

A NEW APPROACH TO COASTAL MANAGEMENT IN TASMANIA

TASCA
Tasmanian Coastal Alliance

The Tasmanian Coastal Alliance (TasCA) is an alliance of NGOs and professionals with relevant expertise in coastal matters, working towards protection and sustainable management of Tasmania's coastal zone. Our goal is to secure a clear, enforceable and evidence-based integrated coastal planning and management system for Tasmania.

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WHY DO WE NEED A NEW APPROACH?

Tasmania's coastal zone is subject to increasing development pressures. At the same time, our coasts are increasingly vulnerable to hazards resulting from climate change, including sea-level rise. Effective leadership is critical to ensure that we are able to adequately respond to current, emerging and predicted coastal management issues.

The State government has a responsibility to formulate clear state-wide guidance to secure appropriate, sustainable coastal management. Following the rejection of the draft State Coastal Policy 2008 by the Tasmanian Planning Commission (TPC), the Premier made a public commitment to work towards this goal as a matter of priority.

The TPC identified a number of issues that must be addressed in any future coastal management regime. The current State Coastal Policy 1996 fails to meet a number of these criteria. In particular, the policy is ambiguous and difficult to implement across the range of decisions affecting the coastal zone. The lack of guidance provided by the current Policy has resulted in inadequate, inconsistent and uncoordinated coastal management outcomes and numerous protracted legal battles.

One of the difficulties is that State Policies are intended to be high-level policy statements, rather than documents providing detailed guidance (in this case, describing how the

coastal zone will be managed). The complex, lengthy process for amending State Policies under the State Policies and Projects Act 1993 also means that such Policies are unable to be amended quickly to respond to new, relevant scientific information.

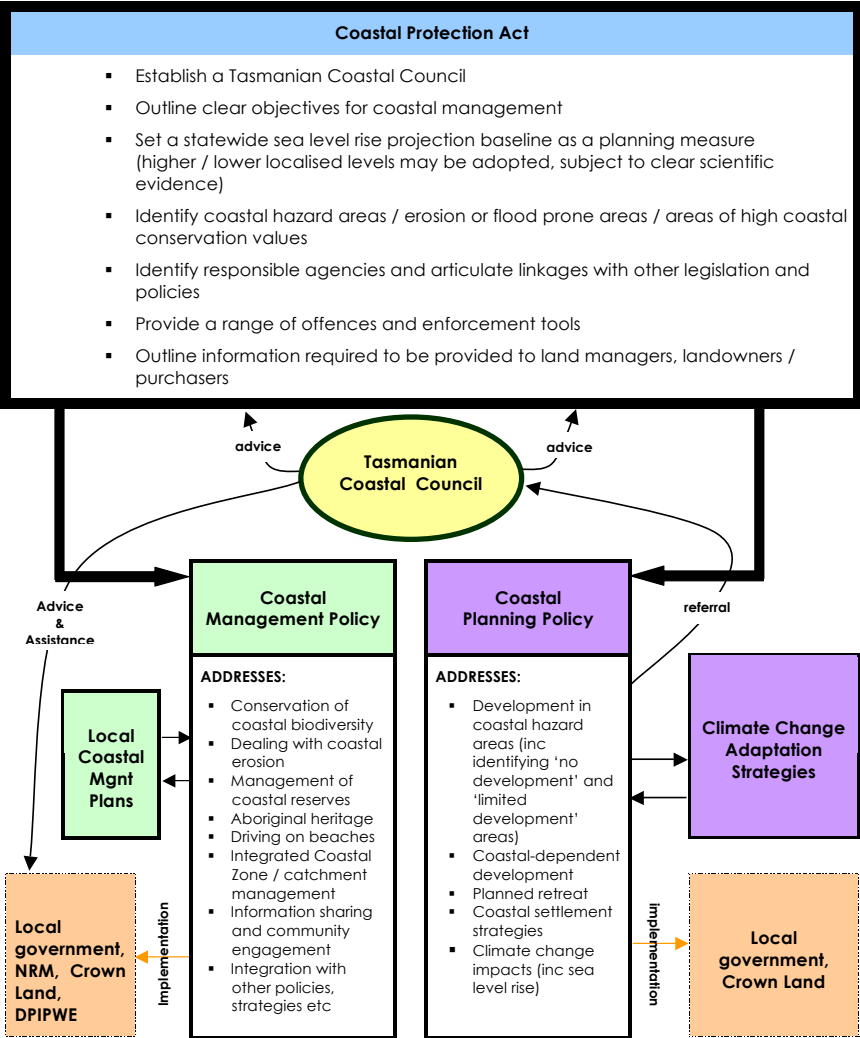
All of these difficulties have meant that Tasmania's coastal management regime, once considered the best in Australia, now falls well short of best practice. Tasmania needs to adopt a fresh, new approach to protecting our coasts and regaining the leadership role in coastal management. As Australia's island state, Tasmania should embrace this opportunity.

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TasCA's PROPOSED MODEL

TasCA is advocating for a clear and enforceable integrated coastal management framework. Conforming with the approaches adopted in Queensland, New South Wales and Victoria, TasCA proposes that Tasmania adopt clear framework legislation, underpinned by detailed policies addressing coastal planning and management issues.



KEY COMPONENTS OF THE PROPOSAL

- Overarching legislation to coordinate and integrate planning, development control and on-ground management.
- An expert Coastal Council, comprising representatives of local government, Tasmanian Planning Commission, Crown Land Services, Climate Change Office, DPI/PWE, NRM and the community (similar to the NSW Coastal Panel and the Victorian Coastal Council).
- A Coastal Management Policy providing detailed, on-ground guidance for land managers, building on documents such as the Coastal Works Manual, integrated catchment management plans and work being undertaken by the NRM bodies and local community groups.
- A Coastal Planning Policy incorporating detailed planning codes regarding development in coastal hazard areas, guidance on allowable protection works (including emergency protection works), clear settlement policies promoting concentration of development and options for planned retreat from at-risk areas. The Policy will continue to be implemented primarily through local and regional planning instruments.
- Both Coastal Policies will allow for adaptive management, to ensure that the instruments are responsive to new information and resources and implementation experience.
- Coastal Council to act as a referral agency for development matters in the coastal zone until a local council's planning scheme is endorsed as being consistent with the Coastal Planning Policy and subject to an approved Climate Change Adaptation Strategy (consistent with the approach adopted in the Queensland Coastal Plan).
- On-going opportunities for public participation, including third party rights of appeal.

The TPC identified a number of issues that must be addressed in any future coastal management regime:

- Documents must be unambiguous, easily interpreted and provide adequate practical guidance to decision makers (Recommendation 7);
- Documents must incorporate current, reliable data and provide for implementation tools that contain adequate technical details (Recommendations 3 and 5);
- Coastal management strategies must effectively integrate and target all relevant management and planning regimes (Recommendation 4);
- Any coastal management document must explicitly adopt the precautionary principle and meet the objectives of the Resource Management and Planning System (Recommendations 8 and 11).

BENEFITS OF THE PROPOSED MODEL

- Coastal management legislation will allow for better integration with the full suite of RMPS legislation.
- Ensure that detailed regulation of coastal management takes into account a comprehensive range of issues, rather than being limited to climate change responses.
- Coastal management will be based on available scientific data and best practice implementation strategies, having regard to existing local and regional documents.
- Tasmanian Coastal Council will provide an objective, expert reference body to guide decision-making, and provide a whole-of-government contact point for coastal management issues in Tasmania. The Coastal Council will integrate and coordinate various dispersed government resources already devoted to coastal management to be used more efficiently and effectively (see capacity assessment below).
- As subordinate legislation, the policies will be clear and prescriptive, while maintaining the flexibility to be adapted as new threats or information emerges.
- Unambiguous, practical and comprehensive guidance on management and planning issues will provide greater certainty for developers, local governments and the Tasmanian community.
- Improved enforcement options will increase compliance, improve public confidence and facilitate better coastal management outcomes.
- Tasmania can go beyond the recommendations of the Tasmanian Planning Commission and regain national leadership on coastal management issues

REAL SAVINGS ACROSS GOVERNMENTS

- Savings due to efficiencies and capacity would be realized in:
- Reduced duplication
 - Centralized support for local Government
 - Collaboration and coordination across State and local government
 - Increased support, decisiveness, and clarity for stakeholders will take pressure off the State Government
 - Clearer guidance documents will reduce litigation

REAL COSTS OF INADEQUATE MANAGEMENT OF TASMANIA'S COAST

- The assessment of coastal development can impose significant costs. Without clear, comprehensive and consistent guidance, government and community resources are diverted to engaging external experts to interpret provisions and participating in litigation to challenge or defend resource management decisions. The State Coastal Policy 1996 has been subject to numerous legal battles which have cost State and local government (and ultimately taxpayers / ratepayers) millions of dollars.
- Lack of clear guidance, and the prospect of protracted litigation, results in uncertainty for developers. This defers investment and undermines future opportunities to attract appropriate developments to Tasmania.
- Poor coastal management practices, such as failing to maintain natural values, neglecting to address coastal hazards and allowing inappropriate coastal development, also impose indirect costs such as:
- Loss of the vital ecosystem services threatens human health and the vitality of our tourism, fishing and agricultural industries.
 - Compromising public perceptions of the value we place on our environment threatens the brand that underpins much of Tasmania's economic success.

INTERNAL CAPACITY ALREADY EXISTS WITHIN TASMANIAN GOVERNMENT

- While not wholly coordinated, there are currently over 30 State government employees with expertise in coastal zone planning and management. Their skills cover areas such as:
- coastal adaption
 - coastal hazards and risk management
 - spatial data and mapping
 - natural values data bases and mapping
 - coastal planning
 - species management - whales, penguins, seals
 - habitat management - saltmarsh, wetlands, marine
 - coastal geomorphology
 - community engagement and communication
 - policy development
 - marine facilities management

Government already have access to a range of resources and projects in this field, including:

- Risks to sea level rise template
- Coastal Adaption Pathways project
- Coastal vulnerability mapping
- Coastal Risk Management Plan templates
- Integrated South East Coastal Management Strategy
- Tasmanian Coastal Works Manual
- National Cooperative Approach to Integrated Coastal Zone Management (SEWPaC)
- web tool for predicting sea level rise (ACE CRC)
- Coastal Cluster (UTAS)
- Coastal Flagship (CSIRO)