land and sea. Intergenerational equity should be maintained by managing the coastal environment and planning for development to meet our present needs while safeguarding the needs of future generations.

This principle was addressed in a minority of submissions. While some stakeholders support the principle as an important addition, there were a number of concerns about how it would operate.

Several stakeholders proposed that the principle of intergenerational equity is impossible to achieve in the context of non-renewable resources. Furthermore, it is not clear in the Policy Statement how intergenerational equity will be incorporated into decision-making processes.

The concept of equity was raised as problematic given the different capacity of people to access economic and recreational opportunities, and fairness was suggested as a potentially better term. The recognition of the special connection of Tasmanian Aboriginals to the coast was also raised as an issue by a few stakeholders, with concerns about the potential for conflict between indigenous cultural practices and other coastal values and activities, including recreational access to the coast for non-indigenous Tasmanians and visitors.

The most significant practical concerns identified with this principle were its potential implications for the environment, land tenure and public risk. It was noted that the principle potentially contradicts other principles, goals and policy directions of the draft Policy Statement.

From an environmental perspective, some stakeholders proposed that the principle needed to be explicitly limited due to the disruptive and destructive potential of some recreational activities such as the use of four-wheel drive vehicles. It was suggested that access to highly sensitive areas should not necessarily be on an equitable basis, ie available to all.

It was also noted by one stakeholder that the principle of equity of access and opportunity could be applied broadly to infrastructure development to support a management approach that recognised the needs of different industries.

4. Collaborative planning and management

Planning and management of the coast will be integrated across levels of government and sectors to ensure consistency in planning and decision making, and involve key stakeholders and the general community. Responsibility for managing the coast is shared between the community, industry and other key stakeholders and different levels of government. There needs to be broad involvement and collaboration with key stakeholders and the community on planning and management of the coast to ensure that decisions made take into account community values.

Stakeholders generally responded positively to the principle of collaborative planning and management. It was identified that collaborative management across public and private land would
be essential for successful delivery of the Policy and that broad and comprehensive consultation should be included as a key mechanism to achieve strategic planning outcomes.

Some questions were raised with respect to:

- whether all stakeholders are considered equal in consultation;
- what ‘community values’ represented and what would happen when they differ; and
- how consultation and collaboration would be undertaken.

The role of community groups was positively identified as a mechanism for sharing management of the coast. One stakeholder questioned whether the activities undertaken by community groups, such as weed management and removing marine debris, constituted ‘management’, while another proposed that ‘management’ should be rephrased as ‘caring’.

A potential conflict between collaborative management and accountability for the draft Policy Statement was identified by Ocean Planet:

> someone has to be ultimately responsible and oversee its application, and give detailed advice on where development stops and conservation starts

Ocean Planet

Consistency in planning and management was identified as also potentially aligned with, or achieved through, Principle 2 Minimal regulation, where necessary.

The Tasmanian Conservation Trust suggested that the consistency element of the Principle needs to be qualified by a recognition that some land tenures and special areas need different and specific management requirements.

Other Principles

Some stakeholders proposed the inclusion of some additional principles including the recognition of the:

- intrinsic value of natural values and ecosystems, including the coast as a biological habitat linking the terrestrial with marine systems;
- concept of custodianship or stewardship of the coastal environment; and
- principle of private property rights, particularly in relation to public access to the coast.

Goals and policy directions

Extensive stakeholder commentary was received in relation to the goals and policy directions. There is no hierarchy implied by the goals and policy directions and they should be read in conjunction with each other.

Despite this provision, many submissions and participants in facilitated workshops indicated concern that a hierarchy was implied, and that Goal 1 focussed on facilitating sustainable development takes precedence in the draft Policy Statement over Goal 2, which is concerned with conserving natural and heritage values. The proposed solution was that Goal 2 should be made Goal 1, with the
reasoning that if there was no hierarchy, this should not change anything, but if there was a hierarchy, the conservation of natural and heritage values should take precedence.

**Goal 1 – To facilitate the sustainable development of the coast to maximise the economic and social benefits, while protecting the environment**

Several stakeholders indicated that they believed that Goal 1 placed an emphasis on maximising economic benefits and sets an inappropriate tone for the document by creating an impression that development is prioritised ahead of the environment.

Other stakeholders indicated that they supported Goal 1 as it established a triple-bottom line approach to the management of the coast. Support for a triple-bottom line approach came from both industry and other stakeholders.

> any policy statement needs to include a triple bottom line approach where there is a measured management approach, inclusive of balancing environment, social and economic values and issues.

Forest Industries Association of Tasmania (FIAT)

A few stakeholders indicted that they did not believe it was appropriate for the Policy Statement to include a goal of facilitating development.

In general, strategic planning was supported. The Huon Valley Council requested clarification as to how strategic planning would work, and noted that for many industries, fit for purpose locations are not always identifiable prior to the specific operational needs of a development being known.

There was also a suggestion that strategic planning needs to identify the potential constraints on growth:

> Strategic planning will only deliver on sustainable development objectives if there are ultimate limits placed on future development of the coast

Tasmanian Conservation Trust

**Policy directions**

**General**

1.1 Use and development on the coast will be planned to avoid or mitigate adverse impacts on areas of high natural significance, including sites of geoconservation significance and the habitat of threatened species.

- Stakeholders commenting on this policy direction proposed that ‘minimise’ should also be included with ‘avoid’ and ‘mitigate’ as responses to reduce impacts. The Tasmanian Conservation Trust proposed that best practice is for a clear hierarchy of responses to be incorporated, starting with avoidance, followed by mitigation, followed by off-setting.

- It was also suggested by some stakeholders that in areas of high natural significance, ‘adverse development impacts’ either need to be prevented through design, or the development or
activity should not be allowed to take place. Mitigation (or moderating the level of impact) was only appropriate in areas of low natural significance.

- Some stakeholders indicated that the habitat of threatened species should be expanded to ‘biodiversity, including threatened species’ while others proposed that the wording should refer to ‘the habitat of threatened species and threatened communities’.

- Other stakeholders suggested including reference to threatened vegetation communities, fauna and flora corridors, and in the context of the impact of climate changes, including species ‘at risk’ but not yet ‘threatened’.

1.2 **Siting, design, construction and maintenance of buildings, engineering works and other infrastructure, including access routes on the coast, will complement the landscape of the natural environment.**

- Most stakeholders did not respond directly to this policy direction. However, for some it was one of the most significant issues for coastal development planning and management.

  Poorly regulated development will gradually kill one of Tasmania’s most valuable assets: our coastline … All new proposals should be assessed for their visual impact and that strict controls should be imposed on colour and height. Coastal subdivision, particularly should be controlled to protect our common heritage.

  Patrick Synge, Boats Tasmania

- Some stakeholders also suggested that both natural and cultural values should be considered. The Hobart City Council submitted that it was important that 'and visual' be inserted after 'natural'.

- Several stakeholders raised concerns on how ‘complement’ was to be applied in the context of this policy direction and whether the issue was too subjective.

- To support implementation of the policy direction, Boats Tasmania suggested that:
  
  o it is easy to design buildings to blend in with the environment without imposing excessive constraint or extra expense on the developer;
  
  o coastal ribbon development and sub-division in prominent coastal locations should not be permitted; and
  
  o removal of vegetation close to the coast should be severely restricted.

**Commercial and residential development**

1.3 **Commercial and residential development on the coast will be strategically planned at the regional level to promote compact and contained settlements to avoid further linear development along the coast and support the efficient provision and use of infrastructure and services.**

- Many stakeholders supported this direction without specific comment.
One stakeholder queried whether it was appropriate to consider infrastructure and strategic planning in the context of a State Government policy statement on the coast, or the process of strategic planning. It was instead proposed that the policy direction simply place emphasis on the avoidance of further ribbon or linear development.

Several stakeholders raised the issue of new residential developments occurring in the guise of recreational tourism developments such as golf courses as a specific coastal management issue.

One stakeholder suggested that ‘promote’ should be made stronger, to ‘achieve’ or ‘facilitate’, while another suggested that biodiversity and ecosystem services should also be considered as part of strategic planning.

1.4 Commercial and residential development will incorporate appropriate setbacks and access to the coast to maintain public amenity.

Several stakeholders suggested that ‘appropriate setbacks’ should be more specifically defined in the Policy Statement. Some stakeholders proposed specific distances such as 30 metres, while others identified concerns with current practices, such as building on dunes.

One stakeholder suggested that this policy direction should be considered more specifically in the context of climate change, including protecting property from coastal hazards, ensuring continued public access to beaches and helping to protect coastal ecosystems and support their potential landward migration as sea levels rise. In this context it was suggested that static setbacks may not be desirable and that setbacks may need to change over time.

The Huon Valley Council suggested that public amenity may, in some cases, be supported by development on the coast.

1.5 Canal estate developments will not be permitted.

A large number of respondents support a ban on canal estates.

However, a number of other respondents indicated concern as to whether the proposal that canal estates would not be permitted is inconsistent with an evidence-based approach.

The treatment of the existing residential canal development in Lauderdale was also raised as an issue that would need to be treated carefully to ensure that existing residents would not be adversely impacted by any regulatory change to prevent development of future canal estates.

Industrial, tourism and other developments

Stakeholders in submissions and facilitated workshops indicated concerns about the consistency of language used in industry/sector based policy directions, and whether a hierarchy was implied by the differences between industries/sectors.
Some stakeholders suggested that a more general and less-industry specific approach to development directions would be more appropriate.

1.6 **Tourism development opportunities on the coast will be facilitated through strategic planning, and supported in areas where there is environmental capacity, and where adverse impacts on the natural and aesthetic values of the coast are avoided or mitigated.**

Tasmania’s tourism activity is concentrated around, and dependent on coastal zones

Tourism Industry Council Tasmania

- Several stakeholders proposed that this policy direction should be strengthened by requiring environmental capacity to be ‘demonstrated’. They emphasised the importance of compliance enforcement measures to prevent development where there is insufficient environmental capacity.

- Some stakeholders queried whether strategic planning was required for small-scale tourism developments, while others suggested that with appropriate regional strategic planning, there would be no need for mitigation, and adverse impacts should be avoided.

- The Tourism Industry Council Tasmania submission identified the potential for tourism experiences to increase community awareness of ecosystems and conservation of environmental values and for tourism businesses to contribute to conservation activities.

1.7 **New industrial developments should be located, planned and managed to avoid or minimise risks to the environmental and aesthetic values of the coast, with priority given to coastal dependent industry.**

- Several stakeholders suggested that only coastal dependent industries should be facilitated to develop on the coast, with non-coastal dependent industries to be discouraged (or not permitted).

- Several stakeholders also suggested that the wording of the policy direction could be strengthened with the replacement of ‘should’ with ‘must’ and removal of ‘or minimise’.

1.8 **Mining and exploration activities within the coastal zone should be planned and managed to minimise the risks to the environment and aesthetic values of the coast.**

- It was queried by a few stakeholders whether the ‘coastal zone’ has the same meaning as ‘the coast’ as referred elsewhere in the draft Policy Statement.

- While few stakeholders responded specifically to this policy direction, several stakeholder indicated particular concern with respect to mining activities due to:
  - it precluding all other activities, such as public access; and
  - the significant potential for, and long-lasting, environmental impacts.

- Several stakeholders proposed that the wording be strengthened so that ‘should’ becomes ‘will’ or ‘must’ and ‘minimise’ risks becomes ‘avoid’ risks.
1.9 **Opportunities for sustainable growth of the aquaculture industry will be identified and strategically planned to minimise risks to the coast.**

- Some stakeholders noted concern with the potential impact of the marine farming industry on the natural environment and some did not support the growth of the salmon industry. Some suggested that the wording should be aligned with other sectors to ensure adverse environmental impacts are avoided.

- Oysters Tasmania noted that marine farming is a major economic contributor to Tasmania and relies on clean water. There was particular concern on the impact of terrestrial farming activities, sewage and waste disposal in the vicinity of marine infrastructure on water quality.

- Several stakeholders indicated that the aquaculture industry planning should be integrated with other coastal activity, rather than being managed separately under the *Marine Farming Planning Act 1995*. This was not supported by aquaculture industry stakeholders.

- Some stakeholders expressed concern at the potential impact of global warming on the sustainability of salmon farming.

1.10 **Sustainable farming activities will be encouraged on agricultural land on the coast and in coastal catchments in order to minimise problems with agricultural run-off.**

- Several stakeholders indicated that this policy direction should be expressed more clearly.

- Some stakeholders indicated that the issue of agricultural run-off is not a specifically coastal issue and should be managed by statewide instruments, such as the *State Policy on Water Quality Management 1997* and farming codes of practice. NRM North indicated that it is working to assist farmers with sustainable agricultural practices.

- Several stakeholders indicated concern with the impact of agricultural practices on marine environments and aquaculture. In particular, some stakeholders indicated that the wording of the policy direction should be stronger than ‘encouragement’ and seek to avoid, rather than minimise, problems with agricultural run-off.

- Some stakeholders indicated that there were potential issues with grazing in coastal areas and that this activity should be managed more effectively to prevent environmental damage, particularly relative to nesting seabirds, and also in relation to water quality.

- One stakeholder proposed that there should be no further land clearing in coastal areas.

1.11 **New renewable energy developments that require a coastal location will be strategically planned to minimise impacts on natural and aesthetic values, where possible.**

- Hydro Tasmania was generally supportive of this policy direction but indicated that the strategic planning of such infrastructure will need to carefully consider the importance of identifying wind and other renewable energy resources and appropriate locations for development.
• Hydro Tasmania proposed that an additional similar policy direction be included for electricity transmission infrastructure.

• Some stakeholders noted that wind turbines in coastal locations have the potential to kill birds and bats, some of which may be listed threatened or endangered species. It was suggested that in the rest of Australia, the wind farm industry is moving away from coastal locations.

• Several stakeholders indicated that ‘where possible’ should be removed.

Transport and infrastructure

1.12 Significant scenic coastal transport routes and associated facilities will be planned and managed to maximise efficiency and safety for all road users, and to ensure recreational values and amenity are protected and enhanced where possible.

• Some stakeholders noted that as the focus of this policy direction is on efficient and safe road use, it is not coastal specific.

• Some stakeholders expressed concern that facilities to support recreational use have a tendency to negatively impact on natural values, for example, through the encouragement of dogs on beaches.

1.13 Where possible, protection of visual amenity and retreat pathways for natural ecosystems will be prioritised when planning new coastal roads and major expansion of existing coastal roads.

• Some stakeholders indicated that protecting retreat pathways for natural ecosystems required a strategic planning process to identify and establish protection for vulnerable ecosystems.

• One stakeholder suggested that the visual amenity of Tasmania’s coast is a natural advantage and that linear development should be permitted to enable new investment and economic activity. Another stakeholder suggested that there may be value in considering new coastal scenic roads.

1.14 The multiple use of port areas will be encouraged, but priority will be given to efficient and safe port operations. Cultural, historic, natural and aesthetic values will be protected and enhanced where possible in port areas.

• Discussions with key stakeholders indicated the importance of recognising the necessary impacts of working ports with respect to noise, lights, heavy transport access and 24-hour operation. It was noted that planning around ports should take into account (potentially through buffer zones) that other land uses should not impinge on critical economic infrastructure. This aligns with other stakeholder comments that further guidance is required on the types of potential multiple-uses that may be appropriate in a port setting.

• The importance of protecting quay lines and marine and terrestrial transport access routes to ports was also highlighted in stakeholder discussions.
1.15 Infrastructure to access the coast, such as boat ramps and jetties, will be located to protect the shoreline from private ownership and alienation that precludes public access, and where possible, will cluster around existing facilities.

- Some stakeholders noted that this policy direction may be more appropriate under Goal 4 Public Access and Recreational Use. It was also noted that access should also protect the cultural, historic, natural and aesthetic values identified under Policy Direction 1.14.

**Goal 2 – To conserve and enhance the coast’s significant natural and Aboriginal and historic heritage values**

Goal 2 was supported by many stakeholders. As noted previously, several submissions, and workshop participants recommended that Goal 2 be made Goal 1 to prioritise the conservation and protection of natural and heritage values, even though the Policy Statement does not propose a hierarchy of goals.

Many stakeholders proposed that the goals relating to heritage and natural values should be separated.

The Burnie City Council and the Huon Valley Council both noted in their submissions that Goal 2 does not relate directly to coastal specific issues.

Several stakeholders raised concerns with respect to the terminology used for Goal 2, for example, whether ‘conserve’ should instead be ‘protect’, and whether ‘enhance’ was a realistic goal given potential coastal degradation due to coastal processes and climate change. Another stakeholder queried whether the emphasis on ‘significant’ values meant that less significant but otherwise important values would not be protected. Similarly, several stakeholders proposed that the value of ‘ecosystem services’ more generally should be identified and given emphasis.

It was noted by one stakeholder that from the goal it could be incorrectly implied that Aboriginal heritage was not historic. It was also noted by stakeholders that in many areas Aboriginal and European heritage coexist.

Some stakeholders suggested that the context to the goal should include stronger reference to stewardship and community involvement in the protection of natural values. Another stakeholder suggested that the impact of climate change needs to be acknowledged, with emphasis given to promoting ‘coastal ecosystem resilience’.

One stakeholder suggested that currently the policy directions do not give a comprehensive indication of how the goal is to be achieved. They proposed that the Policy Statement should commit to positive actions that will help develop coastal ecosystem resilience such as revegetation and rehabilitation of degraded coastal areas.
Policy Directions

Natural values

2.1 The coast will be planned and managed to conserve geodiversity, the diversity of plant and animal species and ensure the sustainability of major ecosystems and ecological and geomorphological processes, particularly in vulnerable areas.

- It was noted in facilitated discussions that the coast itself cannot be planned, but that human interaction with the coast can be planned and managed. It was suggested by stakeholders that rather than 'the coast will be planned', it should be rephrased as 'planning and management for Tasmania’s coast'. This also applied to other policy directions.

- Some stakeholders proposed that the conservation of biodiversity should be specifically addressed. Further it was suggested that the Policy Statement should use language that aligns with existing terminology and legislative frameworks.

- Ocean Planet commented that vulnerable areas need to be identified and protected, including maintaining or promoting the connectivity and integrity of ecosystems. Other stakeholders also suggested that the focus should be on protecting all natural values, rather than only those that are vulnerable. Several stakeholders queried what was meant by 'major' ecosystems and how their significance would be determined.

- Given the number of different values associated within policy direction 2.1, one stakeholder suggested that these should be separated into separate policy directions.

2.2 The coast will be planned and managed to maintain the aesthetic value of the natural environment.

- One stakeholder queried what criteria would be used to assess and catalogue aesthetic values along the coast and who would undertake the assessment.

2.3 A risk-based approach will be taken to coastal conservation, underpinned by an evidence-based threat assessment process.

- This policy direction raised some similar commentary to that received in relation to the broader principle of risk and evidence based decision making, including the difficulty in collecting sufficient appropriate evidence, what values (including community and economic values) would be considered, who would be responsible and the process, for making assessments.

2.4 Coastal water quality will be managed to maintain coastal natural and marine ecosystems and support other values and uses such as recreation, fishing and aquaculture in designated areas, including managing the impacts of catchments on coastal water quality.

- Some stakeholders felt that the wording of this policy direction could be improved, with an emphasis on managing coastal waterways to improve water quality and to protect coastal and marine ecosystems.
Some industry stakeholders noted that broader catchment management should be outside the brief of a Policy Statement on Tasmania’s coast and that a more appropriate strategic focus could be on supporting an integration of existing land use planning and water quality management policies and strategies.

Many stakeholders noted the importance of water quality to coastal and marine ecosystems, with particular concern that the role of sewage and industrial waste discharge receives little coverage in the Policy Statement.

Aquaculture industry stakeholders noted the particular importance of water quality and risks associated with water quality incidents.

### Aboriginal and historic cultural heritage

2.5 *Aboriginal heritage on the coast will be identified, conserved, and managed in collaboration with the Tasmanian Aboriginal community.*

- It was noted by some stakeholders that there are several Tasmanian Aboriginal communities.

2.6 *Places of historic cultural heritage significance will be identified, assessed and conserved in consultation with the Tasmanian community.*

- It was suggested by one stakeholder, in relation to both policy directions 2.5 and 2.6, that it is a State Government responsibility to identify significant Aboriginal and historic cultural heritage and that this should be supported by a State Government program.

### Goal 3 – To manage risk from coastal processes and present and future coastal hazards to enable coastal processes and existing activities to continue, and permit new activities to occur

Many stakeholders expressed a desire for clear guidance on the principles for making defend, adapt or retreat decisions for existing settlements’ coastal adaptation pathways.

In this context, several stakeholders expressed concern that the goal, as worded, is too simplistic, as maintenance of all existing activity or permitting all new activity will be impossible after taking into account the impact of coastal hazards and climate change.

In a similar vein, several stakeholders indicated that a ‘balanced’ approach is not always possible given the overwhelming natural forces such as coastal erosion.

The Burnie City Council proposed that the goal could be better expressed as a recognition that natural processes and coastal hazards will inevitably affect the sustainability of existing development and must be taken into account in all future decisions.

Stakeholders generally expressed support for increased protection of coastal processes and the need to consider retreat pathways.

> **All coastal systems, values and assets will be impacted by climate change and the challenge is to manage them to best practice standard now and protect as much of the natural processes as possible to improve the long term sustainability of these features and services.**

Southern Coastcare Association of Tasmania (SCAT)

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*Draft Tasmanian Coastal Policy Statement Consultation Report*
The Huon Valley Council suggested that the Policy Statement should refer to the six draft principles developed by DPAC’s Office of Security and Emergency Management (OSEM):

1. *Private risks associated with natural hazards are the responsibility of individuals and business.*
2. *Government should encourage public and private risks to be factored into investment decisions.*
3. *Governments can support individuals to understand and manage private risks through the collection of evidence, provision of information and facilitation of collective actions.*
4. *Government should ensure that private investment minimises unacceptable public risk.*
5. *Government should avoid investment, regulation, zoning or policy that give rise to unacceptable public or private risks.*
6. *Government should have regard to, and support individuals or business to consider how relevant risk may change in to the future, including through climate change.*

Several stakeholders noted that the context statement indicates that ‘engineered protections should be considered a non-preferred option’. While some stakeholders indicated that this should be strengthened to ‘not permitted’, other stakeholders noted that engineered works may be appropriate in some circumstance and are already used for many coastal purposes, such as breakwaters and port facilities.

It was noted in the TasWater submission that the Authority manages assets worth billions of dollars in coastal settlements that support a range of economic, environmental and health outcomes. TasWater advised that, given the significant value of these assets, the balance between allowing natural retreat of coastal landforms and protection of significant infrastructure should be carefully considered.

**Policy Directions**

3.1 *New development on the coast should take into account the risk posed by coastal processes and coastal hazards to minimise the impacts of and any consequent need for protection works or future adaptation.*

- Several stakeholders suggested that the policy direction should be strengthened by changing ‘should’ to ‘must’ or ‘will’, and that the description of coastal hazards should make explicit reference to future sea level rise and associated impacts. It was also suggested that ‘minimise’ could be changed to ‘avoid where possible’.

- Some stakeholders suggested that the goal should be expressed in a clearer way i.e. new development in identified hazard areas should be avoided or restricted to minimise the need for adaptation measures in the future, including coastal protection works. Furthermore, instead of managing reactively, this goal could be achieved by proactively identifying areas and distances above current mean high tide that should not be settled or developed.

- It was noted in facilitated workshops that the availability of coastal hazard mapping from OSEM will greatly assist councils in managing this issue.

- Several stakeholders proposed that new development should be allowed on land at risk of coastal hazards if the land level is sufficiently raised using clean fill. This was suggested...
specifically in relation to a proposed rezoning of rural land to a residential subdivision in Lauderdale.

- In discussions with key stakeholders and facilitated workshops the issue of legal liability for councils for both their planning decisions and actions taken to manage the impact of coastal hazards was raised several times. It was indicated that the lack of legal certainty is preventing appropriate action.

3.2 **Existing settlements and natural values vulnerable to coastal hazards should be identified and assessed, adaptation pathways developed, and, where feasible, management plans implemented.**

- Several stakeholders suggested that existing settlements should be protected where feasible or possible.

- Some stakeholders noted that the commitment to developing adaptation pathways and management plans is an important one, and should receive Government support through a statutory mechanism as well as financial and other resources.

- A stakeholder noted that management plans could include a ‘do nothing’ option rather than only being implemented ‘where feasible’. It was suggested that it was also important to ensure that management plans are actually implemented.

- It was noted by several stakeholders that erosion risks to coastal dunes are greater than that implied merely by sea level rise and are also exacerbated by human activity.

3.3 **Where a management plan identifies the need for protection works, these works will be designed, located and managed to minimise the impact on coastal processes and values and the ongoing requirement for maintenance.**

- Stakeholders noted the importance of considering the benefits and costs of protection works in economic as well as social and environmental terms. The question of who should pay for initial construction, maintenance and then replacement or removal of the works at the end of life was also raised.

- It was noted by the Huon Valley Council that protection works, once constructed, may create community expectations that they will be maintained and expanded beyond their designed lifespan (and the initial assessment of the coastal hazard).

- Other stakeholders noted the importance of providing a strategic context to ensure that adaptation decisions on coastal protection works are not simply made on a case by case basis, but take into account the broader and cumulative impacts, including the land and marine environmental factors.
3.4 Planning and management of the coast will provide for coastal processes to continue to shape the coast and for the natural retreat of vulnerable ecosystems as a result of future coastal hazards, where there is an acceptable impact on social and economic objectives.

- Many stakeholders supported the Policy Statement providing for the natural retreat of the coast. The critical importance of community dialogue was identified in the Kingborough Council submission.

- There was concern amongst stakeholders that this policy direction provides insufficient clarity on what constitutes ‘an acceptable impact on social and economic objectives’. There was a concern that this may result in vulnerable ecosystems not being accorded sufficient priority.

- One stakeholder noted that the alternative to natural retreat was coastal protection works and that these were unlikely to be effective if sea levels continued to rise after 2100.

3.5 The implications of other hazards, including riverine flooding, landslide and bushfires will be considered in planning and management of the coast.

- The Department of Health and Human Services proposed that this policy direction be amended to include the hazard of ‘mosquito-breeding habitats’.

**Goal 4 – To ensure the coast is accessible and available for recreational use by the public**

There was general support for this goal amongst stakeholders.

Several stakeholders indicated that due to the potential for environmental damage, access needs to be managed and controlled. ‘Hooning’ on fragile coastal areas was identified as a particular concern.

Some stakeholders were concerned about whether the principle of equity of access and the goal of recreational access would create rights for individuals to trespass on private property in order to access coastal areas. It was noted that, depending on the definition of the coast, significant coastal land may be privately owned and managed, including privately owned foreshore in some areas.

The challenges of translating this goal into planning schemes was also raised by stakeholders. In facilitated workshops it was identified that one challenge facing councils was the capacity to require public access when land was developed using strata-titles rather than subdivisions.

In the context of climate change, stakeholders raised the importance of ensuring that as coastlines retreated, public ownership of the foreshore is retained. It was noted that this is likely to create potential conflict with private landowners that will need to be managed appropriately, including ensuring that there is legal clarity on what happens to land titles when coastal hazards make the coastline retreat.
**Policy Directions**

4.1 Public access to and along the coast will be maintained and enhanced where it does not conflict with conservation of significant or vulnerable natural and cultural and historic values.

- This policy direction is generally supported by stakeholders. Some stakeholders noted that hooning that threatens to destroy beaches and dune systems should not be allowed, while others indicated that developments should be required to include public access to the foreshore unless there are habitats or nesting sites that need protection.

4.2 In areas identified as vulnerable, public access to and along coastal public land will be appropriately controlled and managed, and may be prohibited.

- Some stakeholders expressed concern that the reference to ‘vulnerable’ areas is too restrictive, as it only applies to a few plant and animal species and that the policy direction should be applied more generally.

4.3 Subject to 4.1, new development in close proximity to the foreshore will provide for and maintain public access to foreshores.

- Some stakeholders indicated that this direction was unnecessary.

4.4 Public facilities will be maintained and enhanced at appropriate locations to facilitate equitable and safe access to, and enjoyment of, the coast.

- One stakeholder suggested that this policy direction should include reference to best practice design.

4.5 The future development of camping grounds on public land on the coast will be sensitively designed and located to support access, while minimising negative impacts on natural, aesthetic and significant cultural values.

- Some stakeholders noted that this policy direction is too specific relative to other policy directions, such as 4.6, which is more broadly focused but implies a similar intent. Some queried why the policy direction refers specifically to public land, rather than public and private land. It was also queried why negative impacts should only be minimised for ‘significant’ cultural values.

4.6 Recreational opportunities will be identified through strategic planning and located in appropriate locations where they do not adversely affect vulnerable ecosystems and land forms, Aboriginal and historic heritage values, or in designated areas where such effects can be avoided or mitigated.

- One stakeholder suggested that the use of the term ‘strategic’ planning was confusing and that planning should be ‘holistic’. Another stakeholder suggested that community engagement should be referenced for this policy direction.
4.7 Access by Tasmanian Aboriginals to coastal sites of cultural and historic heritage significance will be facilitated by planning and management decisions where possible.

- No specific comments were received in relation to this policy direction.
4: Implementation, Roles and Responsibilities

The approach to implementation is the focus of Phase 2 of the project. In the request for consultation, people were asked to comment on:

- appropriate instruments for implementing the Policy Statement;
- the potentially critical issues for implementation;
- whether the proposed roles and responsibilities were an accurate reflection of current and future arrangements; and
- whether a role for non-government organisations should be included.

Implementation

Many stakeholders expressed the view that implementation arrangements are critical to the effectiveness of the policy.

Many stakeholders identified that the key failing with the State Coastal Policy 1996 was not its policy intent or substance, but the lack of implementation tools and processes, and expressed similar concern with respect to the current draft Policy Statement.

Several stakeholders expressed concern that the draft Policy Statement did not provide details on the processes and instruments that will be used to achieve the identified goals and that this limited their capacity to comment. Many stakeholders indicated that they would like to assist with, and be engaged in, further consultation as part of the development of the implementation approach. Several stakeholders indicated that extensive consultation and an adequate timeframe for consultation on the implementation approach would be essential to avoid the risk of adverse consequences.

Several stakeholders, consistent with the Principle 4 Collaborative planning and management, indicated that ongoing community engagement should be embedded in the implementation approach.

Many stakeholders expressed the view that the Policy Statement should be supported by enforceable regulations. Some stakeholders indicated that this should include appropriate legislation. Statutory certainty, including legal indemnity for decisions or actions, was sought in relation to local government responses to climate change and coastal hazards.

A few stakeholders indicated that the Policy Statement should be implemented using a State Policy mechanism, similar to the State Coastal Policy 1996. Others indicated that many elements could be implemented through regional planning strategies. Some stakeholders noted that many aspects of the Policy Statement are based on land management, rather than planning, and that this needs to be approached differently in implementation.

Industry stakeholders expressed concern at the potential for another layer of regulation to be created that would add to the burden of compliance costs. In their view, it is critical that implementation arrangements minimise any adverse impacts on existing businesses and people’s current activities on the coast.
The Tasmanian Conservation Trust expressed the view that the implementation process should harmonise and integrate marine farm planning with other planning systems, including the creation of an appeals process, which is currently not available for marine farm planning. Integration of marine farm planning with land use planning systems was strongly opposed by aquaculture industry stakeholders who were particularly concerned that introducing appeals processes would add delays and cost burdens to new developments.

Several stakeholders indicated that clarity for councils, communities and commercial operators is required. It was also proposed that the State should adopt a best practice approach to coastal management, with a clear process for updating regulations to reflect best practice.

It was suggested by some stakeholders that the implementation plan needs to be based on the best available information and provide clear guidance for decision makers. Others added that clear guidance would also assist development by ensuring that developers did not waste resources on inappropriate proposals or locations.

Many stakeholders indicated that having a clear process and guidance for resolving conflict between goals was important.

Risk management was identified as an issue by several stakeholders, with the Kingborough Council indicating that local government faces the highest level of legal and financial risk in relation to many issues on the coast. Several stakeholders indicated that the implementation process should outline a clear strategy for assessing risk.

Several stakeholders indicated that implementation needs to be supported by appropriate resources. A lack of resources to support the implementation process was identified as a common concern. Resources were particularly important for the implementation of codes.

It was proposed by several stakeholders that implementation process should be supported by an independent decision making or advisory body. Some stakeholders indicated that such a body should have expertise (scientific or community), monitor implementation of the policy and be able to advise the relevant Minister on scientific and other matters. According to some stakeholders, such a body could also play a role in resolving conflicting scientific evidence.

**Role and responsibilities**

Some stakeholders expressed concern that the roles and responsibilities are vague in detail and could cause confusion.

**State and Local Government**

Some stakeholders sought greater clarity on the responsibility of the State in relation to managing Crown land. There was concern that policy, or a lack of resources, was resulting in coastal assets such as roads and shacks on Crown land exposed to coastal hazards not being appropriately managed.
A number of councils and other stakeholders expressed a concern that the level of responsibility placed on local government is beyond their capacity, in terms of the human and financial resources. This was particularly a concern in relation to the potential costs of managing the risk and impact of coastal hazards. One stakeholder suggested that many of the responsibilities allocated to local government are State Government responsibilities.

Several stakeholders noted that the State Government’s role should include protection of environmental values. The importance of consulting with the community and community organisations was also identified by some stakeholders as part of the State Government’s role.

The Parks & Wildlife Service approach to consultation and engagement processes on land management with community groups was identified in some submissions as a positive example to follow.

**Community Organisations**

Many stakeholders indicated that the role of non-government organisations, particularly Coastcare groups and Natural Resource Management (NRM) organisations should be more strongly recognised.

*Non-government, community and volunteer organisations, such as Coastcare, Landcare and Wildcare must be included in recognition of their current and potential future roles:*

- At the local level to influence ‘hearts and minds’ in support of appropriate coastal policy goals
- In practical ‘hands-on’ stewardship of our natural heritage: clean-ups, weed control, revegetation
- Gaining essential direct financial and in-kind support from the Australian and Local Governments.

Wildcare Deslacs

The substantial financial value of volunteer activity was identified in the submission from the Friends of Adventure Bay Inc.

Discussions with stakeholders indicated that there is a significant role that NRM organisations can play in the implementation of coastal policy. In many cases, NRMs hold particular expertise and work with local government to improve environmental and NRM outcomes. It was also identified that where there is limited capacity to enforce regulation, the focus of NRM organisations on education and engagement with land holders is critical. It was noted that when people understand the importance and benefits of natural ecosystems, they are more likely to voluntarily protect them.

**Developers**

It was noted by one stakeholder that developers should not just comply with statutory planning constraints, but should also make a conscious effort to design their development proposals to suit the sensitive coastal condition and to complement surrounding developments or natural aesthetics.
Other stakeholders noted that until the State Government had provided guidelines for development in areas subject to coastal hazards, the development should be a private risk for developers, rather than councils, and that the developer should seek specialist advice when proposing developments in these areas. It was noted in stakeholder discussions that requiring specialist advice in all circumstances could result in unreasonable costs for small developments such as garages and sheds.

**Landowners**

Some stakeholders suggested that the needs of current land managers and owners should be recognised so that existing land practices (farming, forestry etc.) can continue in most circumstances. Stakeholder discussions also indicated that the Government’s power to regulate changes in land use is generally recognised as not excessively interfering in property rights. However, a small number of stakeholders were concerned about increasing restraints on property rights, particularly restrictions on protecting property from coastal hazards.

It was suggested by industry stakeholders that the role of landowners/managers is overstated in the Policy Statement and that it is not the responsibility of landowners to promote the goals and policy directions in the Policy Statement. Similarly, if landowners were expected to provide public goods, such as access across their land, then they should be paid or compensated to do so.

Several stakeholders noted the difficulty in preventing landholders from causing damage to Crown coastal reserves (removing vegetation and dunes for views etc.). One stakeholder proposed that the neighbouring landholders should be held accountable for such Crown land without having to be ‘caught in the act’.

The importance of information to support landowners making effective adaptation and environmental management decisions was identified by stakeholders. Resources such as the Tasmanian Coastal Works Manual were recommended to support coastal land managers. One stakeholder proposed that the inclusion of information on coastal hazard risks on titles would support better adaptation in the long term at low cost to government.

**Glossary**

Many stakeholders expressed concern at the lack of definition associated with some terms used in the draft Policy Statement. Several stakeholders indicated that the terminology used in the Policy Statement should align with those used in planning instruments or existing legislation, or as currently used in biological science or among professional land managers.

**Other Issues**

Many stakeholders indicated that the Policy Statement should provide for a comprehensive, adequate and representative network of Marine Protected Areas that fully protect marine biodiversity and ecosystem diversity and ecological processes.
5: Next Steps

Following the consultation phase and the completion of the consultation report, the Government will consider the most appropriate way of incorporating the feedback into a revised Policy Statement.

Several stakeholders indicated a desire to understand the implementation approach before making commitments in favour of the draft Policy Statement. There was a general recognition of the complexity associated with developing an effective implementation approach, a desire to be involved in developing the details and an understanding that full implementation, including consultation, would require an extended timeframe.

The revision of the Policy Statement will be undertaken in alignment with the development of the implementation plan. The State Government intends to complete the revised Policy Statement and implementation plan by the end of 2013.