

State Coastal Policy Position Paper

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State Planning Office

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Response to Review of the State Coastal Policy (SCP) – Development on Actively Mobile Landforms– Position Paper

Dear Sir/Madam,

Master Builders Tasmania would like to express our appreciation for the opportunity to provide feedback on the *Development on Actively Mobile Landforms– Position Paper (CM 24/83446)*.

We support the proposal to replace the current blanket prohibition on development with a case-by-case risk-based assessment framework. As a representative body of the building and construction industry, we believe this approach aligns better with modern planning and construction standards, while ensuring the protection of Tasmania's unique coastal environments.

Key reasons for our support:

Flexibility in Planning and Development

A risk-based framework provides greater flexibility in addressing site-specific challenges. Rather than a one-size-fits-all restriction, this approach allows for innovative solutions that can minimise environmental impact while enabling responsible development.

Integration of Environmental Impact Assessments (EIA)

We recommend that the risk-based approach be underpinned by comprehensive Environmental Impact Assessments (EIA) to evaluate the risks associated with each development. This would ensure that potential impacts on coastal ecosystems, natural processes, and human infrastructure are thoroughly assessed. This approach, already used in other areas of the State Planning Provisions, ensures developments proceed responsibly with appropriate mitigation measures in place.

Support for Removal of Outcome 1.4.2

We support the removal of Outcome 1.4.2 and its suggested replacement with the amended outcome as outlined in the Position Paper:

Delete Outcome 1.4.2 and replace with:

- 1.4.2 Development on actively mobile landforms will only be allowed for engineering or remediation works necessary to protect land, property and human life, unless it can be demonstrated that the development appropriately considers:*
- a) protecting coastal values and natural coastal processes;*
 - b) achieving and maintaining a tolerable level of risk; and*
 - c) the benefits to the public and dependency on the particular location.*

We believe this suggested amendment ensures a balanced assessment of environmental protection and practical development needs by requiring consideration of environmental and natural landform impacts, the necessity of the development's location, and an evaluation of public or community benefits.

Alignment with Best Practice Planning

A risk-based approach integrated with environmental assessments will enable builders to assess coastal hazards with greater precision, in line with best practices used in other hazard zones, such as bushfire and flood-prone areas. This approach will ensure responsible, sustainable development while protecting Tasmania's coastal ecosystems.

Clearer Guidelines and Decision-Making

The current ambiguities around actively mobile landforms create uncertainty for developers and planners. A risk-based approach, along with clear guidelines using defined terms and mapping, will provide greater certainty and streamline approvals, reducing delays caused by unclear policies.

Encouraging Innovation in Coastal Engineering

Integrating risk-based assessments and EIAs could foster innovative engineering solutions for projects aimed at protecting land, property, and infrastructure from coastal hazards. Our industry is well-equipped to deliver infrastructure that meets safety requirements while also enhancing coastal resilience.

Additional Feedback

Recommendation for the Removal of Ambiguous Terminology

We agree with several points made in the article "*The Problem of the Use of Ambiguous Terms in Tasmanian Coastal Planning Policy Document for Defining Appropriate Coastal Development Zones*" by Tasmanian coastal geomorphologist Chris Sharples.

We recommend the removal of terms such as 'primary dune', 'secondary dune', 'frontal dune', and 'actively mobile landform' as they are ambiguous. These terms do not provide useful delineation of the full extent of coastal areas that might be best reserved for public access, amenity, or conservation purposes, nor do they effectively identify coastal areas subject to hazards such as flooding, erosion, or dune mobility.

Instead, we endorse the use of the present dune mobility layer from the Land Information System Tasmania (LIST) to identify coastal areas that present higher risks to developments and environmental impacts. This will provide developers and planners with a more accurate tool for assessing the suitability of land for development.

We urge the State Planning Office to move forward with these proposed amendments, including the removal and rewording of Outcome 1.4.2 and the adoption of a risk-based approach supported by clear environmental assessments. Additionally, we recommend considering the removal of ambiguous terms to ensure clearer, more effective policy implementation. The integration of risk-based assessments, environmental impact considerations, and public benefit evaluations will promote responsible, sustainable coastal development.

Thank you for considering our submission. We look forward to continued engagement on this important issue.

Regards

Jessie Fiddymont
Acting Technical Manager
Master Builders Association of Tasmania



From: Heritage Enquiries <>
Sent: Tuesday, 15 October 2024 11:52 AM
To: State Planning Office Shared Mailbox
Subject: Heritage Tasmania Response: Position Paper on Review of the State Coastal Policy

Thank you for referring the Position Paper on Review of the State Coastal Policy to Heritage Tasmania.

Heritage Tasmania does not object the proposed review and amendment. Should places on the Tasmanian Heritage Register be involved in development proposals within actively mobile land area, development and works will be assessed against the instruments under the *Historic Cultural Heritage Act 1995* as usual.


Kind regards



Heritage Tasmania | Heritage and Land Tasmania | Environment, Heritage and Land
Department of Natural Resources and Environment Tasmania

Add: L6, 134 Macquarie Street, HOBART 7000 | GPO Box 618 Hobart TAS 7001
T: (03) 6165 3700 | 1300 850 332 (local call call)
E: enquiries.heritage@heritage.tas.gov.au | W: www.heritage.tas.gov.au

Delivering a **sustainable Tasmania** ●

 *In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past and present custodians of the land.*

CONFIDENTIALITY NOTICE AND DISCLAIMER

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16 October 2024

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CCAA Submission: Review of the State Coastal Policy – Development of Actively Mobile Landforms

Cement Concrete & Aggregates Australia is the voice of the heavy construction materials industry in Australia. CCAA members produce the majority of Australia's cement, concrete, and aggregates, which are crucial to Australia's building and construction sectors.

These materials support the development of our nation's transport, energy, water, housing, defence, and social infrastructure.

The industry generates approximately \$15 Billion in annual revenues and employs approximately 30,000 Australians directly and a further 80,000 indirectly.

Summary

CCAA **supports** the State Planning Office proposal to remove ambiguity from the State Coastal Policy (SCP) and promote consideration of appropriate development in all areas of the coastal zone.

CCAA considers the requirement for assessment and approval under the SCP should **not apply to Level 2 Activities** that are already subjected to rigorous assessment under the *Environment Management and Pollution Control Act* and should be exempt.

State Coastal Policy 1996 (SCP)

The objective of the SCP is to implement Tasmania's Resource Management and Planning System (RMPS) by defining objectives and outcomes to manage development on Tasmania's coastal zone. Tasmania's coastal zone refers to 'state waters' and all land to a distance of 1 kilometre inland from high water mark.

The SCP has been in operation for 30 years and has been amended twice in that time. Considering recent court decisions, the State Planning Office is seeking to amend the SCP again to better address development or use in certain sections of the coastal zone. The contentious sections of the SCP are Outcomes 1.4.1 and 1.4.2.

Outcome 1.4.1 of the SCP provides that:

Areas subject to significant risk from coastal processes and hazards... will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.

Although never fully realised much of this work has been completed by the implementation of the Tasmanian Planning System's *Regional Land Use Strategies* (RLUS), planning scheme provisions and contemporary mapping in the Local Provisions Schedules.

Outcome 1.4.2 states that

*Development on actively mobile landforms such as frontal dunes will **not be permitted** except for works consistent with Outcome 1.4.1.*

The effect is prohibition of development on '*actively mobile landforms*' except for remediation works to stabilise (manage) land affected by coastal processes.

There is conjecture over the definition of '*actively mobile landforms*' and '*frontal dunes*' which means all development within the coastal zone, other than works to stabilise the land, is subject to challenge.

The State Planning Office is seeking to resolve the self-executing prohibition by replacing **Outcome 1.4.2** with a new clause which adds a process to assess and approve development on actively mobile landforms by considering:

- a) Protecting coastal values and natural coastal processes;
- b) Achieving and maintaining a tolerable level of risk; and
- c) The benefits to the public and dependency on the particular location.

CCAA **supports** the intention of the SPO to resolve this prohibition on development. However, the approach proposed is likely to add a requirement for an additional assessment for sand operations that is unnecessary for level 2 operations as outlined below.

Critical Concrete Sand Resources

The manufacture of concrete relies on the reliable and proximate supply of construction sand that has a specific grading and quality to meet rigorous standards.

The heavy construction materials sector sources construction sand predominantly from reserves located in the coastal zone as determined by natural geology. The material property requirements of construction sand make alternative sources such as crusher dust and crushed glass either unsuitable or only suitable as a minor component in a majority coastal sand feed. Therefore, around the state, most quarrying operations supplying critical construction sand are located in the coastal zone.

These operations have already been rigorously assessed under the *Environmental Management and Pollution Control Act 1994* (EMPC Act) and have permits issued by the local government authority under the *Land Use Planning and Approvals Act 1993* (LUPA Act) with an environmental permit attached. All extractive operations targeting mineral resources are required to hold a current Mining Lease (ML) issued by the Minister for Resources.

The process to permit extraction of sand from within the coastal zone is facilitated and managed through the following sections;

- **Outcome 2.1.2.** requires development proposals to be assessed for environmental impact.
- **Outcome 2.1.8.** requires extraction of construction materials to be allowed under the *Mining Act 1929* legislation that has been replaced by the *Mineral Resources Development Act 1995* (MRD Act).
- **Outcome 2.1.10.** makes extraction subject to the Quarry Code of Practice and other requirements applied through regulation under the EMPC Act.

- **Outcome 2.1.11.** requires that extraction of sand is provided for by the zoning of appropriate areas in planning schemes.

CCAA **supports** the proposal to resolve ambiguity in the way the SCP is worded to remove the prohibition of development within certain areas of the coastal zone. Development within all areas of the coastal zone should be subject to a merit-based assessment that considers the benefits, risks and impacts.

However, CCAA **does not support** introducing another level of assessment for construction sand operations which are already subjected to rigorous assessment through the *Land Use Planning and Approvals Act 1993*, the *Environmental Management and Pollution Control Act 1994* and the *Mineral Resource Development Act 1995* as this may discourage existing operations from expanding and new operators from considering greenfield operations.

Concerning shortage of construction sand

Mineral Resources Tasmania has recently undertaken a comprehensive study and found that the supply of construction sand in Southern Tasmania is in a precarious state. Most of the known resource is already sterilised by peri-urban development and those operations currently supplying sand have limited reserves remaining.

In other jurisdictions sand dredging is applied to secure construction sand but these operations have serious environmental and social consequences which should be avoided.

A commonly proposed alternative for Tasmania is to truck sand from the north. Such a proposal generates additional greenhouse gas emission, environmental impacts, along with social and road safety implications. It should be noted here that much of the known resource in northern Tasmania, and some current extractive operations, are also in the coastal zone and hence their development would be similarly affected.

The additional assessment proposed for existing operators and potential new operators to finance expansion and new sand extraction operations in Tasmania is put at great risk. Consequentially, the future housing construction, private and public infrastructure and renewable energy transition will be unviable through a lack of concrete sand resources.

CCAA **supports** the State Planning Office proposal to remove ambiguity from the State Coastal Policy (SCP) and promote consideration of appropriate development in all areas of the coastal zone.

However, CCAA considers the requirement for assessment and approval under the SCP should **not apply to Level 2 Activities** that are already subjected to rigorous assessment under the *Environment Management and Pollution Control Act* and should be exempt.

To discuss this further, please contact Brian Hauser, State Director, Victoria and Tasmania

Yours sincerely,

Michael Kilgariff
Chief Executive officer

Our Ref: LP.PLA.9

Enquiries: Michelle
Riley Phone :

16 October 2024

State Planning Office
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Dear Sir/Madam

Submission to Position Paper – Review of State Coastal Policy – Development of Actively Mobile Landforms

Thank you for the opportunity to provide input into the Review of the State Coastal Policy.

West Tamar Council provides the following feedback as endorsed at its meeting of 15 October 2024.

Amendments to outcome 1.4.2

Council provides in principle support for amendments proposed to outcome 1.4.2 on page 12 of the Position Paper. It provides for an assessment of the potential risk and impact on coastal values rather than providing a broad prohibition. It also provides clarity around the circumstances when development can be undertaken and allows for more detailed criteria to be considered in planning or building controls as relevant.

Definition and mapping of Actively Mobile Landforms

Council supports the introduction of a definition and mapping of Actively Mobile Landforms.

A proposed definition was not included in the Position Paper and recommends that appropriate technical advice be sought to develop a definition.

The Position paper suggests that the 'present dune mobility' layer available on the List may be a suitable mapping layer to identify locations with Actively Mobile Landforms. Council does not support the use of this layer.

A mapping layer should be prepared by suitably qualified persons which is specifically created to identify Actively Mobile Landforms, consistent with the definition that is prepared, for the purpose of regulating development and supporting strategic planning processes. The 'present dune mobility' layer is not fit for purpose and does not represent an appropriate data set for this purpose.

Other matters that could be considered in the review

The width of the coastal zone and therefore the area where the State Coastal Policy applied is currently inland. This captures a large area of the state and existing urban areas. It may be timely to consider if the 1km buffer should be reduced and still maintain effective management of the potential impacts on the coast and waterways from development in this zone.

In considering the draft Tasmanian Planning Policies, the Tasmanian Planning Commission made the following recommendation:

- 7.1 Legislative change be considered that allows for more efficient processes when assessing LPS reviews and amendments (refer to section 34(2A)) – such that once the RLUSs and SPPs have been reviewed (so that they are in conformity with the TPPs) then if the LPS is consistent with them then it is also deemed to be consistent with the TPPs.*

Council recommends that the same approach be taken for establishing compliance with any of the State Policies in developing Regional Land Use Strategies, State Planning Provisions and Local Provision Schedules.

If you would like to discuss this matter further please contact Michelle Riley, Director Planning and Development on or via email at

Yours faithfully

Kristen Desmond
CHIEF EXECUTIVE OFFICER

From: Rose Farrell
Sent: Wednesday, 16 October 2024 9:47 PM
To: State Planning Office Your Say;
Subject: Scrap the proposed amendment that proposes to remove a key part of the State Coastal Policy, section 1.4.2,

Dear Tasmanian parliamentarians

The need for the amendment which would remove a key protection for actively mobile landforms such as frontal dunes **has not been established** . I do NOT support this change and I recommend the proposed amendment to the State Coastal Policy be **abandoned**.

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy IS **and why** the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is **no reference to legal advice in it**.

The state government has previously refused to release any legal advice in this matter, and it is uncertain if it has **obtained** any. If the government **cannot** explain the need for the change, then it should not **make** the change. There is a very good reason to **keep clause 1.4.2** of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation, cultural and natural values.

In my opinion - and that of thousands of Tasmanians - it seems as if the state government has **fabricated** a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential **legal** obstacle for any wind farm developments that require infrastructure on coastal areas. The use of section 12 of the *State Policies*

and *Projects Act 1993* allows the amended policy to have effect while it is being reviewed by the Tasmanian Planning Commission.

The Rockliff MINORITY government finds itself already in escalating trouble regarding his infrastructure planning ministry. Add this to:-

---- the disgust with the "surprise" Macquarie Point Stadium "commitment" which the Gutwein LIBERAL government foisted on Tasmanians before ----

---- the previous YEAR EARLY state election !!

---- the debacle over the re-fueling issues created by the antartic vessel not being able to travel beneath the Tasman Bridge.

---- the Spirit of Tasmania docking facilities lack of transparency and extremely costly delays.

---- the heaping of criticism on its recent Budget by respected spokespeople and despair of voters already affected by cost of living crises !!!

----- The obvious weakness of **this** State Coastal Policy planning MISTEP is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months by having become an ***Interim State Policy***.

This current State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years **without** a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically **when** development assessments are made.

The recently released **State of the Environment Report** recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment "but **ONLY** if the Tasmanian Planning Commission's **intent** in making the recommendation is followed and that a **full review** under the *State Policies and Projects Act 1993* is undertaken (**and not this 'fast-track' process through section 12**).

The **impacts of climate change** make it even more important not make it easier for development to be built on actively mobile landforms such as sand dunes. RIGHT NOW the Climate Change Office ReCFIT is in active engagement with community consultation feedback to its draft EMISSIONS REDUCTION and RESILIENCE PLANS. I know because I have been participating in this process. RESILIENCE to CLIMATE-RELATED RISKS is one of THREE aspects which this Tasmanian Climate Change Office is **also** working on "with business and industry".

THEREFORE SCRAP the proposed amendment - that proposes to remove a key part of the State Coastal Policy, section 1.4.2,

Yours sincerely,

Mrs Rosemary Farrell

From: Sue Foster
Sent: Wednesday, 16 October 2024 9:24 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I am Tasmanian born and bred. My family have lived on the coast all my life. Our house in Devonport directly overlooks Bass Strait and we have a shack at Hawley. I know Tasmania's coast and coastline intimately, particularly the NW, W, SW and E coasts. I have walked, swum, surfed, bushwalked and birdwatched around Tasmania's coastline for my entire life (58 years). I have watched coastal erosion, damage to coastal ecosystems and poorly regulated development with concern for the last 30 years. Constructive change and much tighter protection is required in the State Coastal Policy. This is not the case with that proposed.

I absolutely oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Proposed amendment should be abandoned

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state

government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government wants to make it easier to build windfarms on the coast

The purpose of the state government proposal appears to be aimed at removing a potential legal obstacle for wind farm developments that require infrastructure on coastal areas. Whilst wind farms have helped renewable energy production worldwide, it is imperative that they do not do more environmental damage than they prevent.

Actively mobile landforms have high conservation values and must be protected

Clause 1.4.2 of the State Coastal Policy should be retained as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Planning uncertainty with fast track amendment process

As outlined in the Position Paper, the State Government proposes to use section 12 of the State Policies and Projects Act 1993 that allows the amended policy to become an Interim State Policy and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive progressively and **proactively** to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “*Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.*” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the State Policies and Projects Act 1993 is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely

Dr Susan Foster

From: Ana Lara <>
Sent: Wednesday, 16 October 2024 8:58 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

To whom it may concern,

One of Tasmania's assets are its coastlines and unspoiled landscapes. The government uses these assets to promote Tasmania as an environmental and green state, yet changing how our coastlines are managed and by promoting over development instead of protection will not only undermine our precious environment but will also have a negative economic effect. Why do we want to do what other regions or places do?

People visit Tasmania because it is unique and we should keep it that way.

In addition, sand dunes play an important role in protecting the coast from erosion, we have witnessed in other regions around the world that have removed this protection how their coasts are getting eroded.

There are places that may be better for development but sand dunes are not one of them.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Ana Lara Lopez

From: Aditya Munshi <>
Sent: Wednesday, 16 October 2024 8:30 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

Good evening,

I am writing regarding the proposed changes to the State Coastal Policy. I moved from WA to Tasmania due to Tassie's pristine coastlines, forests, and more. I spend a lot of time along our coasts and believe our small island state has seen and continues to see sufficient development. We need to think of the long term sustainability of the island, and also not just of ourselves as Tassie home to a wide array of wildlife, marine life and creatures who live along the coasts. I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

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As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Adi Munshi (he/him)

A Concerned Tasmanian Resident

From: TasWater Development Mailbox <>
Sent: Thursday, 17 October 2024 1:27 PM
To: State Planning Office Your Say
Subject: TasWater Advice TWSI 2024/00601-HCC, RE: Have your say: Position Paper on the Review of the State Coastal Policy

Hi,

TasWater has no submission to make on this Position Paper.

If you have any queries, please contact me.

Al Cole
Senior Assessment Officer



M

A GPO Box 1393, Hobart, TAS 7001

taswater.com.au

Think about the
water we waste

[Learn more >](#)



CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender.

From: Dennis O'Donnell <
Sent: Thursday, 17 October 2024 12:54 PM
To: State Planning Office Your Say
Subject: Fwd: Retain current prohibitions on coastal development

-
Subject: Abandon the proposed amendment to the State Coastal Policy
To:

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we

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Yours sincerely,

Dennis O'Donnell

From: Anne
Sent: Thursday, 17 October 2024 12:30 PM
To: State Planning Office Your Say;
Subject: Retain current prohibitions on coastal development

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

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The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

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Yours sincerely,

Anne Wennagel

From: Stephanie Kensitt
Sent: Thursday, 17 October 2024 12:07 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I have a strong love for the coast and all things in it. I believe very strongly that our coast is a valuable environmental buffer and a measure of the health of our oceans. It is fragile and cannot be used as though it is a resource that can be replaced. It cannot.

Therefore, I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

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Yours sincerely,

Stephanie Kensitt

From: Cynthia Wagner
Sent: Thursday, 17 October 2024 11:47 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landform

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

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Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

**Yours sincerely,
Cynthia Wagner**

From: Jenny Cambers-Smith <>
Sent: Thursday, 17 October 2024 11:47 AM
To: State Planning Office Your Say
Cc:
Subject: Submission to State Coastal Policy Changes Consultation

I am deeply concerned by the multiple ways in which the current state government is endeavouring to change planning laws to make it easier for developers to disregard community and effects on the environment.

The State of the Environment Report should have been a wake up call, given its damning revelations of how poorly our environment has been stewarded over the last 10 years.

This is further evidenced by the current proposals to weaken Tasmania's Coastal Policy. We have some of the most unique, wild and biodiverse coasts in the world. We should want to conserve these for future generations and enhance their amenity value for both humans and wildlife, not find ways to fast-track inappropriate developments.

While I am not against windfarms including offshore windfarms, at all, it is vital that they and their coastal operating bases, are very carefully sited so as not to detract from natural values or be developed against the wishes of local communities. I have also made a submission to the Energy Emissions Reduction and Resiliency Draft Plan, in which I fail to see the logic or business case for a 200% increase in our renewable energy production. The aim appears not to be to electrify Tasmania's own polluting industries, wood-burning stoves or transport, but instead to provide cheap energy for greenwashed industries such as those inefficiently creating so-called 'green' hydrogen for export.

This recent proposed change to the Coastal Policy seems part of the same set of ambitions - ie to facilitate and fast-track large windfarms, which will do nothing for local communities (barring maybe a handful of jobs) but will instead require ugly, expensive and non-resilient high voltage transmission lines marching across agricultural land, forests and reserves, and lock us into the expensive (for Tasmanians) NEM and Marinus.

I am absolutely against a change in the Coastal Policy which would allow for development on 'mobile coastal landforms'. It would be entirely quixotic to allow this, not only for the developer who might well find their buildings washed into the sea, but it will interfere with natural processes and quite likely lead to problems for other communities (human or ecological) further down the coast, as well as impacting the biodiversity of the landforms themselves.

The definition of a 'mobile coastal landform' is self-evident and hardly needs further definition. The State of the Environment Report calls for a review of the Coastal Policy - but this clearly was not aimed at weakening it! Rather than SoE calls for greater protections for our natural heritage.

I'm also deeply suspicious of and against the 'fast-tracking' of developments. Such processes (eg the DAPs recently proposed for private developments and reserves) are clearly designed to bypass local councils and local councils, and weaken environmental protections. If we compare Tasmania's planning regime with that of mainland states, we actually perform quite well in terms of speed of determination. Planning is complicated and requires that appropriate weight be given to the views and effects of a range of stakeholders, including the natural environment. It is not something that can just be whisked through at the behest of a large corporate. Planning affects not just the current generations, but those into the future - it is entirely appropriate that time be taken to make the right decisions - especially given the huge challenges we face arising from climate changes.

Thank you for considering my submission.

Regards,
Jenny Cambers-Smith

From: Steven Chater >
Sent: Thursday, 17 October 2024 11:07 AM
To: State Planning Office Your Say
Cc:
Subject: Keep the prohibition on development in actively mobile landforms

The State Coastal Policy has protected Tasmania's unique and largely unspoilt coast for nearly 30 years. Proposed changes to Tasmania's State Coastal Policy (<https://www.stateplanning.tas.gov.au/have-your-say/consultations/regional-land-use-strategy-reviews/amendment-to-the-state-coastal-policy-1996>) would profoundly weaken the Policy and the way coasts are managed and protected in Tasmania.

In particular, the changes would remove a key protection for actively mobile landforms such as frontal dunes. These are natural dune systems which provide a buffer zone to coastal erosion and habitat for native plants and animals.

Is this a thinly veiled attempt to allow wind farm development on Tasmania's coast?

The Position Paper does not provide a convincing explanation for what the supposed problem with the State Coastal Policy is and why the amendment is being proposed. If the State government cannot explain the need for a change, then it should not be making changes.

For these reasons I oppose the proposed changes to the State Coastal Policy.

Yours sincerely,

Steven Chater

From: ALAN CARTER <>
Sent: Thursday, 17 October 2024 9:53 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

The Tasmanian coastline is a fragile beauty and treasure that needs all the protection we can give it. I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

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Yours sincerely,

Alan Carter

From: Geoff Dodd <>
Sent: Thursday, 17 October 2024 9:22 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I am very concerned about the protection for Tasmania's coastal natural environment, including proposed projects on Robbins Island, and oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

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Yours sincerely,

Geoffrey Dodd

From: Trish Moran
Sent: Thursday, 17 October 2024 8:45 AM
To: State Planning Office Your Say
Subject: Retain the prohibition on development in actively mobile landforms

I'm writing to you about the state government's proposed changes to state coastal policy.

Our largely unspoiled coastlines, available to all, make Tasmania a special place to live. There are so few natural and accessible coastlines left in Australia. Here in Tasmania, generations of my family happily walk the beaches, swim and paddle the bays and camp behind the dunes. It's part of so many Tasmanians' way of life. Please don't let it slip away.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

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It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

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Yours sincerely

Patricia Moran

From: Carlos Whiley <>
Sent: Thursday, 17 October 2024 8:25 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

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Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Carlos Whiley

From: Dr Lynda Prior
Sent: Thursday, 17 October 2024 8:06 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

Tasmania's coastline is precious to all Tasmanians, and a major drawcard for tourists from other Australian states and overseas.

I am therefore concerned that the state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned. I oppose these changes due to the below issues and concerns:

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it

has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

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Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Dr Lynda Prior

From: craig Ling <>
Sent: Thursday, 17 October 2024 6:34 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms`

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true

interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours Sincerely

Craig Ling

From: Colin Allen <>
Sent: Thursday, 17 October 2024 2:10 PM
To: State Planning Office Your Say
Cc:
Subject: Changes to Coastal Policy

Dear Members,

As a Landscape Planner/Architect and having been born, studied and worked in Tasmania I strongly object to proposed changes to the Tasmanian Coastal Policy.

In particular the need to retain the prohibition on development in actively mobile landforms.

I also oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Colin A. Allen

From: Kath McGinty <>
Sent: Thursday, 17 October 2024 2:25 PM
To: State Planning Office Your Say
Cc:
Subject: Subject: Retain the prohibition on development in actively mobile landforms

The Tasmanian coastline is a fragile beauty and treasure that needs all the protection we can give it. I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Kathleen McGinty

From: YABBO THOMPSON >
Sent: Thursday, 17 October 2024 3:21 PM
To: State Planning Office Your Say
Subject: Coastal Policy

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Proposed amendment needs to go

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant

problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

I know this is a copied submission, but basically I submit that we need to leave our coast alone!

Thank you

Yours sincerely,

Yabbo Thompson (Ms)

From: Cindy Aulby <c>
Sent: Thursday, 17 October 2024 5:03 PM
To: State Planning Office Your Say
Cc:

Please retain the State Coastal Policy prohibition on development in actively mobile landforms

Subject:

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Please abandon the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

Is this amendment really to make it easier to build windfarms on the coast?

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

The State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,
Cindy Aulby (*she/her*)

I am grateful to live and work in nipaluna, lutruwita, the ancient land belonging to the muwinina and palawa people, who nurtured this place for tens of thousands of years. I offer my respect to elders, past, present and emerging, and acknowledge that sovereignty was never ceded.

From: Anne Boxhall <>
Sent: Friday, 18 October 2024 2:20 PM
To: State Planning Office Your Say
Cc:
Subject: changes to state coastal policy

I strongly oppose the proposed changes to the State Coastal Policy.

Living on the coast for the past 30 years, sand dune erosion is highly visible in my locality and alarming in its impact.

The impacts of climate change means it's vital to **not** make it easier for developments to be built on actively mobile landforms such as sand dunes.

There's a real sense the changes are being proposed to fast-track wind farm developments. A full, comprehensive review of the coastal policy under the State Policies Projects Act 1993 (as recommended by the State of the Environment Report) is urgently required to respond to climate change pressures and threats.

Anne Boxhall

From: Trish Baily <>
Sent: Friday, 18 October 2024 1:32 PM
To: State Planning Office Your Say
Cc: Retain the prohibition on development in actively mobile landforms

Subject:

I oppose the proposed changes to the State Coastal Policy due to issues stated below:

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

It is completely ludicrous that with Global Climate Change and hence rising sea level that any incursion into our frontal dune systems would be made - Knowing what we know now then we must do all in our powers to help reduce coastal erosion by making sure the dune systems are well vegetated and protected.

It seems that the State Government has its eyes set on removing any obstacle to wind farm developments that require infrastructure on coastal areas: Robbins Island - NE Tomahawk area for eg. Our coastal areas are increasingly vulnerable and given the stern warnings in the SOER, government must undertake to protect our vulnerable coastal areas. All forms of development should be banned and every effort be made to help alleviate the current rapid deterioration of our coastal areas due to storm surges, and rising water levels.

Submitted by - Trish Baily - .

From: Ben Lans
Sent: Friday, 18 October 2024 12:27 PM
To: State Planning Office Your Say
Cc:
Subject: Please Retain the Prohibition on Coastal Mobile Platforms

Dear Members of Parliament,

I oppose the proposed changes to the State Coastal Policy as I believe they do not need to be changed:

I am dismayed by the manner in which this government is managing and proposing to manage the Tasmanian natural environment. The government's record is questionable by any measure, and it appears that there is a rush to change environmental laws that may hinder the development of alternative sustainable power, namely wind power. Whilst sustainable power is definitely needed, the rush to build wind turbines all over the north west of the state, in areas that often

are desirable for wind availability but clearly unsuitable for many environmental and cultural reasons, will result in devastation of coastal zones and native forests without proper consideration.

I am strongly of the opinion that the government should scrap the proposed amendment which would remove protection for landforms such as frontal dunes.

The reasons are:

- There is no explanation as to why there is such a need and appears to be a change simply to allow windfarms to be built.
- The impacts of climate change make it imperative that we protect our coastal zones, not make it easier to remove sand dunes or build upon them.
- If you fast track amendment without proper consultation and advice, it sends a message of improper conduct in the preparation of legislation for ulterior purposes, other than the purpose of protecting our natural values.
- The recently published State of the Environment Report gives the Tasmanian government little credit in the proper management of the natural environment. Making hurried changes are not an outcome recommended by the report, in fact the report recommended that the state conduct a complete review of processes of management associated with the environment.

Yours Sincerely,

Ben Lans

From: Anne Lockett <>
Sent: Friday, 18 October 2024 12:20 PM
To: State Planning Office Your Say
Cc:
Subject: yoursay.planning@dpac.tas.gov.au

Retain the prohibition on development in actively mobile landforms:

I have lived near the coastline as a child & now returned to Tasmania in retirement & live right on the coastline. I am appalled at how the Tasmania Govt. & local Govt.(Latrobe) do not value our beautiful coastline & the natural flora & fauna within. Instead it seems to me that developers have more say than residents. Tasmania has more migrants from other states because of our natural scenery. It is highlighted as an asset & yet fast being removed to be replaced by concrete jungles (housing without any green space provided) plus concrete pathways.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key

protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when

development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Anne Lockett

Disappointed Tasmanian

From: Paul Turner <>
Sent: Friday, 18 October 2024 12:15 PM
To: State Planning Office Your Say
Cc: c
Subject: Submission on Actively Mobile Landforms Position Paper – Please retain the existing prohibition on development

Please find below a Submission pertaining to the '***Review of the State Coastal Policy - Development of Actively Mobile Landforms Position Paper***'.

I strongly oppose the proposed changes to the State Coastal Policy. I am dismayed that these changes, if approved will lead to inappropriate development on Tasmania's coasts that will destroy habitats of endangered flora and fauna, jeopardise sustainable tourism and negatively impact on what makes

Tasmania's coast so special to Tasmanians and national/international visitors.

My key concerns and issues are detailed below - thank you for taking the time to read my submission.

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Dr Paul Turner



18 October 2024

State Planning Office
Department of Premier and Cabinet
yoursay.planning@dpac.tas.gov.au

Australian Coastal Society (Tasmania) Submission on

Review of the State Coastal Policy – Development of Actively Mobile Landforms Position Paper

The Australian Coastal Society (ACS) is a national organisation dedicated to healthy coastal ecosystems, vibrant coastal communities and sustainable use of coastal resources. The objectives of the organisation are:

1. To promote and share knowledge and understanding of the environmental, social and economic values of the Australian coast.
2. To contribute to international, national, state and local debates on coastal issues to foster informed, open decision-making to sustain coastal resources and natural assets.
3. To provide a forum for the exchange of ideas and knowledge among stakeholders involved in the management, planning and development of the Australian coast.
4. To promote the protection and conservation of coastal sites of environmental and cultural significance.
5. To facilitate the development of the knowledge and skills of those engaged in coastal natural resource management, planning, development and other relevant industries along the Australian coast.

Further details of the ACS are at <https://australiancoastalsociety.org.au/>

The Tasmanian Branch of the ACS welcomes the opportunity to make a submission to the ***Review of the State Coastal Policy – Development of Actively Mobile Landforms Position Paper*** issued by the State Planning Office, DPAC (hereafter “Position Paper”).

Summary of ACS submission

The State Coastal Policy 1996 has protected Tasmania’s coastal values and processes as intended for nearly 30 years. In most instances, the Policy has provided guidance on decision making regarding development on the coast that has prevented much inappropriate development. The Policy has been used by planners and managers as a blueprint for quality coastal development.

At times the State Coastal Policy has been used for decision making by the Crown, in RMPAT, by the TPC and in the Courts. It has also been ignored too many times, in part through ignorance, at times no doubt deliberately, at least partially due to the absence of resources to implement the Policy. Nonetheless, Tasmania’s coastline remains in reasonable condition with the avoidance of coastal ribbon development and ill-advised development in hazardous areas subject to this submission.

The ACS submission raises extensive doubts with respect to the changes proposed by the Tasmanian Government in the wording of Outcome 1.4 (**Part 1**). The submission identifies critical flaws in the proposed use of existing mapping layers (**Part 2** and detailed in **Appendix 1**), and raises serious concerns regarding the proposed Interim State Policy (**Part 3**).

Yours sincerely,

Dr Eric J Woehler OAM
Co-Chair, ACS Tasmania

Chris Rees
Co-Chair, ACS Tasmania

1. Proposed change to Outcome 1.4 of the State Coastal Policy

The Tasmanian Government proposes to substantially alter the existing wording of Outcome 1.4 of the State Coastal Policy (**Box 1**), taken from the DPAC Position Paper.

Box 1. Existing wording of Outcome 1.4 of the State Coastal Policy.

1.4. COASTAL HAZARDS

- 1.4.1. Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea-level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.
- 1.4.2. Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.
- 1.4.3. Policies will be developed to respond to the potential effects of climate change (including sea-level rise) on use and development in the coastal zone.

Box 2. The Position Paper includes these proposed changes to Outcome 1.4.2.

6.5 Amendment to State Coastal Policy

As a starting point for discussion and to assist with the consultation process, submissions are invited on the following proposed draft amendment to the SCP:

Delete Outcome 1.4.2 and replace with:

*1.4.2 Development on actively mobile landforms will only be allowed for engineering or remediation works **necessary** to protect land, property and human life, unless it can be demonstrated that the development **appropriately considers***

- a) protecting coastal values and natural coastal processes*
- b) achieving and **maintaining** a **tolerable** level of risk; and*
- c) the **benefits** to the public and dependency on the particular location*

ACS response:

There can be no doubt that the proposed revised Outcome 1.4.2 introduces additional and extensive uncertainty and vagueness to the State Coastal Policy, significantly undermining its current effectiveness in restricting and preventing developments inconsistent with the protection of the coastal zone in the public interest of all Tasmanians.

Qualifiers in the proposed text (identified above in **bold type** by the ACS for emphasis) each - and in combination - introduce confusion, a reduction in clarity and an increase in uncertainty with respect to the current Outcome 1.4.2.

Similarly, there can be no doubt that each Tasmanian Government agency and all of the 24 Tasmanian coastal Councils will each interpret the proposed Outcome 1.4.2 uniquely specific to their situation-specific circumstances, resulting in a disparate, *ad-hoc* and numerous inconsistent implementations of the proposed Outcome 1.4.2.

Of substantial concern is that there is no mention of avoiding or minimising risks mentioned, considered or incorporated at any point into the proposed Outcome 1.4.2. There is no mention, implicit or explicit, that risks to coastal values and processes should be (a) avoided or (b) minimised.

As a consequence, the proposed Outcome 1.4.2 is inconsistent with, and antagonistic to, all three Principles of the State Coastal Policy and should be rejected in favour of a proper review of the policy as provided for in the Act. The three Principles are:

- **Natural and cultural values of the coast shall be protected.**
- **The coast shall be used and developed in a sustainable manner.**

- **Integrated management and protection of the coastal zone is a shared responsibility.**

It is unclear in the Position Paper whether the existing Outcomes 1.4.1 and 1.4.3 remain intact or whether either or both may be modified or even removed. The Position Paper is silent on the existing Outcomes 1.4.1 and 1.4.3. The Government must understand that the State Coastal Policy states that, “No one principle should be read in isolation from the others to imply a particular action or consequence.

The proposed replacement text for Outcome 1.4.2 as indicated in the Position Paper is unclear in terms of the relationship among the three clauses (a – c) provided. Must all three be met [as suggested by the “and” at the end of b)]? Is there an implied hierarchy in the clauses, or are all three given equal weighting? Greater clarity is obviously required.

The following points list the critical weaknesses in the Tasmanian Government’s proposed revision of Outcome 1.4.2 identified by the Australian Coastal Society:

1. How will “**necessary**...” be identified? By what criteria will a proposal be deemed to be “necessary”? To whom will the works be deemed “necessary”? All developers will claim their project is “necessary”! This will be their universal starting position. Will it be dependent upon the TPC to assess the claim of a proposed work to be “necessary”?
2. By what criteria and how will a project’s developer be assessed as having “**appropriately consider**” the listed criteria? There are no guidelines nor requirements identified nor offered by which to identify the scale, intensity or breadth of the required “considerations”.

Each development proposal will possess unique characteristics – how will Councils and/or the TPC determine whether the developer has considered the proposal “appropriately” given there are no specifications nor criteria provided?

3. Over what time and space scales will the “**tolerable**” risks be **maintained**? For one year? A decade perhaps? Over what area or spatial extent are the risks to be assessed or maintained? Are they to be confined to the development footprint? What about risks to adjoining properties? It is not inconceivable that a coastal development such as a seawall may reduce some risk to a proposal but would exacerbate risks to adjoining and adjacent properties.

How is “**tolerable**” defined? “Tolerable” to whom and under what circumstances? The developer only? Will adjacent/adjoining landowners be consulted to determine what risks may be “tolerable” to them? What about the broader community? What is undoubtedly “tolerable” to a developer may not be “tolerable” to the community.

Perhaps “**tolerable**” is to be defined on the basis of whether a proposal can be insured? Again, will it be incumbent upon the TPC to assess the risks associated with a proposed work to be “tolerable”?

4. How will the “**benefits**” be determined? To whom do the “benefits” go? Just to the developer or more widely? Clearly and without doubt, there will always be “benefits” to the proponent otherwise there would be no development proposal, so this criterion will always be met by all proposals from the outset before any “consideration” has been initiated.

Clearly, and regrettably, this clause introduces economic considerations into the management and conservation of Tasmania’s coastal areas, values and processes. How do the claimed economic benefits align with the Sustainable Development Objectives of the *State Coastal Policy 1996*, the *State Policies and Projects Act 1993* and the entire Resource Management and Planning System of Tasmania?

ACS rejects the proposed approach to coastal development based solely on risk-analysis and economic benefits. Instead, ACS proposes an hierarchical approach to the conservation and management of Tasmania’s coastal values and processes.

As a matter of public interest for all Tasmanians, ACS asserts that the Policy must prioritise the protection of the

natural and cultural values of the coast, including the natural biodiversity and geomorphic processes. This requires the avoidance of development and works on hazardous coastlines, in particular those potentially giving rise to the need for insurance or damage protection and/or remediation whilst still allowing low-key works that support international best practice coastal management in protecting natural and cultural values.

Hazardous coastlines are by definition vulnerable to flooding and erosion from occasional severe climatic events, and the revised Outcomes therefore must avoid exacerbating risks to natural and cultural values and to people, land and built assets.

Further and critically, failure to give due respect to natural coastal processes can lead to extremely costly interventions, beyond the reach of private, community or government budgets for even small areas when things go wrong. Major climatic events can lead to dramatic, rapid and far reaching impacts on low lying and erodible landforms - as evidenced by countless examples around the coastlines around the globe.

International best practice and the common sense approach to managing risks posed to values and assets in and by these areas is, as far as possible, to leave them alone other than providing for management initiatives supporting low impact human activity consistent with their protection.

ACS therefore proposes the following redrafting of Outcome 1.4 to address the Government's intended vagueness by providing a clarity that will guide proponents, managers, decision makers and the wider Tasmanian community.

Box 3. ACS proposed redrafting of Outcome 1.4 COASTAL HAZARDS

1.4 COASTAL HAZARDS

- 1.4.1 *Development in areas subject to risk from natural coastal processes and hazards such as inundation, erosion, landslip, littoral drift, dune mobility and sea level rise will not be permitted except for works consistent with Outcome 1.4.2*
- 1.4.2 *Works in areas covered in 1.4.1 shall be limited to public foreshore access, vegetation and animal management, public health and safety, scientific monitoring and ground-based navigation aids. The installation of linear public infrastructure such as cables and pipelines is to be minimised, and land and marine vehicular access to foreshores will only be permitted in notified emergencies where public facilities are unavailable.*
- 1.4.3. *Policies will be developed to respond to the potential effects of climate change (including sea-level rise and associated worsening risks and impacts of severe weather events) on use and development in the coastal zone.*

2. Proposed change to terminology used in the State Coastal Policy

The Tasmanian Government's Position Paper invites submissions on the terminology within the current Outcome 1.4.2 (**Box 1**, above). This invitation arises from the acknowledged lack of an operational or functional definition of what constitutes, "*actively mobile landforms*" within the State Coastal Policy.

Box 4. The Position Paper includes this discussion:

6.5 Amendment to State Coastal Policy

There is also a need to provide greater clarification around 'actively mobile landforms' to assist with the application of the SCP. One option might be to use the *present dune mobility* layer of the Land Information System Tasmania (the LIST) to identify coastal 'actively mobile landforms'. This layer informed the preparation of the coastal erosion hazard bands that are implemented through the Tasmanian Planning Scheme.

Submissions are invited on how the SCP might define or use the existing mapping to provide greater certainty as to what constitutes 'actively mobile landforms' and therefore the application of the Outcome.

ACS response:

As noted in section 4.3 of the position paper, Sharples (2012) noted that the term, "*actively mobile landforms*" as used in Section 1.4.2 of the State Coastal Policy was ambiguous and undefined, and that had impacted on the application and usefulness of the policy.

In principle, there are two potential options available to the Tasmanian Government to resolve the ambiguity around the phrase, "*actively mobile landforms*". These are to either (a) provide a clear and unambiguous definition of the term, or (b) to identify, "*actively mobile landforms*" on the basis of using the available *present dune mobility* mapping to identify such features (as suggested in Section 6.5 of the Position Paper).

Despite the State Coastal Policy having been in effect for almost 30 years, a satisfactory operational or functional definition of the phrase "*actively mobile landforms*" has yet to be found, and as noted in Section 4.3 of the Position Paper, there is no agreed definition available. The ACS agrees with this assessment.

However, the ACS considers the proposed alternative of using the LIST mapping layer *present dune mobility* to be problematical for multiple reasons (as detailed in the Appendix) to the point where this proposed alternative approach has no merit nor benefit.

Consequently, the ACS recommends that avoiding the ambiguity created by the use of the term "actively mobile landforms" in the State Coastal Policy is essential, and ACS supports a risk-based approach based on the combination of landforms and locations exposed to specific risks.

ACS therefore strongly recommends total avoidance of the term "*actively mobile landforms*", and alternatively recommends our proposed redraft of Outcome 1.4 (see Box 3, see page 4).

To support this proposal, and in order to facilitate the essential identification of hazardous areas listed in ACS's proposed Outcome 1.4, guidance is found in **Appendix 1** (below), where the available data sets and critical data gaps are identified, as is the need for ongoing assessment of these areas.

3. Proposed Interim Policy

The Tasmanian Government proposes to establish an Interim State Policy that gives immediate effect to the proposed changes to the wording of Outcome 1.4.2.

Box 5. The Position Paper includes this detailed description of the intended process:

7.0 Next Steps

State Policies are made under the SPPA. Section 15A of the SPPA includes the provisions for amending a State Policy. The process involves a Ministerial direction to the Commission to determine whether the draft amendment is considered a significant change. Because the amendment involves replacing a self-executing prohibition, with an allowance to consider a broader range of developments than under Outcome 1.4.1, it is anticipated that the Commission will determine that the draft amendment will result in a significant change to the SCP. If this is the case, the Minister directs the Commission to prepare a report which also triggers the Commission to exhibit the draft amendment to the SCP.

During the exhibition, the Governor, in accordance with section 12 of the SPPA and on request from the Minister, may declare that the draft amendment is to be an Interim State Policy after being satisfied that it is necessary for the amended SCP to apply without delay. There is evidence that the current drafting of the SCP is ambiguous and creates perverse outcomes and is not in line with the evolution of risk-based planning controls for other natural hazards as found in the Tasmanian Planning Scheme.

A State Policy that comes into operation as an Interim State Policy ceases to operate:

- a) when the Governor gives notice in the Gazette of its termination;
- b) either House of Parliament passes a resolution disallowing it;
- c) is superseded by a State Policy made in accordance with section 11 of the SPP Act; or
- d) 12 months from the day it became operational.

Using section 12 of the SPPA would allow the amended provisions of the SCP to have a more immediate effect and be applicable to development applications while the Commission undertakes its assessment of the draft amendment.

Section 13 also enables the Commission to make amendments to a planning scheme to remove any inconsistency with a State Policy. The coming into effect of an amended SCP will inform any amendments that need to be made to the SPPs.

ACS response:

The proposal to establish an Interim State Policy is abhorrent to the ACS and should be abandoned in favour of a proper review pursuant to the *State Policies and Projects Act 1993*. As proposed, the Interim State Policy would give immediate effect to the Government's proposed revision of Outcome 1.4 before any consideration by the Tasmanian Planning Commission, and before any public consultation or submission by the Tasmanian Community and the Parliament.

This is the first time there has been an Interim State Sustainable Development Policy proposed in Tasmania, and ACS questions the urgency with respect to Outcome 1.4, when the ambiguity has been acknowledged since at least 2009. The proposed action in the Position Paper appears to be fast-tracking the Policy amendment process in order to facilitate the approval for the proposed Robbins Island and likely North East Wind (Rushy Lagoon) Windfarms, clearly accommodating commercial developers ahead of following the statutory process.

The Government's haste pre-empts any recommendations that the Tasmanian Planning Commission may have in relation to the wording of Outcome 1.4.2, or the validity of using the *present dune mobility* layer/data as an alternative.

The Government's proposed action pro-actively undermines the existing State Coastal Policy and the Tasmanian Planning Commission and gives nil opportunity to undo any amendments approved under the Interim State Policy. The proposed process further undermines the statutory process established and identified in the State Policies

and Projects Act 1993 regarding the process to revise a State Sustainable Development Policy.

The Position Paper also states that, “***There is evidence that the current drafting of the SCP is ambiguous and creates perverse outcomes...***” This claim has been made repeatedly by the Tasmanian Government throughout most of 2024 in support of the claimed “urgent” need to fast-track the approval of the *Validation (State Coastal Policy) Bill 2024*. Despite numerous requests by Parliamentarians, multiple media outlets and the wider Tasmanian community, the Tasmanian Government has failed to provide a single example to substantiate this claim.

The ACS considers the claim to be highly spurious, and has no confidence in the assertions made by the Government or the Minister with regards to the claimed need for the proposed fast-tracking of changes to the State Coastal Policy.

In the absence of abandoning the proposed amendments to Outcome 1.4 of the Policy, the ACS strongly argues for the adoption of the ACS revised wording of Outcome 1.4 (**Box 3**), removing entirely the phrase “*actively mobile landforms*” from the State Coastal Policy.

References cited in text and in Appendix 1.

- Sharples C 2012. The problem of the use of ambiguous terms in Tasmanian coastal planning policy documents for defining appropriate coastal development zones, May 2012, Unpublished document by the author.
https://williamccromer.com/content/uploads/2015/03/SharplesOpinion_CoastalDuneTerminology_PolicyImplications_v3_May2012.pdf
- Sharples C, Mowling F 2006a. *Northern Natural Resource Management Region Coastal Geomorphic Mapping and Management Decision Support Tools - Interpretation Report and Manual*. Tasmanian Department of Primary Industries and Water, Hobart.
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- Sharples C, Walford H, Roberts L 2013. *Coastal erosion susceptibility zone mapping for hazard band definition in Tasmania*. Report for the Tasmanian Department of Premier and Cabinet, Hobart, Tasmania.
https://www.dpac.tas.gov.au/data/assets/pdf_file/0016/33262/Coastal_Erosion_Susceptibility_Zone_Mapping.pdf

Appendix 1. Significant problems with the proposed use of *Present Dune Mobility* layer Prepared by Dr Chris Sharples, October 2024

Section 6.5 of the Position Paper suggested using the *Present Dune Mobility* layer to identify coastal *Actively Mobile Landforms*. However, there are numerous significant problems associated with this proposed approach:

The LIST layer *present dune mobility* was created in 2006 as part of an NRM project (Sharples and Mowling 2006a, 2006b). The layer contributed to a digital coastal sediment and landform map that was based on existing geological mapping, and involved dedicated fieldwork to significantly update and supplement the existing mapping at the time.

The NRM project aimed to produce a comprehensive coastal sediment and landform map for Tasmania. It is critical to note that work on the mapping data continued after the conclusion of the NRM project, with ongoing additions, edits and corrections to the mapping data.

The mobility attribute field was removed from version 6 of the mapping file in 2012 (but has remained available as a layer on the LIST). A subsequent version 7 of the coastal sediment and landform mapping file was later used (again, without the mobility fields) as part of the data on which the *coastal erosion hazard bands* that are now implemented through the Tasmanian Planning Scheme were created (Sharples et al. 2013).

Hence, the dune mobility layer (as available from the LIST) **did not** inform the *coastal erosion hazard bands* (as stated in Section 6.5 of the Position Paper). The *coastal erosion hazard bands* were actually based on a substantially improved, edited and updated version of the geomorphic mapping for which the dune mobility layer was previously created.

The following points identify critical issues with, and impediments to, the proposed use of the *present dune mobility* layer (available on the LIST) to identify *actively mobile landforms*. These points clearly undermine the consideration of the mapping layer *present dune mobility* as a viable alternative as proposed in the Position Paper.

1. The *present dune mobility* layer includes many polygons that were originally drafted at small (coarse) scales for use at State or Regional scales. In places, these polygon boundaries are only accurate to within some 10s of metres (but errors up to 100m or greater are present in some places). Thus, it is highly likely that these coastal polygon boundaries are significantly inaccurate at fine(r)-scales for site-specific localities.
2. In some areas (eg south of Cape Portland and east from Waterhouse Beach in northeast Tasmania), substantial gaps exist between adjacent polygons; in some cases, these gaps exceed 100m. These gaps indicate an absence of any mapping of the landform attributes, including mobility characteristics. Clearly, all coastal locations where these gaps exist cannot be assessed for any purpose until contemporary data are available.
3. Dunes are not the only coastal landform types that can be defined as, “actively mobile”. Unvegetated beaches, and inter-tidal or sub-tidal sand bars and tidal flats are arguably the most unambiguously, “actively mobile” landforms in the coastal zone.
4. While some beaches and inter-tidal or sub-tidal sand bars have been included in parts of the *present dune mobility* and coastal sediments and landforms data sets for some sections of the Tasmanian coast, they have not been mapped in many other parts of the Tasmanian coast where they are present. Further, actively mobile landforms are not attributed as *present dune mobility* map polygons in the LIST mapping at all for some parts of the Tasmanian coast (eg the south coast), even though the relevant “actively mobile” landform types are present and have been mapped in those areas.
5. As noted above, inaccuracies or data gaps may not be significant when using the data at regional scales, but will cause significant problems in correctly identifying actively mobile landforms at fine(r)-scales for site-specific localities.
6. The LIST *present dune mobility* layer attributes mobile landform polygons according to their estimated

percentage of vegetation cover. In many cases – particularly with larger polygons – these polygons have sub-areas within them that have significantly different percentages of vegetation cover, so that this attribute may not be accurate for substantial parts of these polygons.

7. It is critical to acknowledge that the percentage vegetation cover can change significantly over relatively short periods. For example, aerial photographs show the dune complex immediately behind the east part of Window Pane Bay Beach (southwest Tasmania) was 100% vegetated and stable before 1975. Subsequently, wave erosion and slumping at an increasing rate has continued to the present. This has resulted in a progressive widening extent of the dune face with 0% vegetation cover where there was previously 100% vegetation cover.

As can be clearly deduced from the above points, the Tasmanian Government's proposed re-drafting of Outcome 1.4 is highly problematic due to the fragmented and inconsistent standard of available mapping data on which to base assessments of "*actively mobile landforms*".

In order to support an integrated management to coastal hazard management, the requisite data need to be:

- contemporary
- standardised
- complete, reliable and accurate
- scaled appropriately and suitable for development assessments, and
- freely available to all stakeholders at all times.

From: Alan Long >
Sent: Friday, 18 October 2024 10:55 AM
To: State Planning Office Your Say
Cc:
Subject: Keep our coastlines protected!!

I grew up surfing and hiking the wild coastlines of Tasmania. Often times I would be alone, albeit with visits from dolphins, whales, the occasional shark and a plethora of bird life. This lifestyle sparked a wonderful love for our wild coastline and the precious habitat that so many creatures call home.

It is vital to the intrinsic natural values of our coastlines, that they remain protected from coastal development and human infrastructure. Our future generations will be eternally grateful, as will the current generation. Fastracking any changes to the protections in place, will potentially allow negligent proposals to go forward, purely to make more money for the already wealthy minority.

The thing that makes Tasmania's coastlines so special is the distinct lack of large scale developments. Tasmania doesn't need a Gold Coast on its pristine shorelines.

Please vote No on the proposed amendments.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile

landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning

Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Alan Long.

From: Anne Layton-Bennett & John Donnachy
Sent: Friday, 18 October 2024 9:49 AM
To: State Planning Office Your Say
Cc:
Subject: The prohibition on development in actively mobile landforms must be retained

To whom it concerns

Please note our opposition to the proposed changes to Tasmania's State Coastal Policy due to the issues and concerns itemised below:

The proposed amendment must be scrapped

Tasmania's state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy - Section 1.4.2 - which would remove a key protection for actively mobile landforms such as frontal dunes. I do don't support this change and recommend the proposed amendment

to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper provides no convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of Section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. Why?

As the state government has previously refused to release any legal advice, and it remains uncertain if any has been either sought or obtained. If the government cannot explain the need for the change, then the change should not be made.

The government just wants to make it easier to build windfarms on the coast

It appears Tasmania's state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which is arguably to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to make it much more difficult – not easier - for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use Section 12 of the State Policies and Projects Act 1993 that allows the amended policy to become an Interim State Policy and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be in force for up to 12 months. That is a serious flaw in the policy.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the Tasmanian government’s lawyers would presumably have given advice about it and the government would release the information. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to significant changes, such as the increasing threats associated with our rapidly changing climate. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the

Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed, and that a full review under the State Policies and Projects Act 1993 is undertaken (and not the ‘fast-track’ process through section 12).

Thank you for the opportunity to make this submission.

Yours sincerely,

Anne Layton-Bennett &

John Donnachy

From: Gillian Pitt <>
Sent: Friday, 18 October 2024 9:11 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I have lived in Tasmania for 61 years and have lived on the coast all my life. My parents' house in Devonport is situated at the mouth of the Mersey River overlooking Bass Strait and we have a shack on the Hawley foreshore which is under threat from coastal erosion and inappropriate development. I am intimately acquainted with the entirety of Tasmania's coastline, having walked, kayaked, swum, surfed and bushwalked around it throughout my life. I have witnessed coastal erosion, damage to coastal ecosystems and poorly regulated development, particularly over the last 30 years. Tasmania is in real danger of losing the very coastline which is so unique and precious to our island. Constructive change and much tighter protection is required in the State Coastal Policy. This is certainly NOT the case with that which has been proposed.

I absolutely oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Proposed Amendment Should Be Abandoned

The State Government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a

key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government wants to make it easier to build wind farms on the coast

The purpose of the state government proposal appears to be aimed at removing a potential legal obstacle for wind farm developments that require infrastructure on coastal areas. Whilst wind farms have helped renewable energy production worldwide, it is imperative that they do not do more environmental damage than they prevent.

Actively mobile landforms have high conservation values and must be protected

Clause 1.4.2 of the State Coastal Policy should be retained, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development of infrastructure on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when

development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to *“Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.”* This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,
Gillian Pitt

From: Rosaleen Macaulay <>
Sent: Friday, 18 October 2024 5:16 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

To whom it may concern

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is

being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,
Rosaleen Macaulay

From: John Maynard <>
Sent: Friday, 18 October 2024 4:35 PM
To: State Planning Office Your Say
Subject: Please reject the proposed amendment to the Tasmanian Coastal Policy

I oppose the proposed amendment to the State Coastal Policy and recommend that it be scrapped.
The existing Policy has served Tasmania well and has helped protect our active coastal landforms that may high conservation, cultural and natural values.
These areas are what makes Tasmania an attractive place to live and for visitors to visit.

Most people would accept that any existing structures on active coastal landforms such as boardwalks, fencing, lookouts, boat ramps, jetties etc have a valid reason to be there.
Provided the structures are maintained in good condition, do not cause erosion and do not create a safety or an environmental hazard, then that is fine with me.

The proposed amendment fabricates a problem when there really isn't one, seemingly to facilitate development associated with the Robins Island Wind Farm.
Approving the proposed amendment is very short sighted and does not justify the risk that the floodgates will open for other big developments on coastal dunes.
Taken to its logical conclusion, will eventually destroy many high conservation, cultural and natural values around Tasmania.

Please reject the amendment.

Best regards

John

John Maynard

From: Bill Manning <
Sent: Friday, 18 October 2024 3:38 PM State
To: Planning Office Your Say
Subject: Re: Tas .Coastal Policy Review

On Fri, 18 Oct 2024 at 3:17 PM, Bill Manning wrote:

Dear Sir,

I oppose any changes to the SCP that weaken the original intent of the 1996 SCP intent and or obligations. I would rather see the SCP strengthened in all areas to take full account of the “ Changing Climate ”that we are experiencing now!

It is illogical to weaken this Policy!

Bill Manning

Sent from my iPad

From: John & Rose Maynard <>
Sent: Friday, 18 October 2024 3:36 PM
To: State Planning Office Your Say
Cc:
Subject: Submission: State Coastal Policy changes

I oppose the proposed changes to the State Coastal Policy, and outline my concerns below:

* I do not support the proposed amendment in your Position Paper to remove section 1.4.2 of the State Coastal Policy as it would remove key protection for actively mobile land forms such as our critical frontal dunes. I urge you to scrap this amendment.

* Government has not provided a plausible need for this amendment, and has refused to release any legal advice that may outline any need for this change.

* It would appear the proposed Robbins Island development, and other potential developments of wind farms on coastal areas is the real reason behind this amendment. While supporting the development of an alternative sustainable energy options, I strongly oppose such developments in fragile coastal environments.

* The effects of climate change make it more important for policy to give strong protection to actively mobile landforms, such as sand dunes, which are our “first-defence” to storm events of increasing intensity, and rising sea levels. These landforms are also of high conservation and cultural value, and critical to the natural values of Tasmania’s beautiful coastlines.

* Any interim review of the policy weakens what may happen during that review process, along with undesirable outcomes proceeded with during that time.

* The current policy has operated successfully for 28years without the need to formally define “actively mobile landforms”, and the government has not released advice for such a change. Apparently, this has not been considered a serious problem, but one able to be approached through common sense and without a developer’s blatant self interest causing rushed-through inappropriate policy changes.

I hope my comments will be taken into consideration.

Sincerely, Rosalie Maynard

From: Rick M <>
Sent: Friday, 18 October 2024 3:34 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

We are strongly opposed to the proposed changes to the State Coastal Policy for the following concerns amongst others:

The proposed amendment should be scrapped.

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established.

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is, and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast.

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest,

which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993*, which allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be so for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’.

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy.

It is good to review our planning laws and policies to ensure they are performing as we expect, and are responsive to such events as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to [the] natural and built coastal environment.” We could support such recommendation, but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed, and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Thank you for your attention,

Diane Moncrieff and Richard Mecklenburgh

From: Bill Manning <f> Friday, 18 October
Sent: 2024 3:17 PM State Planning Office
To: Your Say
Subject: Tas .Coastal Policy Review

Dear Sir,

I oppose any changes to the SCP that weaken the original intent of the 1996 SCP intent and or obligations. I would rather see the SCP strengthened in all areas to take full account of the “ Changing Climate “that we are experiencing now!

It is illogical to weaken this Policy!

Bill Manning

Sent from my iPad

From: Kim Anderson <>
Sent: Saturday, 19 October 2024 1:14 PM
To: State Planning Office Your Say
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

The Tasmanian coastline in Montagu has been instrumental in shaping my life and previous generations of my family, providing endless possibilities for swimming, fishing, boating, and exploring Robbins Passage and Robbins and Walkers Island. The diverse coastal landscape has been a vital component of my mental well-being.

Yours sincerely,

Kim Anderson

From: Diana Reale >
Sent: Saturday, 19 October 2024 12:10 PM
To: State Planning Office Your Say
Cc:
Subject: Submission on review of State Coastal Policy Position Paper - stop development of actively mobile landforms

Please find below a Submission pertaining to the ***'Review of the State Coastal Policy – Development of Actively Mobile Landforms Position Paper'***.

I strongly oppose the proposed changes to the State Coastal Policy. I am dismayed that these changes, if approved, will lead to inappropriate development on Tasmania's coasts that will destroy habitats of endangered flora and fauna, jeopardise sustainable tourism and negatively impact on what makes Tasmania's coast so special to Tasmanians and national/international visitors.

My key concerns and issues are detailed below – thank you for taking the time to read my submission.

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why

the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Diana Reale

From: Catharine Errey <
Sent: Saturday, 19 October 2024 11:52 AM
To: State Planning Office Your Say
Cc:
Subject: Retain prohibition on development on actively mobile landforms

Dear Honourable Member

I, and everyone I know, has learned to be very distrustful of governments attempting to rush through legislation. I oppose proposed changes to the State Coastal Policy until such time as the public is informed of justification for these changes, supported by release of the legal advice which advised the changes.

My concerns are as follows: -

Scrap the proposed amendment

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the State Policies and Projects Act 1993 that allows the amended policy to become an Interim State Policy and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

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It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the State Policies and Projects Act 1993 is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely

Catharine Errey

19 Oct 2024

From: Mary Buchanan
Sent: Saturday, 19 October 2024 11:01 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I have lived in Tasmania for almost 78 years and have lived on the coast all my life. My parents' bought a shack in Hawley Beach in the very early 1950's. My family and I have noted the erosion along the Hawley Foreshore over these years and feel very strongly that enough is enough. Please leave the coastline of Tasmania alone, use your common sense. Whatever you try to do, the sea will eventually take over. This foreshore is under threat from erosion and inappropriate development and a local Council that has no knowledge (or appears to not have) or care as to what happens along this foreshore. All round Tasmania this appears to be happening - I have travelled to most coastal areas in this state so am well aware of what is going on.

I have witnessed coastal erosion, damage to coastal ecosystems and poorly regulated development, particularly over the last 30 years. Tasmania is in real danger of losing the very coastline which is so unique

and precious to our island. Constructive change and much tighter protection is required in the State Coastal Policy. This is certainly NOT the case with that which has been proposed.

I absolutely oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Proposed Amendment Should Be Abandoned

The State Government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government wants to make it easier to build wind farms on the coast

The purpose of the state government proposal appears to be aimed at removing a potential legal obstacle for wind farm developments that require infrastructure on coastal areas. Whilst wind farms have helped renewable energy production worldwide, it is imperative that they do not do more environmental damage than they prevent.

Actively mobile landforms have high conservation values and must be protected

Clause 1.4.2 of the State Coastal Policy should be retained, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development of infrastructure on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is

being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to *"Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment."* This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,
Mary Buchanan

From: Ben Marshall
Sent: Saturday, 19 October 2024 10:14 AM
To: State Planning Office Your Say;
Subject: Don't legislate away current protections from development on and next to our coastlines

Dear Parliamentary member,

I oppose the proposed changes to the State Coastal Policy, not least because it strips protections from our coastlines in order to favour private, mostly foreign, investors. The Amendment is, in a word, corrupt, and largely designed to push Filipino-owned ACEN's Robbins Island wind farm past all reasonable protections.

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I don't support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established, largely because this is a dishonest attempt to sidestep reasonable due process.

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast, so that TasNetworks vast new grid will be justified in 'creating investment opportunities' in sending Tasmanian renewable energy to the Mainland market. TasNet's role as Jurisdictional Planner is a clear conflict of interest in this, as is the State government's agenda in taking a cut of new developments via their GBEs and SoCs in the form of Efficiency Dividends. It may be legal, but it's corrupt, and most importantly doesn't serve the Tasmanian people who will pay for new transmission infrastructure.

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected.

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty.

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms:

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy:

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Ben Marshall -

Department of Natural Resources and Environment Tasmania

OFFICE OF THE SECRETARY

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Mr Sean McPhail
Acting Director
State Planning Office
DEPARTMENT OF PREMIER AND CABINET
yoursay.planning@dpac.tas.gov.au

Dear Mr McPhail

Review of the State Coastal Policy – Development of Actively Mobile Landforms

Thank you for your email of 9 September 2024 inviting comment on the State Planning Office's Position Paper on the Review of the State Coastal Policy – Development of Actively Mobile Landforms (the Position Paper). The Department of Natural Resources and Environment Tasmania (NRE Tas) acknowledges the constrained scope of the proposed amendment to the State Coastal Policy 1996 (SCP) with the stated intent being to contemporise and provide greater clarity on Outcome 1.4.2 and (by direct association) Outcome 1.4.1 of the SCP.

NRE Tas is supportive, in principle, of the rationale and content of the Position Paper and agrees that the term 'actively mobile landform' (AML) has not facilitated best practice application of the SCP. Rather its use has been counter-productive due to its undefined nature and subsequent ambiguity for the public, environmental practitioners and assessment authorities alike.

The comments below should be considered in combination with the ideas expressed in the workshop held between Officers from the State Planning Office (SPO) and relevant NRE Tas specialist staff in August this year. The comments focus on the AML definition; the need to clarify the policy intent; and, if the AML term is to be retained, the need for a clear definition.

1 AML definition

NRE Tas notes that the term AML is not a commonly used term in the field of geomorphology. NRE Tas recommends that any amended SCP does not retain the AML terminology. The rationale behind this is outlined below.

Ambiguity and lack of consensus

There are two important concepts that are implied by the geomorphological term 'actively mobile'. The first concerns the appearance of mobility, the second concerns how that mobility occurs through time. Mobility can refer to changes to the shape or form of a feature, the position of that feature, or the material that makes up that feature. For example:

- A storm event can erode the seaward side of a sand dune, so that the dune, while remaining in the same basic location, changes form to become steep and unstable on the seaward side.
- An estuary may undergo meander migration, so that the outside bank of the meander bends and erodes, and deposition occurs on the inside bank. The channel is essentially the same, but in a new location.
- A beach may look very similar from year to year. However, the sand that forms the beach is mobile, and should that mobility be interrupted by construction of a structure such as a breakwater or jetty, there will be changes to the form and position of the beach and potentially to inland coastal features such dunes and wetlands.

Over geological time all landforms are ephemeral, and mobile. Without a defined timescale the term AML is too ambiguous to be practicable. Landform mobility involves at least one of the following: erosion, transport or deposition. Each of these processes may occur on a wave-by-wave basis on any beach, which could imply that all beaches are actively mobile landforms. However, beaches often exist in a state of dynamic equilibrium, in which short term positive and negative changes average out over the longer term. Another possibility is a punctuated equilibrium, where no change occurs for a lengthy period until a threshold is crossed.

It is important to note that the mobility of coastal landforms is an inherently complex matter. Such complexities are not accommodated within the current AML term.

Data and mapping

There is currently no dataset, or combination of datasets, available that could be used to robustly delineate all actively mobile landforms in a widespread and uniform manner. The Position Paper flags the need to provide greater clarification around AMLs if the term is to be of use. It posits that one option might be to use the 'present dune mobility' layer of the Land Information System Tasmania (LIST) to spatially apply it.

NRE Tas does not support this approach, for the following reasons:

- It is based on the flawed assumption that the percentage of vegetation cover is a reliable proxy for dune mobility.
- It is of reconnaissance standard only and contains inconsistencies and errors.
- The unhelpful attribute values of 'unclassified' and <null> predominate.
- It is outdated. It was compiled over the period 1998 to 2006 using the aerial imagery available during that period, which might be considerably older.
- It fails to consider any of the many causes of coastal landform change other than wind driven process.

For the above reasons it is recommended that use of the 'present dune mobility' layer to define actively mobile landforms be avoided.

2 Clarifying policy intent

Though the use of the AML terminology is not supported; the associated overall policy intent is. NRE Tas understands this intent can be implied from the Principles of the SCP, and from the context in which the term is used. Emphasis is placed on protection of the natural and cultural values, on sustainable economic use, and on maintenance of the recreational amenity of the coast. This implies the intent is to avoid:

- disruption of coastal ecosystems, including landforms and land forming processes,
- hazards to economic development and social uses of the coast, and
- hazards reducing the recreational amenity of the coast and estuarine features.

NRE Tas agrees with the Position Paper statement that Outcome 1.4.2 (as currently drafted) is inconsistent with other outcomes of the SCP, noting that the outcomes are not prescribed in order of hierarchy. One such inconsistent outcome is Outcome 2.1.6, which states:

In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.

NRE Tas agrees that it is possible for coastally dependent development to have community benefit (i.e. a social reason) not solely restricted to 'works to protect land, property and human life' (existing Outcome 1.4.1).

NRE Tas suggests that Outcome 1.4.2 could be broadened to help ensure use and development proposed in areas subject to significant risk from natural coastal processes and hazards (for instance those listed in Outcome 1.4.1) will only be allowed for engineering or remediation works necessary to protect land, property and human life, unless it can be demonstrated to meet all of the following:

- be dependent on the particular location,
- protect coastal values and processes,
- meet an acceptable level of risk, and
- be of public benefit.

3 Updating the AML terminology

If the AML term is to be retained in a forthcoming amendment (although this is not the preferred option for NRE Tas), it should be clearly defined, as well as consistently implementable in decision-making by relevant authorities.


Consideration of AMLs should include not only the present locus of activity but also its migration vector. There are areas of land that are presently stable but could reasonably be anticipated to be subject to coastal recession or overrun by an advancing dune face within the next 50 to 100 years. If a key function of the SCP is to support planning, then it appears appropriate to include in outcome 1.4.2 words to the effect of: "*Development on or liable to incursion by actively mobile landforms ...*".

With that in mind the following definition of actively mobile landforms is offered for inclusion in the SCP to support interpretation of outcome 1.4.2:

Actively mobile landforms are those where the natural processes of erosion, sediment transport or deposition, operating over planning timescales of 50 to 100 years, could reasonably be anticipated to:

- a) be altered by a proposed development to the extent of presenting a previously absent degree of risk to preexisting coastal values, or*
- b) cause change to the shape of the land of sufficient magnitude to represent a risk to any development thereon.*

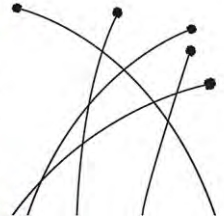
A clear written definition would also require spatial definition (maps) of the nature, distribution and trends of the AMLs. NRE Tas specialist staff can assist with developing this work, if required, subject to resourcing.

Should the SPO have any further questions on this matter please contact Sonia Mellor, Strategic Projects and Policy Branch, NRE Tas. Ms Mellor can be contacted via or 

Yours sincerely

Jason Jacobi
SECRETARY

18 October 2024



18 October 2024

Review of the State Coastal Policy – Development of Actively Mobile Landforms

Introduction

The Tasmanian National Parks Association Inc. (the **TNPA**) is grateful for the chance to comment on the *Review of the State Coastal Policy – Development of Actively Mobile Landforms Position Paper*, published in September 2024. This document sets out the TNPA's comments on the Position Paper.

The Position Paper raises many issues of public administration, law and earth science. These are discussed below.

The TNPA opposes the introduction of an Interim State Policy to give immediate effect to the proposals outlined in the Position Paper, before any consideration by the Tasmanian Planning Commission and appropriate public consultation.

A term used in these comments that is also used in the *State Policies and Projects Act 1993* (the **SPPA**) or the *Land Use Planning and Approvals Act 1993* (the **LUPAA**) has the same meaning in these comments as in that Act, except where indicated otherwise.

Relationship between the State Coastal Policy and the Tasmanian Planning Scheme

State Coastal policy covers more of coastal zone than Tasmanian Planning Scheme

The Position Paper is based on the premise that the Tasmanian Planning Scheme has been introduced across the State, so that “now ... requirements of Outcome 1.4.1 [of the State Coastal Policy] have been addressed and management measures put in place through the Tasmanian Planning Scheme, the limited exemption provided in Outcome 1.4.2 [of the State Coastal Policy] should be reviewed to allow these more contemporary planning controls [i.e. the Tasmanian Planning Scheme] to be fully used”.¹ On this premise, the Position Paper suggests that Outcome 1.4.2 should be changed.

This premise is not sound. The Tasmanian Planning Scheme does not apply in several municipal areas within the coastal zone:² Hobart, Kingborough and King Island. It is not clear when the scheme will apply in all those areas, but it is likely to be a long time before that occurs.³

Limitations of Tasmanian Planning Scheme

Explicit limitations relating to actively mobile landforms

The Position Paper says “the overriding nature of the [State Coastal Policy] means that the planning scheme provisions [apparently the State Planning Provisions] repeat word for word the limited prohibition of [sic] Outcome 1.4.2 ... which ultimately limits the full application of the provisions in certain circumstances”.⁴ If the State Coastal Policy is amended to remove the prohibition from outcome 1.4.2, the prohibition will remain in the planning scheme provisions (so those provisions will not have the “full application” that is apparently desired by the Government) unless the planning scheme provisions are amended. It is doubtful that the power in section 13 of the SPPA is available to amend planning schemes to remove such a prohibition. That power is to “amend a planning scheme ... to incorporate all those parts of the State Policy which are relevant to it and to remove any inconsistency between it and the State Policy”. If the prohibition is removed from outcome 1.4.2, a provision of a planning scheme that retains the prohibition will not necessarily be inconsistent with the State Coastal Policy (so that it is not clear how the power to make an amendment to remove an inconsistency would be available). Nor is it clear how an amendment of a planning scheme provision to incorporate the new version of outcome 1.4.2 of State Coastal Policy would remove a prohibition in a planning scheme provisions reflecting the old version of that outcome. In section 13 of the SPPA, the word “incorporate” seems to be used in the sense of applying or adopting as part of a planning scheme the text of a part of State Policy referred to in the scheme, and not to authorise a wider rewriting of the scheme. If the power in section 13 of the SPPA is not available to make amendments of planning schemes to expand their coverage so they can apply fully to achieve the desired result for regulating use or development on actively mobile landforms, those schemes will need to be amended by the usual processes under the LUPAA to achieve that result.

Implicit limitations relating to actively mobile landforms

The explicit link between outcomes 1.4.2 and 1.4.1 of the State Coastal Policy strongly suggests that the phrase “actively mobile landforms” in outcome 1.4.2 was intended to refer to landforms that are, or are at significant risk of being, “actively mobile” because of any of the processes and hazards mentioned in outcome 1.4.1. Those processes and hazards go well beyond coastal erosion.

The only State Planning Provisions that refer to actively mobile landforms are clause 4.0.3 and the Coastal Erosion Hazards Code. Other elements of the State Planning Provisions that appear to be relevant to the processes and hazards mentioned in outcome 1.4.1 (such as the Coastal Inundation Hazard Code, the Flood-Prone Areas Hazards Code and the Landslip Hazard Code) do not appear to have been adapted to take account of the State Coastal Policy. Therefore the TNPA doubts that relying on those elements is an adequate substitute for the effects intended to be achieved by outcomes 1.4.1 and 1.4.2 (or even just by outcome 1.4.1, which the Position Paper does not propose changing).

The relevant codes in the State Planning Provisions depend heavily for their application on mapping of relevant areas in Local Provisions Schedules (which form part of the Tasmanian Planning Scheme). The TNPA has significant doubts as to whether areas subject to the processes and hazards described in outcome 1.4.1 have been appropriately mapped in Local Provisions Schedules and therefore as to whether the Tasmanian Planning Scheme can be relied on to achieve the effects intended to be achieved by outcomes 1.4.1 and 1.4.2 (or even just by outcome 1.4.1, which the Position Paper does not propose changing).⁵

Proposed new wording for outcome 1.4.2 of the State Coastal Policy

General considerations affecting wording of the State Coastal Policy

As a State Policy under the SPPA, the State Coastal Policy is delegated legislation (also known as subordinate legislation).⁶ This has implications for its wording arising from general legal principles applying to delegated legislation.

One of those principles is that a court may find (a provision of) delegated legislation invalid for uncertainty. To avoid this risk of invalidity, the State Coastal Policy needs to be worded clearly.

Another principle is that the person who has the power to make the delegated legislation under the relevant Act of Parliament cannot subdelegate that power by (purportedly) providing for someone else to determine the content of the delegated legislation, unless the Act specifically allows that. A purported subdelegation (that is not allowed by the Act) invalidates the provision concerned. The implications of this principle for the State Coastal Policy are discussed below in the context of identifying “actively mobile landforms”.

Language of “actively mobile landforms”

The replacement outcome 1.4.2 proposed in the Position Paper⁷ still uses the language (from current outcome 1.4.2) of “actively mobile landforms”. There is obviously considerable uncertainty associated with that language (unless further clarity is provided by additional provisions of the State Coastal Policy, such as definitions). However, creating a sufficiently informative and explicit definition of “actively mobile landforms” as to allow unambiguous identification of such landforms based on their characteristics will be challenging and an alternative approach may be desirable.

Breaking the link with outcome 1.4.1

Unlike current outcome 1.4.2 of the State Coastal Policy, the proposed replacement outcome does not refer to outcome 1.4.1 in describing the works to which the (replacement) outcome relates. That reference (in the phrase “works consistent with outcome 1.4.1” in current outcome 1.4.2) suggests that the exception in current outcome 1.4.2 is only for minimal engineering or remediation works to protect land, property and human life. If outcome 1.4.2 is changed, it should still provide only for minimal engineering or remediation works to protect land, property and human life (rather than any engineering or remediation works to protect land, property and human life).

Also of substantial concern, there is no mention in the proposed replacement Outcome 1.4.2, implicit or explicit, that risks to coastal values and processes should be either (a) avoided or (b) minimised.

Vague wording needing judgement for interpretation and application

Many of the expressions used in the proposed replacement outcome 1.4.2 are vague (which may raise the risk of invalidity mentioned above) or require the making of judgements to apply the provision (which may raise the risk of its invalidity due to subdelegation mentioned above). Some examples of these expressions include “appropriately considers” and “a tolerable level of risk”.

Tasmanian Government agencies and all 24 Tasmanian coastal councils will likely each interpret the proposed Outcome 1.4.2 specific to their situation and circumstances, resulting in disparate and inconsistent implementations of the proposed Outcome 1.4.2.

“Allowing” rather than “permitting”

The use of the word “allowed” in the proposed replacement outcome 1.4.2 rather than the word “permitted” in current outcome 1.4.2 seems appropriate, given that the State Coastal Policy binds the State Government as well as councils,⁸ and developments may require various authorisations from State Government officials as well as (or instead of) permits under the LUPAA.

Identifying “actively mobile landforms”

The TNPA acknowledges the difficulty (recognised by the Position Paper⁹) in identifying what are “actively mobile landforms”, whether by mapping or other means.

One matter that needs consideration in working out how to identify “actively mobile landforms” is the illegality of subdelegation of legislative power (outlined above, under the heading “General considerations affecting wording of the State Coastal Policy”). One way in which subdelegation may occur is adoption by delegated legislation of documents created by someone other than the person who is authorised by the relevant Act to make the delegated legislation.

Section 13D of the SPPA provides a limited authorisation for a State policy to subdelegate in a way that would otherwise be forbidden. That authorisation is limited to authorising a State Policy to adopt “standards, rules, codes, specifications, management plans or similar documents of any body approved by the Minister” (including amendments of them).

The Position Paper raises the option of using “the present dune mobility layer of the Land Information System Tasmania (the LIST) to identify coastal ‘actively mobile landforms’”.¹⁰ It is not entirely clear which layer the Position Paper is referring to,¹¹ but the TNPA assumes that it is the Geomorphic Polygons – Present Dune Mobility layer (the ***present dune mobility layer***).¹²

There are several issues with using the present dune mobility layer to identify “actively mobile landforms”.

First, as discussed above, it seems from outcomes 1.4.1 and 1.4.2 that the State Coastal Policy envisages that an “actively mobile landform” is any landform that is, or is at significant risk of being, “actively mobile” as a result of a process or hazard mentioned in outcome 1.4.1. Mobile dunes (or landforms of Quaternary-age sediments, which are what the metadata¹³ for the present dune mobility layer indicates is mapped in the layer) are only one such kind of landform. Other kinds of landforms may be, or be at significant risk of being, “actively mobile” because of other processes or hazards mentioned in outcome 1.4.1. (especially landslip and inundation). Therefore the present dune mobility layer will not show all “actively mobile landforms”.

Secondly, the metadata for this layer indicates that it reflects mapping by certain individuals that was finished in 2006. Therefore the layer seems not to be something that section 13D of the SPPA authorises a State Policy to adopt, as well as reflecting quite old information.

Thirdly, there are a variety of technical, spatial and scale issues with the present dune mobility layer such that it is not fit for purpose and cannot and should not be used to apply the State Coastal Policy. Also, it is not correct that, as the Position Paper asserts, the Coastal Hazard Erosion Bands were based on this layer. Rather they were derived from an edited and updated version of the geomorphic mapping from which the present dune mobility layer had been created. Additionally, dunes are not the only coastal landform that can be defined as “actively mobile”; beaches, sand bars and tidal flats are also highly relevant and these are not consistently included in the present dune mobility layer. Hence, it is necessary to provide

resources for the considerable time and effort required to upgrade the available digital mapping of Tasmanian coastal landforms to resolve these problems so that it explicitly and accurately depicts all significant actively mobile landforms on the coast at a consistently fine scale. Then, to be useful on an ongoing basis, this mapping would need to be routinely reviewed and updated.

Fourthly, there is the issue of electronic authorised versions of the State Coastal Policy under Division 1 of Part 6 of the LUPAA. Subsection 80M(3) of the LUPAA envisages that an electronic version of a State Policy, together with an electronic planning map relating to the version, can be the authorised version of that policy. However, it is questionable whether the present dune mobility layer could be an electronic zoning map (as defined in section 80J of the LUPAA) and therefore form part of an electronic planning map. This is because it is not clear whether what is shown in the layer is “planning markings” (as defined in that section) as it is not clear that what is shown in the layer are “zones or other planning requirements”.

As explained above, the TNPA doubts the appropriateness of the mapping in Local Provisions Schedules (so far as it relates to Codes that may be relevant to “actively mobile landforms”). Therefore it does not seem appropriate for the State Coastal Policy to adopt them, even though it is arguable that a Local Provisions Schedule is something that section 13D of the SPPA authorises a State Policy to adopt (assuming appropriate Ministerial approval of the body whose schedule it is) and that such adoption is less likely to raise issues with electronic authorised versions of the State Coastal Policy (than adoption of the present dune mobility layer).

Conclusion

Given the premise of the Position Paper described above, the TNPA believes that outcome 1.4.2 of the State Coastal Policy should not be changed before the Tasmanian Planning Scheme applies throughout the coastal zone and mapping in Local Provisions Schedules is improved to accurately indicate landforms that are, or are at significant risk of being, actively mobile because of processes and hazards mentioned in outcome 1.4.1 of the policy.¹⁴

In case a decision to amend outcome 1.4.2 is made, the TNPA agrees with the view expressed in the Position Paper¹⁵ that the amendment should be regarded as constituting a significant change to the State Coastal Policy and not as a minor amendment. Therefore, the full process (including public consultation) envisaged by subsections 15A(8) and (9) should apply in relation to the amendment. The TNPA believes that process is more appropriate than seeking to amend the State Coastal Policy by Act of Parliament, despite the legal issues noted in these comments.

The TNPA opposes any proposal to use section 12 of the SPPA to give temporary effect to an amendment of outcome 1.4.2, as envisaged by the Position Paper.¹⁶

Any revised State Coastal Policy should include the process for generating and maintaining spatial data layers, at an appropriate scale, essential for delineating hazards and values within the coastal zone. Such upgraded data, not just for landforms but also other attributes of the coastal zone, would facilitate a more risk-based approach to coastal hazard, use and development considerations and, ultimately, better and more defensible decisions regarding such uses and development (or lack of) within the zone.

¹ Page 3 of the Position Paper.

² Page 9 of the Position Paper acknowledges that the State Planning Provisions (and therefore the Tasmanian Planning Scheme) have not yet been implemented in all coastal municipal areas.

³ The TNPA notes that the Kingborough Local Provisions Schedule has not even been publicly exhibited for comment, so many more steps need to be taken before the Tasmanian Planning Scheme can apply in Kingborough municipal area.

⁴ Page 5 of the Position Paper. It is not clear which particular planning scheme provisions are being referred to. Clause 4.0.3 and the Coastal Erosion Hazard Code of the State Planning Provisions mention actively mobile landforms.

⁵ For example, in the coastal zone, areas near West Sandy Point and in the Henty Dunes have been mapped in the Geomorphic Polygons – Present Dune Mobility layer of LISTmap as “Mobile” but not as “Coastal erosion area” or “Coastal erosion area – investigation area” in the Tasmanian Planning Scheme – Code Overlay layer of LISTmap. (The TNPA assumes that the labels “Coastal erosion area” and “Coastal erosion area – investigation area” in the LISTmap layer correspond respectively to the terms “coastal erosion hazard area” and “coastal erosion investigation area” in the Coastal Erosion Hazard Code.) LISTmap describes the Tasmanian Planning Scheme – Code Overlay layer as forming part of the authorised version of the Tasmanian Planning Scheme under section 80M of the LUPAA.

⁶ There are several indications that a State Policy is delegated legislation (even though it is only called a Policy). First, it is made in the exercise of a power delegated by the Parliament to the Governor (under the SPPA) and is legislative in nature. It is legislative in nature because it binds many persons and determines the content of the law, including requirements, under sections 13B, 13C and 13D of the SPPA. Section 13D of the SPPA is a further indication that a State Policy is delegated legislation, as the purpose of the section is to overcome the general law prohibition on subdelegation of legislative power. Subsection 12(4) of the SPPA also indicates that an interim State Policy is legislative, as the subsection would not be needed if the policy were not legislative (because in that case the notice mentioned in that subsection would not be covered by the definition of **statutory rule** in subsection 2(1) of the *Rules Publication Act 1953*).

⁷ Page 12 of the Position Paper.

⁸ See section 13C of the SPPA.

⁹ Especially at page 7 of the Position Paper.

¹⁰ Page 12 of the Position Paper.

¹¹ The link on page 12 of the Position Paper simply leads to the general LISTmap webpage, without details of any particular layer.

¹² This layer is accessible via the Coastal Vulnerability sub-menu of the Coasts and Oceans and Estuaries menu of layers in LISTmap.

¹³ Available at <https://www.thelist.tas.gov.au/app/content/data/geo-meta-data-record?detailRecordUID=bae071fb-c5b6-4d82-b0d8-3f14fe874d0a>, at the time of writing these comments.

¹⁴ The TNPA notes that paragraph 4.5 of the State Coastal Policy envisages that the whole policy will be reviewed at least once every 5 years.

¹⁵ Page 13 of the Position Paper.

¹⁶ Page 13 of the Position Paper. The Position Paper hints that using section 12 of the SPPA (to give temporary effect to a draft amendment of outcome 1.4.2) would be advantageous because it would “allow [the amendment] ... to have a more immediate effect and be applicable to development applications while the [Tasmanian Planning] Commission undertakes its assessment of the draft amendment”. However, if the Validation (State Coastal Policy) Bill 2024 is enacted before section 12 of the SPPA can be used (as seems likely given rapid passage of the Bill through the House of Assembly), the current version of outcome 1.4.2 will apply again between Royal Assent to the Bill and the use of section 12 of the SPPA. (The Bill effectively allows the current version of outcome 1.4.2 to be ignored in the making of decisions under LUPAA about granting permits before the Bill receives Royal Assent.)

From: Una Harbinson <>
Sent: Sunday, 20 October 2024 9:28 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

PLEASE DO NOT ALLOW the proposed changes to the State Coastal Policy to be passed.

The Tasmanian coastline is important to all Tasmanians and must be protected by the existing planning scheme, which has inbuilt checks and balances. Once interfered with, it cannot be easily restored. We firmly oppose the proposed changes, because of the following issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. We do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important not to make it easier for development to be built on actively mobile landforms, such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported, but only if the Tasmanian Planning

Commission's intent in making the recommendation is followed, and that a full review under the *State Policies and Projects Act 1993* is undertaken - not the 'fast-track' process through section 12.

Yours sincerely,

Una Harbinson and John Harbinson.

20.10. 2024

From: Annie Sherlock <>
Sent: Sunday, 20 October 2024 8:44 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

This email is to inform you that I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

Annie Sherlock

From: Karen Spinks
Sent: Sunday, 20 October 2024 8:13 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

Dear members of the House of Assembly and Legislative Council,

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

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Yours Sincerely,
Karen Spinks

From: bert lawatsch <bertlawatsch@hotmail.com>
Sent: Sunday, 20 October 2024 8:06 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

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Yours Sincerely,
Bert Lawatsch



Representation. Review of the State Coastal Policy – Development of Actively Mobile Landforms Position Paper

The North East Bioregional Network is a community based nature conservation organisation which has a long history of participation in land use planning issues/processes including coastal development.

The Position Paper claims in 2.0 that

“Introduced almost 30 years ago the SCP has been amended twice to improve its operation.” Sadly, the reality is along with many other planning laws the State Coastal Policy (SCP) has been weakened rather than improved over time including by reducing the scope of the area that applies to the SCP (now limited to only 1km inland from High Water Mark) and also due to the SCP no longer overriding municipal planning schemes where there is an inconsistency between a planning scheme and the SCP related to a specific development application. As such we believe any proposed changes need to strengthen the SCP to better protect the natural, cultural and scenic values of the coast from development and other threats.

Our view is that the primary purposes of this amendment are to facilitate the construction of the Robbins Island Wind Farm (and also the Rushy Lagoon Wind Farm) both of which require extensive infrastructure to be built on actively mobile landforms and more broadly to implement a more subjective and increasingly performance-based approach to development on actively mobile landforms based on “tolerable risk” “benefits to the public” and

other nebulous considerations which will open up more areas for development.

The Position Paper proposes replacing the current SCP 1.4.2 which reads as follows:

1.4. COASTAL HAZARDS

1.4.1. Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea-level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.

1.4.2. Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.

And instead suggests the following:

Delete Outcome 1.4.2 and replace with:

1.4.2 Development on actively mobile landforms will only be allowed for engineering or remediation works necessary to protect land, property and human life, unless it can be demonstrated that the development appropriately considers:

- a) protecting coastal values and natural coastal processes;***
- b) achieving and maintaining a tolerable level of risk; and***
- c) the benefits to the public and dependency on the particular location.***

Discussion.

The suggested amended SCP provisions are not supported. Our preferred outcome is a strengthening of the current SCP through stronger more mandatory and prescriptive measures.

The Position Paper states that introducing risk-based planning controls are examples of “contemporary”, “best practice” “standard practice” and will provide “greater clarity” when applying the SCP. We disagree. In fact the proposed amendment will create greater uncertainty because instead of clear and prescriptive measures it will rely on a number of subjective criteria that can be easily massaged into compliance via the avenue of expert consultancy firm reports. Truly “contemporary” planning would acknowledge limits to growth, the biodiversity loss crisis and the threats of climate change and as a result strengthen the SCP to protect the coast from degradation and overdevelopment.

There is a description of “**tolerable risk**” in the **Definitions** at the beginning of the **Tasmanian Planning Scheme** which reads as follows:

“tolerable risk” means the lowest level of likely risk from the relevant hazard:

(a) to secure the benefits of a use or development in a relevant hazard area; and

(b) which can be managed through:

(i) routine regulatory measures; or

(ii) by specific hazard management measures for the intended life of each use or development.

We have minimal confidence in the robustness of the “**tolerable risk**” test. As stated above it will only require the production of a favourable report from consultancies such as GHD, Pitt and Sherry etc for this to meet the test. Likewise the interpretation of what constitutes “**benefits to the public**” is even more uncertain and debatable while being reliant on a “**particular location**” should not be a defining criteria for deciding upon the suitability of a specific development.

It should be well understood by now that performance-based planning creates high levels of uncertainty and come at a

considerable cost to administer. The costs are felt across the board and create a particularly high financial liability on rural/regional Local Councils with limited budgets for planning administration and associated TASCAT appeals which are a direct consequence of the performance-based planning system. Likewise community groups and individuals are burdened with high legal and expert costs if they wish to appeal against inappropriate coastal developments and this is a significant barrier to community participation in land use planning (and as such performance based planning makes the aspirations of Schedule 1 of the RMPS much more difficult to achieve). Developers costs are also increased but ultimately they are more able to absorb the expense because a successful outcome means big profits.

Consequently the **increased use of the performance-based approach** to development on actively mobile landforms envisaged in this position paper is highly unsatisfactory and will without doubt result in more development on actively mobile landforms contrary to the intent of the SCP.

We don't read the current SCP provisions as a prohibition on development on actively mobile landforms.....it is like many other aspects of the SCP unclear as "actively mobile landforms" are not defined or identified in the SCP and managing and minimising the need for works is not prohibiting them.

To prohibit future development on actively mobile landforms would require actively mobile landforms to be identified through a planning overlay and for the provisions in the Tasmanian Planning Scheme to prohibit development on actively mobile landforms as a Acceptable Solution with the only Performance Criteria being for "works" that protect land, property (subject to a environmental impact assessment) and human life or to protect, manage and restore natural, scenic and cultural values.

Existing infrastructure, works, buildings etc would not be subject to retrospective disallowance which has been used as an excuse by the Government as well as in this discussion paper as a faux argument to try and justify the need to change the SCP. There can be a provision to allow works that address the need over time to address coastal erosion issues as they arise including removing structures and restoring coastal ecosystems

OUR PROPOSED WORDING OF SCP.

Note the use of the term “**actively mobile landforms**” has been replaced with “**areas subject to risk from natural coastal processes and hazards**” as this provides a more all-embracing description of the extent of risks and hazards that need to be covered under the SCP

1.4. COASTAL HAZARDS

1.4.1.

(a) Areas subject to risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea-level rise will be identified through a land use planning map overlay.

(b) Works on areas subject to risk from natural coastal processes and hazards (as identified in clause (a)) will only be permitted to protect land, property (both discretionary and subject to a environmental impact assessment) and human life or to protect, manage and restore natural, scenic and cultural values.

1.4.2. Development on areas subject to risk from natural coastal processes and hazards will not be permitted except for works consistent with Outcome 1.4.1.

The above suggested wording in 1.4.1 (a) is based on the expectation that there will need to be comprehensive data established as per Sharples comments below and that regular monitoring and updating

of the overlay map must be resourced to be able to respond to current and emerging threats and hazards as they evolve. The Position Paper suggests using “the present dune mobility layer of the Land Information System Tasmania (the LIST) to identify coastal ‘actively mobile landforms’”. This is clearly inadequate due to it not being a comprehensive layer covering all areas subject to risk from natural coastal processes and hazards.

Comments from Dr Chris Sharples

Significant problems with the proposed use of Present Dune Mobility layer October 2024

In order to support integrated management of coastal hazards, the requisite data needs to be:

- **contemporary**
- **standardised**
- **complete, reliable and accurate**
- **scaled appropriately and suitable for development assessments, and**
- **freely available to all stakeholders at all times.**

INTERIM STATE POLICY

We also note that in 7.0 Next Steps of the Position Paper it is flagged that the draft amendment could be declared as a Interim State Policy. We totally oppose this for several reasons including:

- It may undermine the integrity of the current Supreme Court hearings related to the Robbins Island Wind Farm
- It could allow other contentious developments to proceed which at present would not be permitted
- There is no timeframe as to how long the Interim Policy could be valid for
- It is based on the fabricated notion that there is an urgent need for the amendment to proceed because of the possibility of lawful and approved past developments being subject to

retrospective challenge. This is nonsense as section 12 of LUPA clearly states that existing approved uses and developments are not subject to review. The Government is still yet to provide any legal advice in relation to this contention.

- The Position Paper (page 13) notes “Because the amendment involves replacing a self-executing prohibition, with an allowance to consider a broader range of developments than under Outcome 1.4.1, it is anticipated that the Commission will determine that the draft amendment will result in a significant change to the SCP. If this is the case, the Minister directs the Commission to prepare a report which also triggers the Commission to exhibit the draft amendment to the SCP.”

Any changes to the SCP of this magnitude need to go through the normal Tasmanian Planning Commission process allowing for proper public participation in land use planning decisions rather than via an Act of Parliament.

PLANNING POLICY MORE GENERALLY

The Position Paper makes the following statements on page 5 which cannot be left unchallenged.

“Over the last several years, the Tasmanian Government has been implementing a range of planning reforms to enhance the planning system. These include the preparation of the State Planning Provisions (SPPs) in 2017 and their progressive application as each local council has its Local Provisions Schedule approved by the Commission. A number of those SPPs are based on statewide codes that provide state of the art provisions to ensure development in specific hazard areas are avoided or managed to minimise or mitigate impacts. These codes are supported by statewide mapping of these hazards such as coastal erosion and inundation, and landslip.”

The planning “reforms” undertaken by the State Government in the last decade have not enhanced the planning system. They have weakened it by introducing generic and feeble statewide applied zoning and code provisions and also allowed for an ever-increasing amount of land uses to be either exempted or delegated.

In the case of the Break O Day LPS process we have seen the Tasmanian Planning Commission allow more subdivision outside of settlements and rule against proper scenic protection code overlays and best practice stormwater management all in conflict with the State Coastal Policy.

Also to suggest the statewide codes are “state of the art provisions” is not accepted. The reality is that the codes are almost completely performance based so they are not prescriptive or tight enough to achieve their claimed objectives and even more so given Sharples expert opinion that THE LIST overlays are inadequate.

Todd Dudley

President

North East Bioregional Network

20/10/24

From: Pamille Berg <>
Sent: Sunday, 20 October 2024 6:40 PM
To: State Planning Office Your Say
Cc:
Subject: Development in actively mobile landforms - retain the prohibition

To the State Planning Office staff:

I am responding to the opportunity for submitting public comment on the *Review of the State Coastal Policy-- Development of Actively Mobile Landforms Position Paper*.

I previously wrote to your Office on 31 July 2024 in response to the limited public consultation process on the *Validation (State Coastal Policy) Bill 2024*, stating my opposition to the State government's proposal to amend the Tasmanian Coastal Policy via its draft legislation according to a fast-track process within the Parliament.

I have read the Position Paper in full, which proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would have the effect of removing a key protection for actively mobile landforms such as frontal dunes.

I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

As a former Partner in a large architectural/urban design firm in Australia with over 30 years of experience in the master planning of major development projects in Australia, Asia, and the USA, I understand how essential integrated planning is.

If the government wishes to make any changes in the Tasmanian Coastal Policy, then this should occur only through a full and painstaking review of the Coastal Policy, not through the fast-track proposal of individual amendments and subsequent legislative bills, the eventual full implications and content of which is not yet known by representatives in the State Parliament, let alone the citizens whose views they represent.

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. Despite numerous requests, the State Government has previously refused to release any legal advice which purports to show that there are problems with the application of section 1.4.2 of the Coastal Policy. Surely if that legal advice exists, it should be made available to all who wish to understand it. In the simplest terms, if the government cannot provide the detailed evidence and explain the need for the change, then it should not make the change.

My previous letter to you noted that the timing and fast-track nature of the proposed amendment process appears to be an attempt to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas. If that is not a central element of this proposed amendment, then surely the government can have no objection to undertaking the unhurried comprehensive review (rather than a hurried piece-meal amendment) of the Tasmanian Coastal Policy which is recommended in the recently-released *State of the Environment Report*.

All Tasmanians understand that one of our state's most important economic assets is the ongoing conservation of the high cultural and natural values of our highly diverse and complex ecosystems and coastlines. We have all watched in horror during recent months as disastrous events caused and magnified by the effects of human-induced climate change have devastated parts of Europe, Africa, and the USA, let alone in Australia in recent years in places such as Lismore and the Great Barrier Reef. With seawater temperatures surrounding parts of Tasmania rising at one of the highest rates in the world, our island and our cities will not be immune to these mega-storms and the long-term destruction which they will cause in coastal areas. The State Government should not be seeking to make it easier for development to be built on actively mobile landforms such as sand dunes, especially in the absence of any cohesive review of the State Coastal Policy having been done in the past 28 years since the policy's inception.

From reading the Position Paper, my understanding is that the State Government proposes to utilise section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* **which would have effect** while it is being reviewed by the Tasmanian Planning Commission. This proposal is of extreme concern, since if the Planning Commission finds problems with the amended policy, it will already be in force and in use, and may continue to be for up to 12 months.

Many concerned Tasmanians including myself have noted that the State Government appears to have created false concerns about the absence of a definition of an 'actively mobile landform', whether in the State Coastal Policy or in legislation, when in fact the policy has operated successfully for 28 years without a definition. They have noted that if this were in fact a significant problem, then the state government's lawyers would presumably have provided specific advice about it and the government would have released the advice. We note that there are many key terms related to natural values that are also not defined in policies or legislation, and that planning authorities and experts have shown that they are entirely capable of working out definitions and how they are applied geographically when development assessments are made.

I would strongly support that a full review of the Tasmanian Coastal Policy under the *State Policies and Projects Act 1993* should be undertaken. That full review would be able to include a detailed and sober assessment of the Position Paper's emphasis on the need to transition more fully to risk-based planning assessments, which in these times of massive climate change, have not been shown to be particularly effective in their results. I strongly oppose any 'fast-track' process through section 12.

Thank you for the opportunity to read and comment on this Position Paper.

Sincerely,
M. Pamille Berg AO Hon. FRAIA

From: simon dobson
Sent: Sunday, 20 October 2024 5:46 PM
To: State Planning Office Your Say
Cc:
Subject: My Opposition to the Changes to The State Coastal Policy

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Importance of Coastal Connection for Mental Health

As a local resident, I find my time enjoying the natural coast to be paramount in maintaining a healthy state of mind. My job can be very demanding and stressful, and I rely on my time walking by the water, boating on the water, and just looking at the unique coastal vista, to calm my mind, to improve my mental health, and restore my wellbeing. The coast along the far North West, encompassing Boullanger Bay and Robbins Island is truly unique, and deserves preservation for all Tasmanians and Australians alike.

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

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The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

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Yours sincerely,

Simon Dobson

From: Colleen Murfitt
Sent: Sunday, 20 October 2024 5:10 PM
To: State Planning Office Your Say
Subject: yoursay.planning@dpac.tas.gov.au

You don't often get email from colmursoot@icloud.com. [Learn why this is important](#)

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Scrap the proposed amendment

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The reason I moved to Wedt Montagu, Tasmania was the fact that such untouched coastline still existed in a world that has decimated much of its natural coastal landscape. After having witnessed the complete destruction of the far North Coast of NSW over a forty year period it was extraordinary to find that Tasmania had protected its amazing coastline with its coastal Policy. We need to insure that protection not diminish it.

Yours sincerely

Colleen Murfitt

Sent from my iPhone

From: Lynette Taylor <
Sent: State Planning Office Your Say
To:
Cc:
Subject: COASTAL PROTECTION ACT Prevent development in mobile landforms.

Dear Members of Parliament,

I completely oppose all changes to the State Coastal Policy unless resulting from the State of the Environment Report recommendation for a comprehensive review.

I have written previously on this matter but it seems that we now have yet another process underway to remove section [1.4.2.by](#) amendment. Abandon this process..

The change to the Coastal Protection Act is not necessary, it has served the Tasmanian community exceptionally well since 1996.

The amended fast tracked policy should not become an Interim State Policy.

I will not repeat the content of my previous email about the Coastal Protection Act which went into a great more detail, I just want to state again my opposition to this piecemeal attempt to undermine the Coastal Protection Act. Our coasts must continue to be managed and protected as they have been for almost 30 years.

I was actively involved in advocating for a Coastal Protection Act in the mid 1990's and, my heart breaks at the thought of allowing it to be changed on an ad hoc basis without the full review as is recommended and with no apparent justification.

Attention should instead now be focussed upon the need to greatly expand our inshore Marine Reserves system based upon the best scientific and expert advice and our international obligations..

Thank you for the opportunity to put my perspective,
Yours sincerely,

Lyn.
L. Taylor, .
.

From: Geoff Fenton
Sent: Sunday, 20 October 2024 2:44 PM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

geoff fenton

From: Rebecca Piper <>
Sent: Sunday, 20 October 2024 1:30 PM
To: State Planning Office Your Say
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely

Rebecca Piper

Sent from my iPhone

From: Sarah Lloyd
Sent: Sunday, 20 October 2024 12:06 PM
To: State Planning Office Your Say
Cc:
Subject: Changes to the State Coastal Policy - Retain the prohibition on development in actively mobile landforms

Dear Sir/Madam,

I oppose the proposed changes to the State Coastal Policy, and I am very concerned that the state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes.

I am keen birdwatcher, and am aware that these areas support a range of bird species that use these coastal regions for nesting, sheltering from strong winds, and rearing their young. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which I believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas. This would especially apply to the proposed Robins Island Wind Farm, a development that should not go ahead for all the reasons outlined by those of us concerned about rare and threatened fauna, especially migratory shorebirds, that use the area.

Clause 1.4.2 of the State Coastal Policy provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to have no developments built on actively mobile landforms such as sand dunes.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy, and it is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to threats such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Sarah Lloyd OAM

From: Bevan Anderson <>
Sent: Sunday, 20 October 2024 11:40 AM
To: State Planning Office Your Say
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Robbins Island represents an authentic natural value of world recognised significance ,pristine surrounding water ways highly concentrated breeding ground of numerous aquatic fish species, a diverse supporting ecosystem to endangered migratory birds, flora and fauna and a biodiversity unparalleled within Robbins confines. . I object to any retrospective Coastal Policy intervention that is an obvious contrived manipulative attempt to secure industry opportunities for foreign investment placing at risk Robbins Island integrity and values unnecessarily. I warn ,protection of key world recognised Areas of significance is of the highest importance to not only individual but community and its values ,well-being,structure and coexistence.

Yours sincerely,

Bevan Anderson

From: Patricia Ellison
Sent: Sunday, 20 October 2024 10:04 AM
To: State Planning Office Your Say
Cc:
Subject: Concerns re Amendment to the State Coastal Policy - Development on Actively Mobile Landforms

Dear Planning Commission,

I am writing to raise my concerns about the proposed changes to Section 1.4.2. of the State Coastal Policy, which I understand will remove the prohibition of development on actively mobile landforms such as sand dunes.

I have been a volunteer with my local Coastcare group for over 25 years and during that time have come to appreciate the value of these landforms: **both in their own right, with their high conservation cultural and natural values, and for their importance in protecting the coast against the impacts of rising sea levels associated with climate change.**

The State Coastal Policy has served Tasmania well over the last 28 years but I do support its comprehensive review in response to “the pressures and threats to the natural and built coastal environment”, which was recommended in the recently released State of the Environment Report for Tasmania. This must, however, be done in a thoughtful way and with adequate community consultation. It should not be fast tracked in a piecemeal manner which, I believe, can only lead to major problems to be faced in the future.

My recommendation is that the amendment be abandoned and that the Planning Commission begins to implement a full review of Tasmania's Coastal Policy as provided for in the *State Policies and Projects Act 1993*.

Thank you,

Patricia Ellison

From: Helen Tait <
Sent: Sunday, 20 October 2024 9:07 AM
To: State Planning Office Your Say
Cc:
Subject: Protecting the nature of Tasmania's coastline.

Please protect the integrity of Tasmania's coastline.

Our coastline defines Island Tasmania, in itself and in the world.

Coastal land is a transition land in many forms; saltmarsh, sanddune, sandspit, coastal lagoon, coastal wetlands, places in flux, places of stark or crumbling cliffs.

These places have specific qualities

Unique habitats lively and fragile, diverse and beautiful

They require our greatest of respect, our honouring and protection from the single minded values of exploitation for just ourselves .

Please keep legislation strong and safe for protections for the values of our natural coast.

Sincerely
Helen Tait

From: Kim Barker <>
Sent: Monday, 21 October 2024 9:33 AM
To: State Planning Office Your Say
Cc:
Subject: Submission:protection for actively mobile landforms

The current Position Paper fails to convincingly explain the purported issues with the State Coastal Policy and the rationale behind the proposed amendment. It claims there are problems with the application of section 1.4.2 of the policy but does not reference any legal advice. The recently released State of the Environment Report recommends a comprehensive review of the Tasmanian Coastal Policy in response to pressures and threats to the natural and built coastal environment. This recommendation is supported, provided it follows the Tasmanian Planning Commission's intent and undergoes a full review under the State Policies and Projects Act 1993, rather than a 'fast-track' process through section 12.

Reviewing our planning laws and policies is essential to ensure they perform as expected and respond to changes like climate change. The State Coastal Policy has operated successfully for 28 years without definitions, and if this were a significant issue, the state government's lawyers would have presumably provided advice, which the government would release. Many key terms related to natural values are also not defined in policies or legislation, yet planning authorities and experts can determine definitions and their geographical applications during development assessments.

If the government cannot justify the need for the change more succinctly and with clear evidence there is an issue, it should not proceed. The State Coastal Policy provides protection for actively mobile landforms, which have high conservation, cultural, and natural values. The impacts of climate change make it even more crucial not to easily facilitate development on these landforms, such as sand dunes.

Yours sincerely,
Kim Barker

From: Moana Tere <>
Sent: Monday, 21 October 2024 9:25 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the State Policies and Projects Act 1993 that allows the amended policy to become an Interim State Policy and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the State Policies and Projects Act 1993 is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,

(Include your name)

From: Helen Gasparinatos <>
Sent: Monday, 21 October 2024 9:13 AM
To: State Planning Office Your Say
Cc:
Subject: Proposed amendment to the State Coastal Policy

Dear future planning team,

I request that these changes be abandoned in favour of retaining protection for these vitally important and vulnerable areas of our coastline.

Tasmania is littered with the effects of previous bad decisions to build and force our will on the frontal coastal dunes and tidal zones.

These areas are a part of an ever changing transfer of sand. Not only from dune to part of the underwater system but the sand moves along the coast.

Please see the huge costs to other states where sand cannot be naturally replaced and it must be trucked in or pumped.

Needless to say if you walk/swim/use a watercraft in these zones you see an incredible amount of life. Birdlife. Sea creatures.

The beauty of the sea and coastal vegetation.

They are vital for fishing, shellfish farming, tourism and recreational use etc.

We must be careful and tend to the future generations and by allowing them to enjoy what we now have then we can rejoice in good decision making.

Thank you for your attention.

Regards,
Helen Gasparinatos

From: Marina Campbell <>
Sent: Monday, 21 October 2024 9:03 AM
To: State Planning Office Your Say
Cc:
Subject: Maintain the integrity of our State Coastal Policy

Dear Members of Parliament

I am extremely concerned at the proposed legislation which will significantly change our State Coastal Policy, a Policy that has held us in good stead for almost 3 decades. As many Tasmanians do, I treasure our coastal environment. I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed.

The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

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coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely
Marina Campbell

From: Eleanor Tucker
Sent: Monday, 21 October 2024 8:31 AM
To: State Planning Office Your Say
Cc:
Subject: Proposed Amendments to State Coastal Policy

Dear DPAC,

I am very concerned by the proposed changes to Tasmania's State Coastal Policy and think that it is a very bad idea to weaken the Policy and the way that our coastline is managed and protected. The Amendment to State Coastal Policy page does not provide sufficient and specific information for me to fully understand the need for such changes and so I am suspicious that the natural and cultural values of our coasts are under threat. Additionally, with climate change evidently affecting sea level rise, we should be alarmed by anything that makes it easier for development on actively mobile landforms (such as sand dunes) around Tasmania. For these reasons I urge you not to support the proposed changes to Tasmania's State Coastal Policy.

Kind regards,

Eleanor Tucker

From: Jenny Seed
Sent: Monday, 21 October 2024 8:23 AM
To: State Planning Office Your Say
Cc: Retain the Prohibition on development in Actively mobile landforms

Subject:



Dear to whom it concerns,

Continually cannot believe that the Tasmanian State Government keeps fiddling and exhausting the public with duplicitous contrivances of trying to increasingly pandering to big business developers.

Travelling to Tasmania means expecting to find places that are special, beautiful, untouched, undeveloped.

The proposed changes to Tasmania's State Coastal Policy will profoundly weaken the Policy and the way coasts are managed and protected in Tasmania.

Tasmania's coast is unique and largely unspoilt, thanks to the State Coastal Policy, which has protected it for almost 30 years.

Do not turn Tasmania into..... Vanishing Tasmania.....!!!!!!!

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

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The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

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Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as

we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Jenny Seed.

From: Ian Helmond <>
Sent: Monday, 21 October 2024 7:49 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state

government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

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As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

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The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal

environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Ian Helmond

From: G Davis <>
Sent: Monday, 21 October 2024 7:45 AM
To: State Planning Office Your Say
Cc:
Subject: Retain the prohibition on development in actively mobile landforms

Dear Parliamentarian,

I am writing to you today to voice my concerns about the new State Coastal Policy Paper.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we

expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

I have grown up in Tasmania and lived most of my life here. I love our coasts and landscapes. I enjoy being able to walk around the beaches and shores, especially those unhindered by human developments. I am an artist painter and illustrator of native plants and fauna. I am also a botanist and coordinate a coastcare group. We have a very special beauty here around our island. We also have special animals and plant life that would be affected by such radical interference if coastal developments were so allowed to go ahead. There are significant flyways of migratory shore birds that would be affected, including the Eastern Curlew, Bar-Tailed Godwit and Red-necked Stint. Our endemic Orange bellied parrot also flies through this north western flyway, where the proposed Robbins Island windfarm is to set to be. Our Short-Tailed Shearwaters and resident shorebirds are at risk, not to mention the majestic Sea eagles. Our micro bat fauna also use this flyway zone. There are also sacred and special sites of aboriginal heritage that would be potentially damaged.

Look at what would be destroyed before you back such a potentially destructive policy.

Please give careful consideration before choosing this change to the current State Coastal Policy policy.

Yours sincerely,

Georgina Davis

From: Colin & Joan von Bibra, Precision Engravers
Sent: Monday, 21 October 2024 7:23 AM
To: State Planning Office Your Say;
Subject: Retain the prohibition on development in actively mobile landforms

I strongly oppose the proposed changes to the State Coastal Policy.

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

I oppose the amendment to the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The State Government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

One is led to wonder whether the State Government has fabricated a problem with the State Coastal Policy to disguise its true interest, which is probably to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

The the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the

amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

It is good to review planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends the Government “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation seems sensible as long as the Tasmanian Planning Commission’s intent in making the recommendation is followed . A full review under the *State Policies and Projects Act 1993* should be undertaken and not the ‘fast-track’ process through section 12.

Yours sincerely,
Joan von Bibra OAM

From: Roger Proctor <>
Sent: Monday, 21 October 2024 6:34 AM
To: State Planning Office Your Say
Cc:
Subject: Amendment to the State Coastal Policy 1996 - Development on Actively Mobile Landforms

Dear State Government

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning

Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

There are good reasons of review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation should be followed and a full review under the *State Policies and Projects Act 1993* should be undertaken and not the 'fast-track' process through section 12.

To reiterate, I oppose the proposed changes to the State Coastal Policy.

Yours

Roger Proctor

From: Sue Gebicki <>
Sent: Monday, 21 October 2024 5:51 AM
To: State Planning Office Your Say;
Subject: Retain the prohibition on development in actively mobile landforms

After living on the mainland for my first twenty years in Australia, I was greatly relieved to come to Tasmania and enjoy beautiful beaches free of crowds, buildings, vehicles, pollution, while providing a safe environment for a wide variety of wildlife.

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported

problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define ‘actively mobile landforms’

The State Government has created false alarm about the absence of a definition of an ‘actively mobile landform’, in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government’s lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of

Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Sue Gebicki

From: Douglas Brown
Sent: Monday, 21 October 2024 10:24 AM
To: State Planning Office Your Say
Cc:
Subject: Prohibition of Development on Mobile Sand Dunes

Dear Sir/Madam,

I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a [State Coastal Policy Position Paper](#) that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release

any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the 'fast-track' process through section 12).

Yours sincerely,
Douglas Brown

From: karen dedenczuk <
Sent: Monday, 21 October 2024 10:24 AM
To: State Planning Office Your Say
Cc: karen
Subject: COASTAL POLICY PROPOSED AMENDMENT - MY SUBMISSION

Hello,

I am writing to you because I am deeply concerned about proposed changes to existing Coastal legislation which in the past prohibited unsuitable development on Tasmania's beautiful coastlines.

As a Tasmanian by birth I have had a long history with my family and visitors to the State of enjoying our wild and pristine coasts. These experiences are shared with so many people from around the world. I believe any developments must be built well away from the coastal skyline...where people can travel in vehicles to park and enjoy the wild Tasmanian experience. If inappropriate developments are built then it will, in my opinion, take away the "edge" that Tasmania has over so many places in Australia and around the world. People will not come here to see more coastal buildings in previous wild places.

In terms of you our Government representatives - this suggested amendment is so inappropriate for our coastal areas. For the current Government - this could lose you the next election. Developments on our coast will be unpopular with everyone (except the developers).

My family have always voted Liberal but they would be ashamed at moves to change coastal policy for developers. Coastal areas are key to protection our wild places. Does such development include Wind Farms along the coast?

Coastal dunes require special management. And the cultural significance to our First Nations people is of great import especially for younger generations researching these landforms and their evolution. Particularly in times of climate changes.

Apparently the suggested amended policy by the Government would then become Interim State Policy and come into effect while it is still under review by the Tasmanian Planning Commission.

However, any problems with the suggested amended policy, would already be in force and may continue to be for up to 12 months. So much damage could be done in this time period....especially to those which have high conservation values and need to be protected.

The recently released State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy.

Let's do that first! Then we have the science in front of us. This includes the already existing pressures and threats to our natural and built coastal environments.

Reviews must be regularly undertaken of course to make sure our planning laws and policies are responsive to changes including our climate.

I believe that recommendations offered by the Tasmanian Planning Commission must be considered firstly so that a full review under the State Policies and Projects Act 1993 is undertaken, not just through an rushed Amendment that does not yet have the full facts collected and presented to the public.

In summary I do not support this early change of a proposed amendment to the State Coastal Policy before it has been examined by the Tasmanian Planning Commission with options presented to the public

Thank you for reading and considering my suggestions,

Karen Dedenczuk

From: Janice Miller
Sent: Monday, 21 October 2024 10:23 AM
To: State Planning Office Your Say
Cc:
Subject: Submission re. Amendment to the State Coastal Policy 1996 - Development on Actively Mobile Landforms

Dear Government Planning Office

It is of considerable concern that the minority Tasmanian Government is seeking to undermine one of Tasmania's greatest coastal governance instruments – the Tasmanian State Coastal Policy 1996.

The elected parliamentarians are the current stewards for this unique State and it is incumbent upon each one of them to provide the best possible governance of Tasmania's unique and fragile ecosystems and not seek to undermine sound legislation that is in place to protect our coastal zones and consequently are land systems.

The nature of and the 'speed' with which the current minority Tasmanian Government is seeking to undermine important legislation and 'fast-track' changes to diminish protections and then apply such changes retrospectively over decades is of particular concern and raises the question why? The lack of full transparency and rationale for such changes further raises concerns for the intent of such poor governance outcomes.

Outcome 1.4.2 listed in the Tasmanian Coastal Policy 1996 which the minority Tasmanian government is seeking to change is one clause under:

1.4. COASTAL HAZARDS

1.4.1. Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.

1.4.2. Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.

1.4.3. Policies will be developed to respond to the potential effects of climate change (including sea-level rise) on use and development in the coastal zone.

The proposed weakening of Outcome 1.4.2 will not only impact negatively on areas identified under Outcome 1.4.1 but also seriously undermines and effectively dismisses Outcome 1.4.3 as we now face serious climate challenges and must take action to mitigate the actual and potential harm being inflicted on our coastal zones through increasingly powerful storms and tidal surges.

The Tasmanian Coastal Policy 1996 is more important than ever as its provisions protect the frontline between severe weather events and many of Tasmania's communities – human and ecological. Coastal zones are in themselves dynamic systems, subject to continual erosive effects of wind, tide, wave and salt. During severe storms they can suffer significant damage but can also provide critical buffer zones for the land. These zones must therefore be protected from inappropriate developments including structures which prevent the movement of mobile dune systems; and structures which impact, through their design, weight, size and use, on the ecology of the coastal zone. Such developments will diminish the inherent integrity of the coastal systems and reduce the effectiveness of our coastal zones being buffers to climatic events.

Coastal systems provide important ecological habitats and critical mental and physical health opportunities for residents and visitors alike; they are treasure troves of Aboriginal cultural artefacts; however they remain poorly understood and ecologically documented leaving them vulnerable to ill-informed management decisions and opportunistic misuse.

It appears that the minority Tasmanian government is in part seeking to amend Outcome 1.4.2 to push through approval for the windfarm at Boullanger Bay - Robbins Passage, further undermining governance processes as the Australian Government is yet to comment on the development and the proposal is still being contested in the Supreme Court.

It is important that all Tasmania's parliamentarians are reminded that the Boullanger Bay - Robbins Passage area is listed in the Directory of Important Wetlands of Australia (DIWA), extracts include:

Site Description:

Boullanger Bay - Robbins Passage is an extensive area of tidal channels and intertidal mud and sand flats lying between the northwest coastline of Tasmania, and three off-shore islands (Perkins, Robbins and Penguin islands).

Significance:

*Boullanger Bay/ Robbins Passage attracts the largest numbers of migratory waders in Tasmania, and is also a very significant habitat for non-migratory species. It supports a number of bird species which are regarded as significant both nationally and internationally. Among the many birds using the area, there are 13 species which are listed on the following international treaties, the Japan - Australia Migratory Bird Agreement (JAMBA) and the China - Australia Migratory Bird Agreement (CAMBA). The area provides the most extensive feeding grounds on an important route for birds migrating across Bass Strait. It is likely that the orange-bellied parrot (*Neophema chrysogaster* - Endangered; Se, Ne; Endangered Species Protection Act (ESPA) 1992, Threatened Species Protection Act (TSPA) 1995) uses this area as a stop-over in it's [sic] migration across Bass Strait.*

Social and Cultural values:

There is extensive anecdotal evidence of the long-term use of the area by Tasmanian Aboriginals for various purposes, including hunting and food-gathering. Although it is likely that Aboriginal values of National Estate significance [sic] exist at this site, these have not yet been identified or documented.

Extracts taken from: <https://www.environment.gov.au/cgi-bin/wetlands/report.pl>

At the same time that the Boullanger Bay - Robbins Passage wetland was being nominated and accepted for the DIWA (at the turn of the century) a nomination for the area to be included as a wetland of international significance under the Ramsar Convention was being prepared by government and non-government officers. Successive Tasmanian Governments have failed to support the nomination. This is a golden opportunity for the incumbent minority Tasmanian Government to take the initiative and re-start the process to create an eleventh Ramsar site in Tasmania.

The disrespectful manner in which this attempt to seriously weaken the Tasmanian Coastal Policy 1996 by not following due process for community consultation legislative requirements. The lack of transparency (beyond the stated intent to develop a wind farm at Boullanger Bay - Robbins Passage) in the minority government's desire to weaken the State's coastal policy and the intent to apply the weakened policy retrospectively should be questioned by all parliamentarians. It is certainly an alarmingly disrespectful display to the Tasmanian community to undermine good governance processes.

This is to request that the proposals to weaken the Tasmanian Coastal Policy 1996, through the *Amendment to the State Coastal Policy 1996 - Development on Actively Mobile Landforms* and the *Validation (State Coastal Policy) Bill 2024* are withdrawn.

Any review of the State's coastal policy, should be undertaken according to due process and with respect to the Tasmanian Community and should have the clear intent to strengthen protections for Tasmania's coastal zones, not weaken them as these two proposals so clearly intend.

Yours sincerely
Janice Miller

From: Donald Hay
Sent: Monday, 21 October 2024 10:14 AM
To: State Planning Office Your Say
Cc:
Subject: Stop the fast tracking of the State Coastal Policy, do the job properly.

Dear politician,

I am opposed to the proposed fast tracking of the amendment to the state coastal policy. If they are to be believed, the Liberals have stated the amendment is vitally important to allow Tasmanians to continue to enjoy our coastal areas.

There has been suggestions that lots of legal issues may arise if the policy is not immediately changed, including locking Tasmanians out of the coastlines.

The world has not stopped since the proposed change to the coastal policy was urgently needed, so one would assume it is not that important!

It does appear that the Liberals are trying to fast track the change to State Coastal policy, purely to help their corporate mates that wish to build the Robbins Island Wind Farm, and the destructive wharf through Back Banks on Robbins Island.

My suggestion is that a full review of the State Coastal policy is conducted, without rushing through poorly thought out amendments.

Regards,
Donald Hay

From: Vicki Campbell <>
Sent: Monday, 21 October 2024 10:01 AM
To: State Planning Office Your Say
Cc:
Subject: Retain current protections on actively mobile actively mobile

Like many Tasmanian-born and longtime residents of Tasmania, our coasts have always been part of my life. I was fortunate to grow up in a time when our coastline was relatively unspoilt, and largely free of inappropriate developments. I spent much of my childhood on the east coast, in what I now realise was a formative time for me. So my baseline is very different from that of many people today.

Given the impacts of climate change which we are already experiencing, protection of our coastlines is more important than ever.

I therefore oppose the proposed changes to the State Coastal Policy. My main concerns are:

The proposed amendment.

The [State Coastal Policy Position Paper](#) proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established or made clear.

Actively mobile landforms have high conservation values and must be protected, especially with the increasing impacts of climate change.

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation, cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.”

This would require a full, complete review under the *State Policies and Projects Act 1993* - not a ‘fast-track’ piecemeal process conducted through section 12.

Thank you for the opportunity to comment.

Yours sincerely,

Vicki Campbell

From: Todd Wilson <
Sent: Monday, 21 October 2024 12:56 PM
To: State Planning Office Your Say
Cc:
Subject: RE: Please retain the prohibition on development in actively mobile landforms

Dear Reader,

Tasmania has some of the most beautiful, varied and natural coastline in Australia. I hear this from many visitors and from my own direct experience.

It is seen time and again that once an area is interfered with through modern human endeavour, it is invariably diluted overall as a result.

To preserve fast-dwindling regions of natural beauty and sensitivity, I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

Scrap the proposed amendment

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The need for the amendment has not been established

The Position Paper does not provide a convincing explanation for what the purported problem with the State

Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

The government just wants to make it easier to build windfarms on the coast

It looks like the state government has fabricated a problem with the State Coastal Policy to disguise its true interest, which we believe is to remove a potential legal obstacle for wind farm developments that require infrastructure on coastal areas.

Actively mobile landforms have high conservation values and must be protected

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

Fast track amendment process will create planning uncertainty

As outlined in the Position Paper, the State Government proposes to use section 12 of the State Policies and Projects Act 1993 that allows the amended policy to become an Interim State Policy and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

False alarm about the need to define 'actively mobile landforms'

The State Government has created false alarm about the absence of a definition of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. If this was a significant problem the state government's lawyers would presumably have given advice about it and the government would release it. There are many key terms related to natural values that are also not defined in policies or legislation. Planning authorities and experts can work out definitions and how they are applied geographically when development assessments are made.

State of the Environment Report recommends undertaking a comprehensive review of Tasmanian Coastal Policy

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to "Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment." This recommendation is supported but only if the Tasmanian Planning Commission's intent in making the recommendation is followed and that a full review under the State Policies and Projects Act 1993 is undertaken (and not the 'fast-track' process through section 12).

Thank you for your time and efforts to preserve the integrity of our coastline in Tasmania.

Yours sincerely,

Todd Wilson

From: David Ridley <
Sent: Monday, 21 October 2024 5:53 PM
To: State Planning Office Your Say
Cc:
Subject: Re: State Coastal Policy amendments

HI. After a proof read first sentence should read 'regular' not 'regulator' auto-correction (?).
cheers
David

On Mon, 21 Oct 2024 at 12:49, David Ridley <

To: yoursay.planning@dpac.tas.gov.au

Dear Sir/Madam etc

I am a regulator visitor and user of Tasmania's coastal environment and have had the privilege of owning rural / residential development land on the coast. Our visitors to our unspoilt island are routinely taken to coastal areas. I support renewable energy initiatives in the right location for Tasmanians.

I oppose the proposed changes to the State Coastal Policy. There is not a convincing case for any changes and it is only being changed for political purposes as indicated below.

The Government proposes to remove Section 1.4.2 of the Policy which would remove a key protection for actively mobile landforms such as frontal dunes. Therefore I strongly recommend changes to the State Coastal Policy be

abandoned. There is no convincing explanation of any problems with application of the policy and no legal advice has been provided in the Position Paper to support the change. Furthermore, the Government has refused to release any legal advice; and it has not been able to properly explain the need for a change.

The Tasmanian public and politicians know it is a political knee jerk reaction to get the northern wind farms in the wrong location through retrospective legislation for a doomed initiative.

It is lazy politics when the real need is to identify upfront under the Tasmanian Planning Scheme where wind farms should and should not go - and not let the industry run the roost at the cost of the Tasmanian public, environment, landscape and Brand.

A main concern is that the Government wants to use this change in the Coastal Policy to wrongly build wind farms on particular coastal areas. They want to remove a legal impediment to wind farm developments to allow infrastructure to be built on sensitive coastal areas.

This is catering to multinational businesses with the cost being borne by Tasmanians and Tasmania's natural and special environment. The need for such wind generators to be built for the benefit of Tasmanians has not been established. Indeed, Marinus has been downgraded to one (unviable) cable. Major Hydrogen proponents at Bell Bay have pulled the plug on projects because it is not viable unless the Government basically 'give-away' the power at Rock(y) bottom prices.

Woodside has pulled the plug on a 300 megawatts (MW) project that could produce up to 107 tonnes per day of hydrogen with the resulting ammonia to be exported. The original plan was to build a 1.7 gigawatt (GW) hydrogen export facility. But bigger tax incentives in other countries and a change in State Government strategy shattered export dreams last year, when it became apparent Tasmanians would end up paying higher power bills because of the huge electricity consumption needs of the Bell Bay hydrogen proposals. As a consequence major projects from Woodside, Fortescue and Origin Energy's Bell Bay projects were canned. Fortescue couldn't get agreement for a low supply cost of \$20MWh with the Government (when \$50+ is needed as a break-even price for HydroTasmania and Aurora). Origin stopped their 500 MW project in 2023. Woodside has also dropped a hydrogen project in New Zealand and is focussing on USA where federal and state governments provide enormous tax and cash incentives to set up operations.

The Tasmanian Parliament also needs to complete the Committee enquiring on Marinus before any Coastal Policy changes are considered.

There also needs to be a declaration of donations made to the Liberal Party by the multinational companies and favoured by the Coastal Policy changes so as to clear the air on integrity and so Members of Parliament can properly be informed on the matter.

The State Government has manufactured a problem with the State Coastal Policy so as to disguise its true intent to

remove a legal obstacle for wind farm developments on coastal areas.

It needs to be recognised that Clause 1.4.2 of the State Coastal Policy is required to protect actively mobile landforms that have high conservation cultural and natural value. The State Government has also created a false alarm about the absence of a definition in the State Coastal Policy of an 'actively mobile landform', in the State Coastal Policy or in legislation, when the policy has operated successfully for 28 years without a definition. It is clutching at straws to manufacture a non-event for political purposes and, without disclosure of the political donations, it must be assumed for the benefit of the Liberal Party. It also needs to be recognised that there are many other terms related to natural values that are also not defined in policies or legislation in Tasmania.

The proposed amendments must be rejected.

Yours sincerely,

David Ridley

David Ridley

From: Leigh Murrell <>
Sent: Monday, 21 October 2024 12:26 PM
To: State Planning Office Your Say
Subject: Retain the prohibition on development in actively mobile landforms

To All Concerned,

I wish to state most firmly that I oppose the proposed changes to the State Coastal Policy due to the below issues and concerns:

The state government has issued a State Coastal Policy Position Paper that proposes to remove a key part of the State Coastal Policy, section 1.4.2, which would remove a key protection for actively mobile landforms such as frontal dunes. I do not support this change and recommend the proposed amendment to the State Coastal Policy be abandoned.

The Position Paper does not provide a convincing explanation for what the purported problem with the State Coastal Policy is and why the amendment is being proposed. The Position Paper claims that there are problems with application of section 1.4.2 of the State Coastal Policy but there is no reference in it to legal advice. The state government has previously refused to release any legal advice, and it is uncertain if it has obtained any. If the government cannot explain the need for the change, then it should not make the change.

There is a very good reason to keep clause 1.4.2 of the State Coastal Policy, as it provides protection for actively mobile landforms that may have high conservation cultural and natural values. The impacts of climate change make it even more important to not make it easier for development to be built on actively mobile landforms such as sand dunes.

As outlined in the Position Paper, the State Government proposes to use section 12 of the *State Policies and Projects Act 1993* that allows the amended policy to become an *Interim State Policy* and have effect while it is being reviewed by the Tasmanian Planning Commission. The obvious weakness of this approach is that, if the Tasmanian Planning Commission finds problems with the amended policy, it will already be in force and may continue to be for up to 12 months.

It is good to review our planning laws and policies to ensure they are performing as we expect and are responsive to changes such as climate change. The State Coastal Policy has not been reviewed since its inception in 1996. The recently released State of the Environment Report recommends to “Undertake a comprehensive review of Tasmanian Coastal Policy in response to the pressures and threats to natural and built coastal environment.” This recommendation is supported but only if the Tasmanian Planning Commission’s intent in making the recommendation is followed and that a full review under the *State Policies and Projects Act 1993* is undertaken (and not the ‘fast-track’ process through section 12).

Yours sincerely,

Leigh Murrell