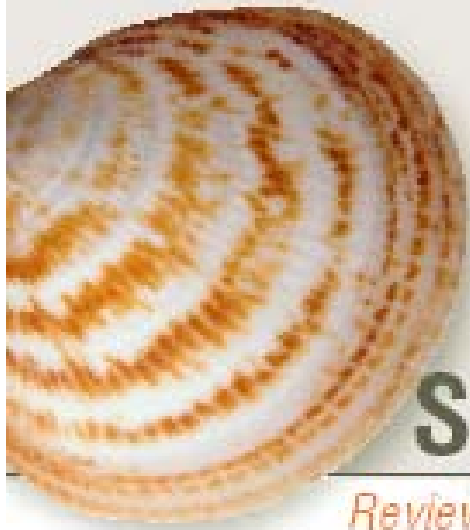


*Public consultation 2005*

# State Coastal Policy

*Review of the*

# 1996



DEPARTMENT of  
ENVIRONMENT and  
HERITAGE  
WATER and ENVIRONMENT

Queensland



# State Coastal Policy 1996

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# Introduction

The *State Policies and Projects Act 1993* requires periodic reviews of State policies to ensure they remain relevant and are kept up to date.

The review of the State Coastal Policy 1996 by the Tasmanian State Government is aimed at ensuring there is an effective framework in place for the management and sustainable development of our coast.

Tasmania's coast is an important part of Tasmania's unique environment, economy, lifestyle and identity. It is a natural resource that is a defining element of Tasmania's island identity. Through the Tasmania *Together* process it was clear that the community wants an appropriate balance between environmental protection of our natural resources, and economic and social development.

## The proposed new policy

A public consultation process on the State Coastal Policy 1996 was undertaken in late 2004. The response rate was high with more than 100 submissions received. Considerable feedback was also gained through six workshops, held statewide. The principle conclusions drawn from the public consultation process were:

- The Policy needs to be concise and straight forward
- There is a need for an effective coastal policy
- Councils need to better implement a coastal policy through their planning schemes, and have greater levels of support provided to them by the State Government
- Better enforcement is required to ensure the Policy is being complied with.

A new policy has been drafted which:

- Has concise objectives and outcomes for the coastal area
- Provides for a more appropriate definition of the coastal area
- Has specific implementation obligations, including a requirement for planning authorities to review their planning schemes
- Is supported by guidelines and model standards to assist planning authorities to implement the Coastal Policy in their planning schemes

The proposed Policy and its supporting documents will provide better tools for planning authorities to manage the conflicting environmental, social and economic demands, and pressures on the coastal area.

The Policy is structured as a set of objectives and outcomes that represent a collective intent for the coast.

The required outcomes will be achieved in their aggregate, rather than individually. Whilst not all outcomes will be achievable in each circumstance, the extent to which particular outcomes are achieved or advanced will be relative to the values, resources, developments and uses associated with a particular area, and the intent expressed for that area.

The proposed Policy does not make specific statements, which either limit development or forgo conservation values. It is recognised that an emphasis on development, or on conservation, will be more appropriate in some areas than others, and that planning authorities need to be mindful of the opportunities and impacts on both in their decision making. Overall, the intent of the proposed Policy is that development be suitable, sustainable and sensitive to the particular coastal environment.

### **How the policy will work**

The majority of decisions about coastal development are made by planning authorities through local government planning schemes, marine farm development plans and local area management plans. One of the major concerns with the current State Coastal Policy is its perceived lack of incorporation in planning schemes.

Unlike the current Policy, the proposed new Policy is not intended to be self-executing. Rather it will be implemented through the planning schemes and other instruments that manage and control use or development in coastal areas. This means that planning authorities will need to review and amend their planning schemes to meet the objectives and outcomes of the Policy.

Once planning schemes are amended and the Resource Planning and Development Commission (RPDC) is satisfied that they are consistent with the State Coastal Policy, all decisions made in accordance with a planning scheme that impact on the coast will be deemed to comply with the State Coastal Policy.

To assist planning authorities to both review and amend their planning schemes, and to ensure a consistent approach and standard is achieved across the State, two supporting documents have been prepared:

#### *Guidelines for implementation*

The guidelines provide an example of 'good practice' methodology for implementing the State Coastal Policy through planning schemes. They cover both the review of existing schemes and the preparation of new ones.

#### *Model standards*

The model standards provide an example for planning authorities of the types of provisions that need to be addressed to incorporate the State Coastal Policy in planning schemes. Planning authorities may modify these model standards or develop their own to meet their specific circumstances together with the objectives and outcomes of the Policy.

Together these documents will form the overall State Coastal Policy Package, which will be referred to the RPDC for consideration. If approved, they will be used by the RPDC to determine whether a planning scheme adequately addresses coastal issues, and meets the objectives and outcomes of the Policy.

## **Ensuring Implementation**

Under Section 13 of the *State Policies and Projects Act 1993*, planning authorities will be required to amend their planning schemes to ensure they comply with the new Policy.

Once the new State Coastal Policy is approved, the RPDC will use its powers of direction to determine the timeframe for the amendment of planning schemes.

During the period between the introduction of the State Coastal Policy, and the review and approval of planning schemes by the RPDC, the new State Coastal Policy will be considered to be self-executing. This means that decisions made under an existing planning scheme must be consistent with the new Policy.

As part of a broader review of Tasmania's planning system (the *Better Planning Outcomes Project*) reforms are being considered to further tighten the enforcement and compliance provisions for State policies.

## **Process for making a State policy**

Comments received through this round of public consultation will be considered and a revised Policy and supporting documentation will be developed. The Premier, as Minister responsible for the *State Policies and Projects Act 1993*, will refer the revised proposed Policy and supporting documentation to the RPDC. The RPDC will consider the proposed Policy and supporting documentation, and undertake further public consultation to test its relevance and suitability. The RPDC will then advise Government further on the draft Policy. The Premier may then recommend to the Governor the making of a State policy. The Policy must be agreed to in both Houses of Parliament before it can come into effect.

## **Accountability for the sensible management of the coast**

Under the new Policy, planning authorities will remain accountable for the decisions they make affecting our coasts. Concerns that a decision is inconsistent with the new State Coastal Policy will be able to be appealed through the Resource Management and Planning Appeals Tribunal. Any appeal would be on the basis that a decision was inconsistent with the relevant planning scheme, and thereby inconsistent with the State Coastal Policy.

## Comments on the proposed Policy

Comments are invited on the proposed new State Coastal Policy, Supporting Guidelines and Model Set of Standards for Planning Schemes. Copies are available by contacting DPIWE or can be downloaded from the DPIWE website. Also available on the website are the Summary of Issues (received through the first round of public consultation), the Response Paper (on the issues raised in the public consultation process), the Reconciliation Report (of the existing State Coastal Policy 1996 and the proposed new Policy), and Context for Tasmania's Coasts, which outlines the importance of Tasmania's coast and the legislative context in which the coast is managed.

The period of consultation ends 4 November 2005.

Comments should be submitted in writing to:

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