

GUIDE: RESPONDING TO THE ONLINE SURVEY ON THE DRAFT MARINE AND COASTAL POLICY

The Victorian Government is seeking community input to inform a new Marine and Coastal Policy.

The Department of Land, Water and Planning (DELWP) is leading a process to improve the planning and management of our marine and coastal environment. It began with the finalisation of the new *Marine and Coastal Act 2018*. It now requires the **development of a Marine and Coastal Policy, a draft of which has been released for public comment until 15 August 2019.**

WHY THIS IS IMPORTANT

Victoria's marine and coastal environments are special and unique – and essential for life. They boast over 12,000 marine species, many of which are found nowhere else. What's more, our marine waters and coasts provide vital environmental, social, and cultural benefits to our communities – from the air we breathe, to the food we eat, and the places we enjoy for recreation.

But in the face of existing and emerging threats such as climate change, pollution, and the increasing pressures of commercial and recreational activities, it is essential that we plan for and manage them well.

The **Marine and Coastal Policy** is a key document that will be tabled in State Parliament, and will guide decision-makers, including local councils and land managers, in the planning, management, and sustainable use of our coastal and marine environment for the next 10-15 years.

WHAT YOU CAN DO

It is important DELWP hear community and stakeholder views on the strengths and gaps of their draft policy, to better inform the planning and management of our marine and coastal environments.

It is critical we support of the draft policy's strengths while seeking improvement in its significant gaps.

We have prepared this document to help you respond to the Victorian Government's online survey at: engage.vic.gov.au/draft-marine-and-coastal-policy/full-survey

You can use the points provided below to inform your answers to the survey questions. You are welcome to copy all or some of the text. It's valuable to add your

own comments and experiences.

Unfortunately the questionnaire is quite long, but some of the questions are more important than others, including:

- **Question 4** which deals with how managers will use the policy to make planning and management decisions, and what to prioritise.
- **Question 9** which deals with policies in relation to wetlands, marine protected areas, and coastal crown land.
- **Question 14** which deals with policies in relation to buildings, structures and access to/on marine and coastal crown land, and industries such as fisheries and ports.
- **Question 23** which deals with the pathway to initiating marine spatial planning and whether it will lead to integrated and coordinated planning and management.

Please do as much as you can, it all helps. At any time add you own comments.

Suggested points for the Survey – Draft Marine and Coastal Policy

1. Is the draft vision appropriate for the new Marine and Coastal Policy?

“A healthy, dynamic and biodiverse marine and coastal environment that benefits the Victorian community now and in the future”

- Support this vision. A healthy and biodiverse marine and coastal environment are strong elements and should be retained.
- A healthy and biodiverse marine and coastal environment should exist in its own right and should not always be based around providing benefits to humans.

2. What elements of the vision do you think are important to keep, remove or add?

- The words healthy, dynamic, biodiverse and future are all strong words of the vision and should be kept.
- The definition of ‘healthy’ could be expanded upon to include important elements of the Victorian Coastal Strategy 2014, including:
 - Areas of coast are reserved primarily for biodiversity conservation, and significant environmental, cultural, geological and landscape features are protected.
 - There are a diversity of habitats: seagrass meadows, sandy beaches, rocky reefs, saltmarsh and mangrove fields, dunes, woodland and heathland, all supporting resilient communities of indigenous plants and animals.

Please refer to *How to use the Marine and Coastal Policy* when responding to the following questions:

3. Do you think that using a Planning and Decision Pathway approach will assist clear and consistent decision-making? Why?

- Yes, it will, however it needs to be made clear that the pathway is a hierarchy, i.e. the top is the most important and should be considered above all others below.

4. Do you agree with the order of the steps and/or design of the Planning and Decision Pathway? What would you keep, change or add?

Support the order and design of steps and design, however given they align with objectives and guiding principles in the *Marine and Coastal Act 2018*, suggest some changes:

- 'Acknowledge Traditional Owner rights and aspirations' – The word 'acknowledge' is not strong enough, and should be replaced with 'enable', so the objective would be '**Enable** *Traditional Owner rights and aspirations.*'
- 'Protect and enhance environmental and cultural values' (second from the top) – this objective does not currently align with the objective set in the *Marine and Coastal Act 2018*, which is solely about the environment '*to protect and enhance the marine and coastal environment*', and does not include the word 'cultural'.
 - *The word 'cultural' should be removed, and included as a separate stand-alone objective in the decision pathway.*
- 'Respect natural processes' - Could be strengthened to say '**Respect and enhance** natural processes', recognising the importance of not only respecting, but acting to enhance.

Please refer to *Chapter 1: Traditional Owners Rights, Aspirations and Knowledge* when responding to the following questions:

6. Do you support the outcome and policies as written? Why?

- Traditional Owners should be consulted directly.
- Support a greater role of Traditional Owners in management of marine and coastal areas.

7. Are there any additional areas / matters where policy could provide guidance for Traditional Owners' involvement in marine and coastal planning and management?

- Traditional Owners should be consulted directly.
- Support a greater role of Traditional Owners in management of marine and coastal areas.

Please refer to *Chapters 2-5* when responding to the following questions:

8. Do you agree with the outcomes under the chapters Ecosystems and Habitats, Natural Features and Landscapes, Heritage and Cultural Values and Value of Marine and Coastal Crown Land? If not, please identify what changes should be made.

(Refer to chapters 2, 3, 4, 5)

Chapter 1: “Current and future generations of Traditional Owners care for and respect land and Sea Country through self-determination and two-way learning.”

- Traditional Owners should be consulted directly
- Support a greater role of Traditional Owners in management of marine and coastal areas

Chapter 2: “Ecosystem-based management is consistently applied so that Victoria’s marine and coastal ecosystems: are healthy, functioning, resilient and valued in their own right; provide goods and services to Victorians now and in the future. Victoria’s marine and coastal environment contains a healthy, diverse and connected range of habitats.”

- Strongly support the outcome recognising marine and coastal ecosystems are healthy, functioning, resilient and valued in their own right.

Chapter 3: “Significant natural features and landscapes (including seascapes) in the marine and coastal environment are protected and enhanced, recognising that marine and coastal processes will cause change.”

- Support this outcome.

Chapter 4: “Cultural values and sites of heritage significance in the marine and coastal environment are protected for current and future generations.”

- Support this outcome, however further clarification could be provided on the meaning of ‘protected’.
- It is important to recognise how ecological or biodiversity values are measured against cultural values.

Chapter 5: “The benefits of marine and coastal public land are available to current generations without compromising the ability of future generations to enjoy similar benefits.”

- Support this outcome, however it needs strengthening as the word ‘similar’ is weak and up to interpretation. ‘Same’ or ‘improved’ would be clearer.
- Should recognise the need to maintain and enhance the condition of marine and coastal public land.

9. Do you think that the policies will achieve the outcomes (either as written or with the changes you have suggested)? If not, please identify where improvements could be made.

Chapter 2: Ecosystems and habitats

“2.7 Manage the health of coastal wetlands (including lakes) and estuaries through implementation of the Victorian Waterway Management Strategy and regional waterway strategies.”

- The direct management of the marine environment of Ramsar sites is not recognised within the *Victorian Waterway Management Strategy* and therefore leaving this unaddressed in the policy.
- There needs to be a policy that directly deals with managing the health of the marine component of Ramsar sites and marine components of wetlands and estuaries.
- The previous Victorian Coastal Strategy had a strong policy, which is not included, but should be retained: *“Protect and improve the ecological integrity of marine components of Ramsar sites, coastal wetlands and estuaries.”*

Chapter 5: Value of Marine and Coastal Crown Land

“5.1 Ensure marine and coastal Crown land remains in public ownership for the benefit of all Victorians.”

- Strongly support this policy.
- Could be strengthened by acknowledging the need to consider filling the gap for what is not currently designated as coastal Crown land. 96% of our coastline is reserved as crown land, leaving 4% to be acquired.

“5.2 Maintain and monitor a comprehensive, adequate and representative system of well managed Marine and Coastal National Parks, sanctuaries, nature conservation reserves and coastal Crown land reserves, including minimising the impact of activities on those waters and lands and managing for their legislated purposes.”

- Support this policy dot point, however needs significant strengthening to include the need to ‘**complete**’ Victoria’s marine protected area estate.
- Victoria has only 5.3% of Victoria’s waters in high level protection, which does not even meet the lowest international benchmark of at least 10% of marine waters.
- Victoria has the second lowest percentage of state waters as no-take, compared to other Australian States.
- The Victorian Environmental Assessment Council recommended in their 2017 *State-wide Assessment of Public Land* that “*Victoria’s marine environment be reviewed for the comprehensiveness, adequacy and representativeness of its marine protected areas...*” and also states “*...the existing system of no-take marine protected areas has some gaps in representation, and individual marine protected areas may not meet the adequacy criterion.*”

Please refer to **Chapters 6-7** when responding to the following questions:

10. Do you agree with the outcomes under the chapters Managing Coastal Hazard Risk, and Emergency Response and Preparedness? If not, please identify what changes should be made.

(Refer to chapters 6, 7)

Chapter 6: *"Risks from coastal hazards are understood and managed. Climate change impacts are understood and their negative impacts on the environmental, social, and economic values of the marine and coastal environment are minimised. Adaptation is integrated as a core component of planning in the marine and coastal environment, and is used to improve decision-making, manage uncertainty and build resilience."*

- Support the new policy direction of including adaptation as a core component

11. Do you think that the policies will achieve the outcomes (either as written or with the changes you have suggested)? If not, please identify where improvements could be made.

Chapter 6

"6.5 Consider the impacts of increased sea-surface temperature, ocean acidification, and changed distribution of native and invasive marine species as a result of climate change in marine spatial, sector-based, and adaptation planning."

- It is important to recognise the changes in abundance (in addition to distribution) of invasive species.
- Coastal invasive species also need to be recognised, not only marine species We should not only consider but also act on impacts where necessary. Action on marine pests will be critical in key locations like marine protected areas, and it is a specific focus from agencies such as Parks Victoria who are investing funds and resources into this management.

12. What further policy guidance or clarification would assist local government, communities, and industry in managing climate change impacts and coastal hazard risk?

- Need to identify 'at risk' areas.
- Conduct comprehensive mapping of current settlements, coastal nature and predicted sea level rise for the Victorian coastline, and combine this with mapping of where coastal settlements and nature can move to as a result of sea level rise.
- Develop strategies to prepare for the impacts of climate change on coastal and marine ecosystems by identifying at-risk areas along with measures to limit damage and promote adaptation.
- Capacity building for planning and managing risk to provide guidance to all levels of government, community, and industry.

Please refer to *Chapters 8-12* when responding to the following questions:

13. The concept of activity and recreational nodes has been retained from the Victorian Coastal Strategy 2014. Do you think it is still a useful tool to maintain in statewide policy?

- Support the retaining of activity and recreational nodes as a useful tool that should be maintained in statewide policy.

14. Do you agree with the outcomes under the chapters Ecologically Sustainable Development, Coastal Settlements, Buildings Structures and Access, Marine and Coastal Industries, Recreation and Tourism? If not, please identify what changes should be made.

(Refer to chapters 8, 9, 10, 11, 12)

Chapter 10: "Buildings, structures and facilities on public and private land in the marine and coastal environment exhibit excellence in siting and design that is sympathetic to the coastal and marine landscape context and minimise impacts on the environment. Buildings, structures and facilities on marine and coastal Crown land are functionally dependent on being near or in the water and provide significant public benefit. Access to marine and coastal Crown land is developed and located to enable safe public access and protect environmental and cultural values."

- Support the need for buildings, structures and facilities on marine and coastal Crown land to be functionally dependent on being near or in the water and provide significant public benefit.

Chapter 11: "Marine and coastal industries are valued for their contribution to the well-being and function of Victorian communities and the economy."

- This outcome should also recognise that these industries are reliant on a healthy and functioning marine and coastal ecosystem.

15. Do you think that the policies will achieve the outcomes (either as written or the changes you have suggested)? If not, please identify where improvements could be made.

(Refer to chapters 8, 9, 10, 11, 12)

Chapter 8

"8.4 Design and construct development in the context of the proposed site, its values and uses and consider alternative options that minimise the impacts on those values and uses"

- Development should be avoided in significant and sensitive areas including marine protected areas (MPAs), Ramsar sites, and other wetlands, conservation reserves, and areas of high cultural significance.

Chapter 9

"9.10 Prohibit the development of new residential canal estates."

- Strongly support this policy to prohibit the development of damaging new residential canal estates.

- Canal estates can have the potential to cause many detrimental environmental impacts that result in the destruction of natural features, particularly wetlands and estuarine areas.

Chapter 10

“10.2 Require buildings, structures and facilities on or in marine and coastal Crown land to have a functional need to be located near or in the water and ensure that they provide significant public benefit.”

- Strongly support this policy.
- Buildings, structures and facilities not dependent on the coast should be prohibited.

Chapter 11: Marine and Coastal Industries

- There is a critical gap in this chapter – there is no policy that addresses the need for fisheries/aquaculture and ports/shipping to minimise and avoid impacts on the environment.
- There should be a policy stating the need for fisheries/aquaculture and ports/shipping to minimise and avoid impacts on the environmental, social, cultural or economic values.
- There are no policies relating to the sustainable management of fisheries. There were outcomes and policies in the previous 2014 Victorian Coastal Strategy which have disappeared, and should be retained:

“Outcomes:

- Commercial and recreational fisheries are managed within an ecosystem-based marine planning framework and are ecologically sustainable
- An ecologically sustainable and viable aquaculture industry that uses low environmental impact production systems, is disease free, and implements best practice aquaculture and environmental management

Policy:

- Fishing stocks are comprehensively assessed and managed by identifying and managing important fish habitats, support for research, developing harvest strategies, increasing focus on ecosystem impacts of, commercial and recreational fishing
- Safe and ecologically sustainable recreational fishing is supported. This may be through the provision of facilities, enforcement of regulations, monitoring, behaviour change initiatives (e.g. Seal the Loop, Anglers Diary) and the inclusion of information in the Victorian Recreational Fishing Guide (DEPI (b) 2014)”

Marine Spatial Planning Framework

The following questions refer to *Chapter 15 - Marine Spatial Planning Framework Part A - Guidance*

19. Do you support the aspiration, goals and principles for integrated planning and management of the marine environment? Why?

- The aspirations, goals and principles have some strong elements, such as “ensure the health, resilience and functionality of marine ecosystems.”
- Goal 1: Marine ecosystems are healthy, resilient and functional should be the priority goal on which all other goals depend.

21. Do you think Part A of the MSP Framework provides appropriate guidance to marine sectors to support Victoria in achieving more integrated and coordinated planning and management of the marine environment? What improvements could be made?

- It is not clear if Part A of the Framework is intended to be used by managers to assist regular planning and management even when it is not the intent to undertake a marine spatial plan.
- Further guidance on when Part A should be used would be helpful.

22. Is further guidance required about integration with land-based planning and/ or across jurisdictional boundaries? If so, what is needed?

- Many land managers and Catchment Management Authorities have been unclear of their role in the marine spatial planning process. Expertise on the marine impacts from land is limited by staff capacity and knowledge building around this would be beneficial.

Part B - Initiating Marine Spatial Planning

23. Is the pathway for initiating a marine spatial planning process detailed in Part B of the MSP Framework clear? If not, what changes are required? Could it be simplified?

- There are significant problems as there are too many barriers to undertaking marine spatial planning.
- The Framework does not meet its objective for achieving integrated planning and management as there are too many barriers to initiate a marine spatial planning process.
- The Framework, by not requiring changes to existing single sector planning, makes the plans weak and essentially ‘paper only’ plans.
- Proposed management arrangements are unlikely to lead to integrated and coordinated planning and management. Instead they are likely to enforce the current business as usual approach.
- Barriers for initiating a marine spatial planning process make it extremely difficult to make progress. The need for authorisation of the Regional and Strategic Partnerships (RASPs) first, as well as getting approval by all affected ministers, and obtaining financial support make it extremely difficult to make progress.
- There is no real incentive for stakeholders/partners to initiate a marine spatial planning process.

The Framework should:

- Require changes to current planning and management which will lead to clear on-ground changes to management to meet the objectives in the *Marine and Coastal Act 2018*.
- Ensure clear thresholds for triggering a plan are included within the framework.

Part C - the marine spatial planning process

24. The co-design process used to develop the draft MSP Framework identified the benefit of collecting and collating existing data in a central repository that can be drawn upon in undertaking marine spatial planning. Do you agree a central repository of data is needed? If yes, what might it look like?

- Yes, agree that a central repository of data and information is needed, which could help support partners through the marine spatial planning process.

Ideally it would capture the following:

- Latest scientific data on values and threats to the marine and coastal environment spanning across all sectors and issues including: climate change, fisheries, biodiversity, ports and shipping, oil and gas, population growth, and catchment management issues.
- Map-based data to enable planners, managers and stakeholders to access common sets of sector-specific, place-based information to analyse spatial relationships, conflicts, and compatibilities.
- Spatial map of threats, uses and values of Victoria's marine and coastal environment.
- Independent advice, research and evidence such as VEAC's *Assessment of Victoria's Marine Environment*, and previous assessments in relation to the marine and coastal environment.
- Traditional Owners knowledge of the marine environment.
- Data from other NGO organisations for example Birdlife Australia beach-nesting shorebird data and cultural heritage knowledge.
- Predicted growth of existing and emerging industries and uses where appropriate.
- Have a dedicated marine spatial planning section which features:
 - Marine and Coastal Policy and associated Marine Spatial Planning Framework, examples of good plans from other jurisdictions/countries, relevant legislation, regulations and other plans that need to be considered across sectors.
- Should be invested in and developed by the state government.
- Should be accessible to the public.

25. Is the process for undertaking marine spatial planning detailed in Part C of the MSP Framework clear? If not, what changes are required?

- Gaining approval from all relevant Ministers prior to the implementation of a marine spatial plan could prove challenging.
- Further clarification would be helpful for the required processes for the responsible Minister to seek approval from other relevant ministers.

MSP Framework - General Questions

27. Does the MSP Framework provide guidance and a clear process for achieving integrated and coordinated planning and management of the marine environment? If not, what changes, improvements or additions could be made?

- The Framework does not meet its objective for achieving integrated planning and management as there are too many barriers to initiate a marine spatial planning process.
- The Framework, by not requiring changes to existing single sector planning and management arrangements, is unlikely to lead to integrated and coordinated planning and management, and instead is likely to enforce the current business as usual approach.
- Barriers for initiating a marine spatial planning process include the need for authorisation of the Regional and Strategic Partnerships (RASPs) and approval from affected ministers, in addition to obtaining financial support.
- There is no real incentive for stakeholders/partners to initiate a marine spatial planning process, other than using their own discretion.

The Framework should:

- Require changes to current planning and management, which will lead to clear on-ground changes to management, to meet the objectives in the *Marine and Coastal Act 2018*.
- Ensure clear thresholds for triggering a plan are included within the framework.

29. What do you see are the opportunities and/ or challenges relating to implementation of the MSP Framework? How could the opportunities be harnessed and/ or challenges addressed?

Challenges

- The Framework does not meet its objective for achieving integrated planning and management as there are too many barriers to initiate a marine spatial planning process.
- The Framework, by not requiring changes to existing single sector planning and management arrangements, is unlikely to lead to integrated and coordinated planning and management, and instead enforce the current business as usual approach.

- Barriers for initiating a marine spatial planning process include the need for authorisation of the Regional and Strategic Partnerships (RASPs), and approval from affected ministers, in addition to obtaining financial support.
- There is no real incentive for stakeholders/partners to initiate a marine spatial planning process, other than using their own discretion.
- Initiating a marine spatial planning process in the first instance brings with it huge challenges due to lack of existing capacity amongst management agencies. Marine spatial planning likely needs to be prioritised in order to get off the ground.

Opportunities

- Allowing changes to current sector-based planning and management will need to occur to lead to clear on-ground changes to management.
- Opportunities around collaborative efforts to build trust and capacity across sectors, to create a shared understanding of values, threats conflicts and opportunities – but only if clear thresholds for triggering a plan are included within the Framework.
- Once the Marine and Coastal Policy and Marine Spatial Planning Framework is finalised, resources and staff should be made available to support the development and implementation of a statewide marine spatial plan as a first step.

30. Do you think it would be beneficial for a statewide marine plan to be developed as a first step towards implementing marine spatial planning in Victoria?

- Yes, strongly support a statewide marine spatial plan as a first step.
- A statewide marine plan could identify values, threats, conflicts and synergies among stakeholders, and it could be used as a process to identify locations for more comprehensive marine spatial plans at either regional or more local locations.

31. Currently, the MSP Framework is a chapter within the Marine and Coastal Policy. From a usability and practical perspective, is this appropriate or would it benefit from being presented in an alternative format (e.g. as an appendix or stand-alone companion to the Policy)?

- The *Marine Spatial Planning Framework* would benefit from being a stand-alone companion to the policy. It currently gets lost within the policy.