

# Proposed State Coastal Policy

## **1. Purpose**

The purpose of the State Coastal Policy is to facilitate:

- (a) The conservation of intrinsic assets, values and processes of the coastal area; and
- (b) The sustainable use or development of the coastal area.

## **2. Objectives**

The objectives for the coastal area are:

- 2.1 To conserve, enhance and restore natural systems, values and processes of the coastal environment;
- 2.2 To use or develop natural and economic resources, and infrastructure;
- 2.3 To support and maintain the sustainable growth and development of coastal communities;
- 2.4 To provide for safe and healthy lifestyles and public infrastructure;
- 2.5 To conserve and enhance public amenity and scenic values;
- 2.6 To provide, maintain and enhance public access to the coast; and
- 2.7 To conserve Aboriginal and historic heritage.

## **3. Outcomes**

The required outcomes are to be achieved in their aggregate rather than individually. Not all outcomes will be applicable in all circumstances. The extent to which particular outcomes will be 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 outcomes are:

- 3.1 Natural geomorphological processes are retained, including hydrological, wave, wind and tidal processes;
- 3.2 The diversity, extent and condition of native terrestrial and aquatic flora and fauna and their habitats, particularly those identified as significant or representative, are conserved and, where appropriate, rehabilitated;
- 3.3 Adverse impacts of use or development, direct and indirect, on areas of biodiversity or conservation value, including sites of geoconservation significance are avoided;

- 3.4 Water quality maintains coastal and aquatic ecosystems, and supports other values and uses, such as contact recreation, fishing and aquaculture;
- 3.5 Use or development of the coast is undertaken in appropriate and designated locations and where there is a demonstrated capacity for it to be adequately and appropriately serviced;
- 3.6 Economic and natural resources, and their use or development, are protected from incompatible uses and activities;
- 3.7 Appropriate provision is made for uses and developments which are dependent upon shore-line locations;
- 3.8 Off-shore and on-shore development is integrated and compatible, together with their associated uses and infrastructure;
- 3.9 Residential, commercial and industrial development will be integrated with existing or planned settlements, as far as practicable, to avoid ribbon development;
- 3.10 Development in areas subject to hazard from the effects of inundation, erosion, storm activity, landslide, bush fire and contamination, occur only where the risks are satisfactorily managed;
- 3.11 Development in areas at risk from the adverse impacts of climate change, occur only where the risks are satisfactorily managed;
- 3.12 The visual values of the landscape are protected and enhanced;
- 3.13 The amenity values of the coast are conserved and are complemented by appropriate public facilities, which the public are able to access and enjoy;
- 3.14 The public has adequate and appropriate access to the coast, from both land and water;
- 3.15 Public safety and security is managed appropriately according to the level of risk;
- 3.16 Aboriginal heritage is respected and conserved; and
- 3.17 Historic heritage is respected and conserved.

#### **4. Implementation**

- 4.1 A planning scheme or any other instrument required to manage or control use or development in the coastal area must be consistent with achieving the outcomes specified in section 3.

- 4.2 A review must be undertaken of every planning scheme covering part of the coastal area by the responsible planning authority to assess the means by which the planning scheme achieves the outcomes of this Policy.
- 4.3 A review undertaken pursuant to section 4.2 must identify the issues to be addressed in the planning scheme, and must include an assessment of the extent to which the scheme provides for decisions to be made in a way which—
- i. recognise that a lack of full scientific certainty about the potential threats of serious or irreversible environmental damage should not prevent putting in place measures to avoid or mitigate such damage;
  - ii. recognises the long term implications flowing from the cumulative impact of multiple decisions; and
  - iii. uses the best information available.
- 4.4 In undertaking a review pursuant to section 4.2, regard shall be given to any guidelines issues under section 5.1.

## **5. Guidelines**

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

## **6. Authority**

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

## **7. Application of the State Coastal Policy**

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

## 8. Definitions

In this Policy, unless the contrary intention appears:

**“Coastal area”** means-

- (a) State waters and the area of land identified in a planning scheme or any other instrument required to manage or control use or development, which encompasses the coastal assets, values and processes which are to be conserved, used or developed; or, in the absence of an area so identified;
- (b) all land to a distance of one kilometre inland from high water mark and State waters.

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

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

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

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

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

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

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