

## **VNPA submission on the Draft Marine and Coastal Policy**

The Victorian National Parks Association (VNPA) is a leading community conservation organisation and has been advocating for the protection of Victoria's biodiversity for over 60 years.

We welcome The Department of Environment, Land, Water and Planning (DELWP) *Draft Marine and Coastal Policy*, as an important step to meeting the requirements under the *Marine and Coastal Act 2018*. We also thank you for the opportunity to comment, and to take part in the Stakeholder Reference Group meetings.

Our submission is segmented into three parts:

1. General comments with an overview of our thoughts on policy strengths, policies in need of strengthening, and significant gaps.
2. Strengths, and gaps explained in more detail.
3. Survey questions, where we address the questions from the online survey on Engage Victoria.

### **1. General Comments**

The policy document is a good start, with many strong policies that should be retained. There are many good policies that need strengthening, but also significant gaps that need to be addressed. They are summarised as follows.

#### **Strengths of the draft policy we support:**

1. The banning of damaging new residential canal estates.
2. Policies around the functional need for buildings, structures and facilities on marine and coastal crown land to require a functional need to be located near or on the water.

#### **Policies that need significant strengthening:**

1. Recognising the need to monitor and manage our marine and coastal conservation estate is a good start, however this needs strengthening so we can **complete** our marine conservation estate. Victoria has the lowest of its marine waters in highly protected areas of any Australian state, and does not even meet the lowest international benchmarks of 10% high level protection.
2. Ensuring marine and coastal Crown land remains in public ownership is a great policy. We suggest strengthening by ideally acquiring coastal land that is currently not in public ownership. (96% of the coast is currently in public ownership, leaving 4% to be filled).

### **Gaps in the draft policy that need to be addressed:**

1. The Planning and Decision Pathway does not reflect the Marine and Coastal Act, and needs strengthening.
2. The policy does not address fisheries, aquaculture, or ports and shipping, impacts on the marine environment, for example in Chapter 5: Marine Industries, when it does by oil and gas and renewable energy.
3. It is light on detail on the protection of internationally significant Ramsar wetlands, specifically the marine component which appears to be left out of the policy.
4. The Marine Spatial Planning Framework has too many barriers to initiating the marine spatial planning process, and does not currently meet the objectives of the *Marine and Coastal Act 2018*.

## **2.Strengths, and gaps explained**

### **Strengths of the draft policy we support**

1. **“Prohibit the development of new residential canal estates.”**  
(Chapter 9: Coastal Settlements, policy 9.10, page 47)

Canal estates can have the potential to cause detrimental environmental impacts that result in the destruction of natural features, particularly wetlands and estuarine areas. If not designed and managed properly, they can lead to increased stormwater runoff and sedimentation entering the marine area. This was a previous policy in the 2008 Victorian Coastal Strategy, and was removed in the 2014 iteration<sup>i</sup>. The addition of this policy again is welcome.

Strongly support as a stand-alone policy. This policy should be retained.

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.”**  
(Chapter 10: Buildings, Structures and Access, policy 10.2, page 50)

On many occasions we see proposals for facilities, buildings, infrastructure along our coast that are not dependent on being located on the coast. It is essential we only allow what actually needs to be located on the coast to be located on the coast, to avoid the unnecessary development of our coastline.

Strongly support this as a stand-alone policy. This policy should be retained.

### **Policies that need strengthening**

1. **“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.”** (Chapter 5: Value and Marine and Coastal Crown Land, policy 5.2, page 35)

We strongly support the need for our marine conservation estate to be recognised as a comprehensive, adequate and representative system (CAR) as a stand-alone policy. This policy should be retained, however it needs significant strengthening to include reference to also **completing** our marine and coastal conservation estate, and needs to reference Victoria's obligations to meeting international benchmarks.

The strengthened policy should be (with our emphasis):

“Maintain, monitor, **and complete** 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.”

#### International and national benchmarks

The draft policy document does not mention relevant international benchmarks that Australia and Victoria are obligated to meet, which have set the bare minimum for high-level protection of 10 per cent of marine habitats. This is double the current Victorian percentage, which is a mere 5.3 per cent.

- a) 1992 -1993: Convention on Biological Diversity, Aichi Target 11

The policy fails to even a mention the lowest international benchmark Australia has signed up for, under the Convention on Biological Diversity, Aichi Target 11:

“By 2020, at least 17% of terrestrial and inland water, and 10% of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.”<sup>ii</sup>

- a) 1996: National Strategy for the Conservation of Australia's Biological Diversity

To meet this target Australia's federal, state and territory governments signed the National Strategy for the Conservation of Australia's Biological Diversity (Biodiversity Strategy), and as stated in the National Parks Australia Council report *Australia's Marine Protected Areas*:

“This committed the Australian Government to establish and protect a CAR sample of Australia's terrestrial and marine environments, and is the nation's main instrument for implementing all of its obligations under the convention and the Intergovernmental Agreement on the Environment. The Biodiversity Strategy recognised that the marine and estuarine marine protected area system in particular was inadequate to maintain biological diversity. The strategy recommended expansion of marine parks and reserves to encompass representative examples of Australia's marine environments. Action 1.4.1 of the strategy commits to undertake a program that ensures the federal, state and territory terrestrial and marine protected area systems are comprehensive, adequate and representative”.<sup>iii</sup>

It has also been recognised through independent assessments that Victoria's network of marine protected areas may not even meet the CAR system (see below).

## b) UN Sustainable Development Goals

The UN's Sustainable Development Goal 14, 'Conserve and sustainably use the oceans, seas, and marine resources'<sup>iv</sup>) also calls for:

"By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information double the Victorian percentage."<sup>v</sup>

Victoria has only 5.3 per cent of its marine waters in highly protected in marine national parks and sanctuaries, the lowest of any Australian state<sup>vi</sup>, and only half way to meeting these international and national targets. This leaves many significant habitats worthy of protection, unprotected.

## c) 2014 World Parks Congress

Going even further, the long-term aspiration of the IUCN is for at least 30 per cent in no-take areas, and as recommended at the 2014 World Parks Congress:

"Recommendation 1. Urgently increase the ocean area that is effectively and equitably managed in ecologically representative and well-connected systems of MPAs or other effective conservation measures. This network should target protection of both biodiversity and ecosystem services and should include at least 30% of each marine habitat. The ultimate aim is to create a fully sustainable ocean, at least 30% of which has no extractive activities."<sup>vii</sup>

### Victorian policy, strategy, independent reports

Completing our marine conservation estate and referencing international targets already aligns with existing state policy, reports and independent reviews, including:

#### a) The Victorian Environmental Assessment Council's (VEAC) 2017 State-wide Assessment of Public Land

Recommendation 21: "Victoria's marine environment be reviewed for the comprehensiveness, adequacy and representativeness of its marine protected areas ..." and "... 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 ..."<sup>viii</sup>

#### b) Victoria's Biodiversity Strategy 2037

Already recognises the need to review our protected area system:

"Priority 18. Maintain and enhance a world-class system of protected areas. Initiatives by the government to deliver this priority will include:

Review the extent, representativeness and adequacy of the reserve system to identify key gaps and additional complementary measures required to improve the reserve system on public and private land."<sup>ix</sup>

In addition, the policy document also needs to reference and commit to meeting the priorities outlined in the *Biodiversity 2037* plan actions associated with marine and coastal environments.

c) Marine and Coastal Act 2018

Completing the marine conservation estate directly links with the first two objectives of the *Marine and Coastal Act 2018* which are to:

- (a) To protect and enhance the marine and coastal environment;
- (b) To promote the resilience of marine and coastal ecosystems, communities and assets to climate change.<sup>x</sup>

d) State of the Environment Report 2018 (SoE)

The main SDGs that are relevant to managing the marine environment include SDG 6 (clean water and sanitation), SDG 13 (climate action) and SDG 14 (life below water). However, there are targets within nearly all the goals that have relevance for management of the marine environment. Work undertaken by the Commissioner for Environmental Sustainability identified 22 biophysical and 30 socio-economic targets from the 169 targets that align with State of the Environment reporting.

Specifically included within the scope of the SoE (*page 102 of the Summary Report*), for Goal 14: Life below water is:<sup>xi</sup>

14.5 By 2020, conserve at least 10% of coastal and marine areas, consistent with national and international law and based on the best available scientific information	Fair	Stable	Good
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e) VNPA's Marine Protected Area Briefing Report

VNPA's *Marine Protected Area Review 2019*, is a comprehensive review of the most current scientific literature, on the environmental benefits of marine protected areas, and how Victoria is tracking against international benchmarks. This gives further evidence and benefits of the need for marine protected areas and context for Victoria. (Refer to Appendix I).

**2. "Ensuring marine and coastal Crown land remains in public ownership."**  
(Chapter 5: Value and Marine and Coastal Crown Land, policy 5.1, page 35)

We strongly support this as a stand-alone policy, and this policy should be retained.

This could be strengthened by acknowledging the need to consider filling the gaps for what is not currently designated as coastal Crown land. 96% of our coastline is reserved as crown land, overseen by the Department of Environment, Land, Water and Planning (DELWP):

- Parks Victoria (PV) manages approximately 70 per cent, the majority of which requires a high level of conservation protection. Councils, local port managers and committees of management (CoM) manage a further 20 per cent reserved for recreation and conservation purposes.
- DELWP directly manages the remaining 6 per cent, which is not reserved for a particular purpose.<sup>xii</sup>

This leaves 4% of coastal land left to be acquired.

## Significant gaps that should be addressed

### 1. **Planning and Decision pathway - need for ecological health to be a stand-alone step** (Page 19)

The Planning and Decision Pathway will be a useful tool to guide decision makers, however there are two major amendments needed to step one and two of the pathway.

#### “Step 1: Acknowledge Traditional Owner Rights and aspirations”

The word ‘acknowledge’ is not strong enough, and should be replaced with **‘enable’**.

The new pathway should be ‘Enable Traditional Owner rights and aspirations.’

Traditional Owners should also be consulted directly, but VNPA support a greater role of Traditional Owners in management of marine and coastal areas.

#### “Step 2: Protect and enhance environmental and cultural values”

Reflected in the *Marine and Coastal Act 2018*, the ecological health should be the prerequisite for all other decisions that occur. Environmental values need to be recognised in their own right and not bundled with other objectives.

Currently this does not occur with the lumping of ‘cultural’ in this second step of the pathway.

The word “cultural” should be taken out to reflect the objectives in the *Marine and Coastal Act 2018*, which states: “Section 2, 7 a) to protect and enhance the marine and coastal environment.”

The word ‘cultural’ could be picked in the first step of the pathway.

### 2. **No policy on fisheries, aquaculture, ports, shipping (and other potential emerging industries) seeking to avoid negative impacts on environment, social, cultural and economic values.** (Chapter 11: Marine and Coastal Industries, page 54)

Strangely, there is no policy that ensures fisheries, aquaculture, ports and shipping must minimise and avoid negative impacts on environmental, social, cultural and economic values, when clearly there scope is covered. This is a serious flaw.

Policy 11.5 already acknowledges the need for oil, gas and renewable energy, to do this, and could include fisheries, aquaculture, ports and shipping within its scope also:

“11.5 Use and development of marine and coastal Crown land for energy extraction, renewable energy generation or energy transportation must:

A. minimise and seek to avoid negative impacts on environment, social, cultural, and economic values

B. give preference to private land to locate above-ground infrastructure.”

Alternatively, a new policy created that could state:

“Use and development of marine and coastal Crown land for fisheries and aquaculture, and ports and shipping minimise and avoid negative impacts on environment, social, cultural, and economic values.”

Another significant gap is the lack of policies relating to the sustainable management of fisheries. There were outcomes and policies in the previous 2014 Victorian Coastal Strategy which have disappeared, that 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)<sup>xiii</sup>

VEAC’s *Assessment of the Values of Victoria’s Marine Environment 2019* highlights many threats and gaps in relation to these industries, and warrant the need for them to be addressed:

- Reductions in spawning and recruitment of commercial species can threaten the viability of fisheries, and in Victorian there are knowledge gaps on the stock structure for many species.
- There is also no sound estimate of recreational catches but some estimates have put recreational catches for key species above commercial catches both in Victoria. Meanwhile aquaculture in Victoria experienced growth of 18 per cent in 2016-17.
- Shipping activity is continuing to grow, with the Port of Melbourne’s volume of trade through the port growing by 3.2 per cent annually. Locations at highest risk of shipping accidents and spillages are the ports of Melbourne, Geelong and Hastings as well as Port Phillip Heads.<sup>xiv</sup>

**3. Protecting Ramsar sites are not adequately recognised in the policy.**  
(Chapter 2: Ecosystems and Habitats, policy 2.7, page 28),

There is no policy that effectively deals with protecting the marine component of Ramsar sites, which is an issue where many of Victoria’s Ramsar sites, for example Westernport Bay, are largely protecting marine waters.

The one policy that does mention Ramsar seems to defer to *Victorian Waterway Management Strategy*, even though large areas of Ramsar are marine.

“2.7 Manage the health of coastal wetlands (including lakes) and estuaries through implementation of the Victorian Waterway Management Strategy and regional waterway strategies” defers to the waterway strategy, which does not cover direct management of the marine environment.

The Victorian Waterways Management Strategy states:

“The Strategy does not include shallow marine waters except for those listed as internationally important wetlands (that is, Ramsar sites) or those listed in A Directory of Important Wetlands in Australia. Whilst the direct management of the marine environment is not a focus for the Strategy, it is recognised that activities in the catchment can affect marine receiving waters.”<sup>xv</sup>

Whilst many elements of managing Ramsar sites sit with the federal government, the state governments have an important role to play:

Australia’s national *Ramsar Implementation Plan 2016-2018*, lists goals and targets from *Ramsar Strategic Plan 2016-2024*, Goal 1, target 1: “Where opportunities exist, continue to integrate wetland conservation and wise use of Ramsar and other wetlands into state and local policies, strategies and plans that relate to the use and management of natural resources.”<sup>xvi</sup>

This is important considering the scathing review in The Victorian Auditor-General’s Report *Meeting Obligations to Protect Ramsar Wetlands 2016*:

“.....while there are a number of effective on-ground management outcomes, these are not clearly linked to management plan actions or risks....”

And

“There is limited evidence that all Ramsar sites are being effectively managed and protected from decline. There is also evidence of potential change in the ecological character of some sites, while changes at other sites cannot be fully determined due to limitations such as a lack of data”

And

“Overall, the governance, coordination and oversight of the management of Ramsar sites must improve for Victoria to effectively meet its obligations. Without this improvement, site managers will continue to be guided by their own priorities, rather than responding to key threats to Ramsar sites’ ecological character.”<sup>xvii</sup>

It is therefore critical Ramsar sites are adequately addressed in the *Marine and Coastal Policy*, and there is a policy that directly deals with managing the health of the marine component of Ramsar wetlands.

A good example was used in the previous *2014 Victorian Coastal Strategy* (with our emphasis added):

“Protect and improve the ecological integrity of Ramsar sites, coastal wetlands and estuaries, **and including marine areas**”.

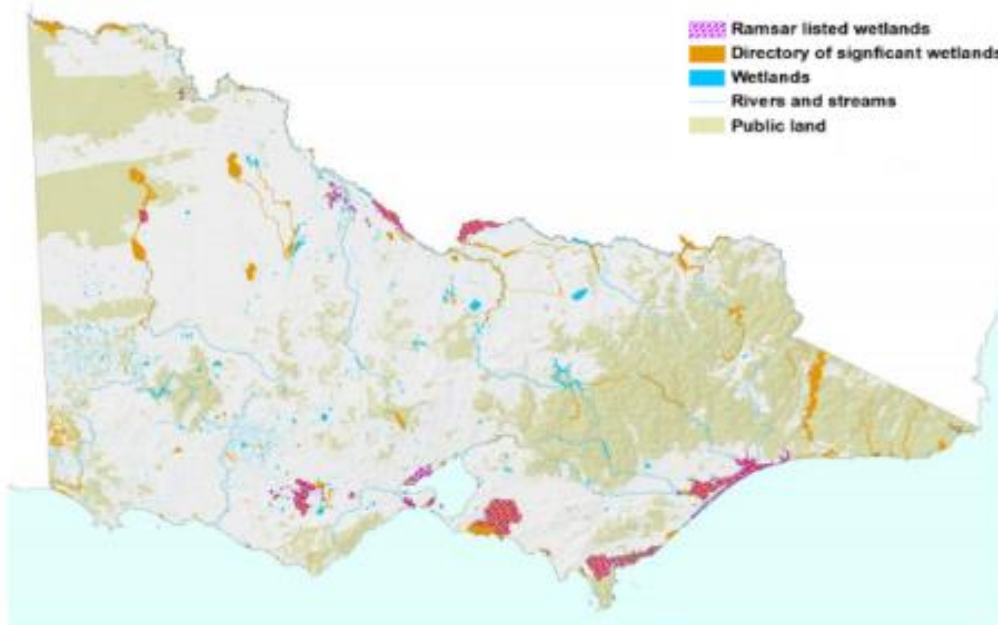
VNPA’s *2014 Nature Conservation Review* has also recommended protection of Ramsar sites, with some site specific protections:

- “Greater levels of protection for the habitat of threatened species and special features, including Ramsar wetlands and sites identified in the nature conservation review gap analyses:
  - Gippsland Lakes (parts): to better protect Ramsar wetland values;



- Prohibit any replication of the artificial beaches of the Wyndham Cove harbour development elsewhere along Port Phillip Bay’s Ramsar-listed western shoreline;
- Create a new Corio Bay Coastal Park to give stronger protection to Ramsar sites between Limeburners Bay and Lake Borrie”

Figure 4.3 Wetlands, including of international (Ramsar-listed) and national significance



Map: VNPA, Data source: Department of Environment and Primary Industries

Figure 1: Victorian wetlands, including Ramsar listed wetlands.<sup>xviii</sup>

#### 4. Marine Spatial Planning Framework

We acknowledge the huge amount of work, including stakeholder consultation that went in to develop the Framework, and have noted some flaws in the current Framework which unless addressed, will make it extremely challenging for the marine spatial planning process to be initiated. They include:

- A) **The Framework needs does not meet the objectives in the *Marine and Coastal Act 2018*.** (Chapter 15: A Marine Spatial Planning Framework for Victoria, page 68-103)

Currently the Framework does not meet the objectives in the *Marine and Coastal Act 2018*, which states it must:

“A Marine and Coastal Policy must include a marine spatial planning framework that establishes a process for achieving integrated and co-ordinated planning and management of the marine environment.”<sup>xix</sup>

It is difficult to see how the Framework will achieve this when it does not allow for changes to existing management tools, and in fact the Framework states the opposite:

“The MSP Framework does not replace single-sector planning and management and does not make changes to existing management tools”.

In this case, the Framework will not lead to clear on ground changes to management, and integrated and coordinated planning will not occur. This will only reinforce the current status-quo, and result in a business as usual approach.

**B) Too many barriers for initiating a marine spatial planning process.**

The intent of the Framework is to provide guidance on if, when and how a marine spatial planning process would occur. However when it comes to initiating a marine spatial planning process, there are too many barriers for the relevant partners to go through to get authorisation to commence the marine spatial planning process. These include:

- Approval for the marine spatial planning process requires the approval to form a Regional and Strategic Partnerships (RASPs), which it was not intended, or, designed to deliver marine planning across Victoria’s entire coastal waters.
- The funding processes requires partners of the RASP to demonstrate to the Minister responsible how the marine spatial plan will be financed.
- The responsible Minister needs to seek approval from other potentially affected ministers prior to authorising the commencement of a planning process.

In reality, it appears it will rely on the proactive nature/initiative of potential partners to initiate. This will be challenging considering managers capacity and lack of funding which already exists to undertake there core work.

**What the Framework should do:**

- Meet the objectives of the *Marine and Coastal Act 2018* (suggested edits in italics): “A Marine and Coastal Policy must include a marine spatial planning framework that establishes a process for achieving ***integrated and co-ordinated planning and management*** of the marine environment, ***by requiring changes in planning and management.***”
- Ensure clear thresholds for triggering a plan are included within the framework.
- Allow a process for the proactivity of a marine spatial planning process, not wait until incidences or conflicts arise.

### 3. Responses to the survey questions

#### 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. The point we would like to make is that 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 and biodiverse are strong words, along with recognising now and into the future, and they should be retained.

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 is a diversity of habitats: seagrass meadows, sandy beaches, rocky reefs, saltmarsh and mangrove fields, dunes, woodland and heathland, supporting resilient communities of indigenous plants and animals.

#### 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 to make stronger:

- *‘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 within the first step of the pathway.
- *‘Respect natural processes’* - *Could be strengthened to say ‘Respect **and enhance** natural processes’*, recognising the important of not only respecting, but acting to enhance.

**5. Do you think Table 1 (page 21) provides clear and helpful guidance for applying the guiding principles? If not, where is greater guidance needed and do you have any suggestions?**

Greater guidance could be provided under the following headings:

Evidence-based decision making:

- Guidance on where managers find the most up to date, scientific and other data would be beneficial in this section, for example in a central database when developed, or until then the current resources that are available.

Precautionary:

- Serious or irreversible threats should not only be considered here, but also the important of recognising emerging threats, that could become serious or irreversible if not actioned.
- The precautionary approach should also be used in a proactive way to prevent degradation of habitats and species.

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

Traditional Owners should be consulted directly, however VNPA supports a greater role Traditional Owner in managements 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?**

See above.

**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.**

Chapter 1 Outcome: "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, however VNPA supports a greater role Traditional Owner in managements of marine and coastal areas.

Chapter 2 Outcome: "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 Outcome: *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 – Outcome: *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'.

Chapter 5 – Outcome: “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 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.

**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.**

Please see below comments for improvements.

#### Chapter 2: Ecosystems and Habitats

“2.1 Use an ecosystems-based approach to manage Victoria’s marine and coastal environment in a way that sustains ecosystems to meet both their intrinsic needs and the needs of humans.”

Acknowledging this policy to manage Victoria’s marine and coastal environment should include a way that meets the needs of humans, but this should not be at the expense of meeting their intrinsic needs. These two often clash, and the needs of humans, are often prioritised over the environment.

“2.2 Protect and enhance the values of significant ecosystems and habitats in the marine and coastal environment”

Protecting only ‘*significant*’ ecosystems without any further explanation of the meaning of ‘*significant*’ poses the risk of failing to protect ecosystems that are worthy of protection. The meaning of the word significant needs to be made clear, or further guidance provided, or furthermore removed. If this statement is left as is, this could leave discretion of decision making of what is classed as significant up to whoever the decision maker is, and cause conflict. This policy would face challenges in being met in its current form.

“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 areas 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 areas 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,*”

“2.8 Manage the introduction and spread of invasive and pest species across public and private land in the marine and coastal environment by following the principles of the Invasive Plants and Animals Policy Framework.”

It is important to recognise the management of invasive species through an ecosystem based approach, which should also involve rapid response in high risk locations i.e. marine protected areas, Ramsar sites and other high values areas.

Recommend to reword:

Manage the introduction and spread of invasive and pest species **through ecosystem based planning** across public and private land in the marine and coastal environment by following the principles of the Invasive Plants and Animals Policy Framework.

*“2.9 Take into account and seek to minimise current and future cumulative and synergistic effects on ecosystems and habitats in the marine and coastal environment.”*

Some of this will be a knowledge gap, and so we suggest appropriate to add the word ‘*assess*’.

Recommend to reword:

*‘Assess, take into account and seek to minimise current and future cumulative and synergistic effects on ecosystems and habitats in the marine and coastal environment.’*

Additional policy suggestions not captured in their entirety that we suggest to include are:

- Maintain the biological diversity of Victoria’s marine and coastal ecosystems, including the capacity for evolutionary change.
- Maintain viable populations of all native species in Victoria’s marine and coastal ecosystems in functioning biological communities.
- Spatially managed areas are an important tool for the protection of ecological processes for example marine protected areas.

#### 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.”*

- Strongly support this policy, 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 lowest percentage of state waters as no-take marine waters out of all other Australian States.
- The Victorian Environmental Assessment Council, recommended in their *2017 State-wide Assessment of Public Land* recommended 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..”*

**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.**

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

This outcome could be strengthened by recognising the importance of assisting coastal nature to adapt to sea level rise and other impacts of climate change by using a range of planning tools.

**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: Managing Coastal Hazard Risk

“6.4 Planning must consider and seek to manage the impacts and threats to the health and functioning of marine and coastal ecosystems and habitats caused by climate change (including the landward movement of habitats in response to sea level rise).”

Needs further clarification on what planning tools could be used, and could be strengthened by give examples including ‘*protected biolinks to link with current conservation areas*’ and ‘*overlays such as the Environmental Significance Overlay to prevent the development of the land directly behind coastal conservation to enable it to adapt and retreat.*’

“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.”

Limiting impacts of the above in the planning sector leaves out gaps of other significant impacts that should also be listed, including:

- It is important to also recognise the changes in abundance, in addition to distribution from the impact of invasive species. An example of where this is occurring is in Nooramunga Marine and Coastal Park, where native sea urchins are causing declines in native seagrass populations.
- Coastal invasive species need to also be recognised, not only marine species.
- We should not only consider, but to act on impacts where necessary. Action on marine pests will be critical in key locations for example marine protected areas, and is a specific focus of agencies such as Parks Victoria who are investing funds and resources into their management.

Suggestion to reword as (with edits in bold):

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, **and where necessary initiate eradication or control programs at high risk locations i.e. marine protected areas.**

“6.6a Take a pathway approach to planning that: a. considers the full suite of adaptation actions including: non-intervention, avoid, nature-based methods, retreat, accommodate, and protect.”

The definition of ‘retreat’ should reflect proposals for new infrastructure, not only existing infrastructure, in terms of allowing corridors of undeveloped land to allow landward migration of

species, and the need to consider alternative locations for developments or coastal independent uses.

“6.7 Marine and coastal adaptation planning should.....”

A point here should be made about not altering habitat critical to maintaining biodiversity.

“6.14 Owners of property or assets exposed to coastal hazard risk, including state government, have a responsibility to understand that risk and act responsibly in light of that risk and in accordance with this Policy.”

Unclear about what this policy outcome means. Needs further clarification.

#### Chapter 7: Emergency Response and Preparedness

“7.1 *Emergency management response planning takes a least overall harm approach to detrimental marine and coastal environmental impacts resulting from the emergency and any response activities.*”

Confusing and unsure what this is saying. Needs further clarification, or clearer wording.

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

A few policy suggestions that could provide guidance for management decisions include:

- Information on international benchmarks for protected areas, and link to outcomes/objectives in the *Biodiversity Strategy 2037*.
- Include in the Victorian planning provisions and the state planning framework an objective to protect coastal nature to help adaptation and retreat in response to sea level rise and other climate change impacts. Amend coastal statutory zoning and overlays to aim for in situ protection of coastal nature for as long as possible and assist inland retreat as sea levels rise.
- 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 areas at risk and measures to limit damage and promote adaptation.
- Need to identify ‘at risk’ areas.
- Capacity building for planning and managing risk, to provide guidance to all levels of government, community and industry.

### **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 state-wide policy?**

Support the retaining of activity and recreational nodes, as a useful tool that should be maintained in state-wide 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.**

Chapter 8: “Victoria’s marine and coastal environment hosts a diverse range of uses and experiences that do not compromise the values of this finite area. Use and development of the marine and coastal environment: • is ecologically sustainable • is equitable • occurs in appropriate locations •



minimises impacts on environmental values and other uses • improves the total quality of life of Victorians, across current and future generations.”

Suggestions for strengthening include:

- The word ‘compromise’ could be replaced to **‘cause decline in ecosystem health’**
- ‘Equitable’ – needs further clarification on what this means
- Use and development in ‘appropriate’ location – the meaning of ‘appropriate’ will require further clarification.

It does not mention impacts on threatened flora, fauna or ecological communities, and this should be recognised.

Chapter 9: “Growth of coastal settlements is ecologically, socially and economically sustainable.”

Support this outcome.

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.
- This should be strengthened to also include the word **‘uses’** 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.

Chapter 12: “The marine and coastal environment hosts a diverse range of recreation and tourism experiences strategically planned and located to be safe, equitable and sustainable now and in the future.”

Support this outcome.

Chapter 13: “Community and user groups are actively engaged and empowered to care for, protect and improve the health of the marine and coastal environment. Communities, organisations and user groups as stewards collaborate to deliver integrated and coordinated planning and management of the marine and coastal environment. Marine and coastal managers have the knowledge, skills and capacity to manage current and future challenges. Improved access to and quality of knowledge and understanding of the marine and coastal environment is used to inform evidence-based decision making and evaluate the effectiveness of those decisions.”

Strongly support outcome.

**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.**

Chapter 8: Ecologically Sustainable Use and Development

Strongly support promoting strategic and spatial planning for all use and development in marine and coastal environment

“8.2 Use buffers or overlays where required to protect environmental, heritage and cultural values and enable the co-existence of compatible activities.”

Strongly support.

“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.”

Could be strengthened by adding in the consideration of other locations for use and development.

*Recommend to reword:*

Design and construct development in the context of the proposed site, its values and uses and consider alternative options, **including other locations** that minimise the impacts on those values and uses.

There needs to be mention of the need to avoid development and use in significant and sensitive areas including marine protected areas (MPAs), Ramsar and other wetlands, conservation reserves and areas of high cultural significance.

Chapter 9: Coastal Settlements

“9.1 Identify clear settlement boundaries around coastal settlements to plan for growth and protect coastal values; and direct growth to within these boundaries.”

Should include the need to monitor the implementation of growth boundaries.

Recommend to reword:

Identify clear settlement boundaries around coastal settlements to plan for growth and protect coastal values; and direct growth to within these boundaries, **and monitor the implementation of these growth boundaries.**

“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.

- Table 2 needs further clarification on if only the structures listed are allowed, and if not listed, does this mean they are prohibited.

“10.4 Prohibit new private buildings or structures on marine and coastal Crown land that provide primarily private benefit (e.g. private jetties, bathing boxes, boat sheds, protective structures)”

Strongly support, however this also needs to recognise the need to consider and avoid environmental and cultural impacts, even if it does provide public benefit.

“10.13 Prohibit off-road access to marine and coastal Crown land and beaches by private vehicles in accordance with the Land Conservation (Vehicle Control) Act 1972 and the Land Conservation (Vehicle Control) Regulations 2013.”

Strongly support this. This policy needs to take precedence over other plans, policies and regulations.

This has been a tension between coastal parks such as Discovery Bay access points have been developed for commercial fishers to more easily access the Discovery Bay fishery (such as in the Pipi Fishery Management Plan).

These access points have been abused by the illegal use of motorised vehicles on beaches, which is an inappropriate use under the reserves original purpose. Fisheries have stated they will work to improve beach access points and methods across the state. The illegal use of vehicles on beaches and in the case of Discovery Bay for example, sets a bad precedent for coastal management across Victoria - in which 96 per cent of the coast is publically managed land and vehicle use has been heavily restricted for decades. Furthermore this also creates issues regarding car parking, road access and increased litter.

This is a classic example of where park management directly comes up against fisheries regulations.

“10.15 Control domestic animal access to marine and coastal Crown land to locations and times that minimise risks to public safety and amenity and protects environmental values.”

Should be strengthened to specifically include the impacts of domestic animals on threatened species and/or species in a critical life stage i.e. breeding shorebirds and seabirds.

#### Chapter 11: Marine and Coastal Industries

- There is a critical gap in this chapter which is a serious flaw – there is no policy that addresses the need for fisheries, aquaculture and ports and shipping to minimise and avoid impacts on the environment.
- There should be a policy stating the need for fisheries, aquaculture and ports and 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:

The *2014 Victorian Coastal Strategy* had some solid outcomes and policy statements which have disappeared, and should be retained:

Fisheries -

“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)”

Ports –

- Facilities at ports are managed to address safety and environmental risks and vulnerability in a changing climate.

“11.2 Consider how to manage and minimise risk from the introduction and spread of marine pests and diseases from use and development in the marine environment (e.g. fishing, marine industries, and structures).”

It is important to not only consider, but implement plans to manage and minimise risk of marine pests. Suggest the re-wording to:

*Consider **and implement plans** how to manage and minimise risk from the introduction and spread of marine pests and diseases from use and development in the marine environment (e.g. fishing, marine industries, and structures).*

“11.5 Use and development of marine and coastal Crown land for energy extraction, renewable energy generation or energy transportation must: a. minimise and seek to avoid negative impacts on environment, social, cultural, and economic values b. give preference to private land to locate above-ground infrastructure.”

Support, but this policy should include the need for fisheries, aquaculture, ports and shipping, and other potential emerging industries, or be a separate policy item.

Suggestion policy:

*‘Use and development of **fishing, aquaculture, and ports and shipping, and other potential emerging industries** must also: seek to avoid negative impacts on environment, social, cultural, and economic values. This has not been recognised and should be a new policy item.’*

## Chapter 12: Recreation and Tourism

- It does not mention domestic animals and dog walking in particular is one of the top beach recreational activities, given both horse riding and dog walking can have negative impacts on coastal wildlife. It should be recognised that there should be consistent access restrictions and strategies used to minimise impacts, and regular reviews to ensure use of sites does not destroy the habitat values of those sites.

- It should be recognised that when there is an overlap between occurrence of threatened coastal wildlife and recreation/tourism, then this needs to be managed appropriately to ensure co-existence and survival of wildlife.

“12.3 Locate recreational access points and supporting infrastructure in recreation nodes.

Support this policy.

Suggest additional policies:

- Prohibit commercial tourism in coastal conservation estate where it has not been previously identified as a coastal dependent, and allowable use.
- There is no recognition of the need to monitor recreational fishing catches, and it is stated in *VEAC’s Assessment of the Values of Victoria’s Marine Environment 2019* that “There is also no sound estimate of recreational catches but some estimates have put recreational catches for key species above commercial catches both in Victoria.”
- The previous Victorian Coastal Strategy had a policy that should be retained: “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).”

**16. Do you think that the sustainable funding process (Figure 7, pg 65) will assist as the basis of developing sustainable funding models for marine and coastal management? If not, please identify where changes should be made.**

**Each marine and coastal manager needs to:**



The process outlined in figure 7, is not really a model for developing sustainable funding for marine and coastal management, rather it provides standard ‘logic’ model or risk based framework for developing budget bids. While the policy sets out a series of principles such as co-investment, cost sharing/cost shifting, risk based planning, it does not provided any clarity about actually increasing the level of funding or the actual mechanisms, which might be involved. While the polices may help with prioritisation, there is no guidance on increasing the amount of funding available.

Policy “14.5 The State and other marine and coastal Crown land managers will collaborate in developing funding options for plans developed under the *Marine and Coastal Act 2018*,” is weak and vague and does not resolve some of the fundamental weakness in coastal management, that is inadequate funding.

Victorian Auditor-General's Report Protecting Victoria's Coastal Assets page 69, concludes:

*"Inadequate funding and ineffective targeting of available funding is preventing the Audited agencies from practising good risk-based asset protection and management."*

*"A more sustainable funding model is needed that adequately resources coastal Managers by aligning revenue with the costs of what is needed to effectively manage and protect coastal assets."*

The discussion on funding seems to have gone backwards from the options canvassed in the original marine and coastal discussion paper

[https://www.marineandcoasts.vic.gov.au/\\_data/assets/pdf\\_file/0017/47213/Marine-Coastal-Act-Consultation-Paper.pdf](https://www.marineandcoasts.vic.gov.au/_data/assets/pdf_file/0017/47213/Marine-Coastal-Act-Consultation-Paper.pdf)

**17. Do you agree with the outcomes under the chapters Stewardship and Collaborative Management and Sustainable Funding? If not, please identify what changes should be made.**

Support that engagement recognises the variety of community values, and the use of formal mechanisms to establish a coordinated approach to planning.

**18. 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.**

Chapter 13: Stewardship and Collaborative Management

**"13.15** Align institutional arrangements for the management of marine and coastal Crown land to ensure local managers have the capacity and capability to effectively meet current and future challenges (e.g. climate change and changing community expectations)."

This policy is vague and makes little sense when the other parts of the policy exempts or does not address significant users of the marine environment such as fishing and shipping. How can these things be "aligned" when they are ignored by the policy.

## 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?**

- Aspiration – strongly support. Good to see the emphasis placed on healthy, resilient and functioning ecosystems, upon which planning and management is based.
- Goals – Support. Goal 1: Marine ecosystems are healthy, resilient and functional should be the priority goal for which all other goals depend on.
- Principles – Support the additional principles in addition to that outlined in the Marine and Coastal Act. A real strength of this is to support the proactive nature of marine spatial planning to identify future pressures, or conflicts, which often lack priority. Also that it is a continuous process that adapts to changes or new knowledge is particularly important, and the recognition and integration of Sea Country knowledge and practice.

The principle 'Optimal and equitable use of marine space and resources' has the potential of conflict, as by requiring that decision-making processes minimise negative economic, social or

environmental impacts, which are not often equally weighted, with one losing out more than the others. In most cases the environment is the loser.

**20. Are there additional sources of information that would be valuable to refer to in the MSP Framework?**

VNPA's *2014 Nature Conservation Review*, describes the high natural, social and economic values of Victoria's marine and coastal ecosystems and major habitat types. It also outlines the status of biodiversity and protected areas, and the condition of bays, inlets and estuaries. Major threats to marine and coastal nature – particularly climate change, coastal development, invasive species and fishing – are described and key gaps identified.

The report can be found here: <http://vnpa.org.au/wp-content/uploads/2014/02/NCR-Chapter2.pdf>

**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?**

Yes Part A, has many strong elements that will help give guidance to marine sectors. It is not clear however 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 would be helpful.

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

This is a strong and critical element of the framework. Guidance could be strengthened where it states "land planning and catchment management authorities must consider relevant marine plans when conducting terrestrial and catchment planning. "

Many land managers and Catchment Management Authorities have been unclear of their role in the marine spatial planning process. Due to expertise on the marine impacts from land being 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 challenges/ 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, make the plans weak and essentially 'paper only' plans.
- Proposed management arrangements, are unlikely to lead to integrated and coordinated planning and management, and instead enforces the current business as usual approach.
- Barriers for initiating a marine spatial planning process, make it extremely difficult to progress due to the need for authorisation of the Regional and Strategic Partnerships (RASPs) first, as well as approval by all affected ministers, in addition to obtaining financial support.

- 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.
- Allow for proactivity in undertaking a marine spatial planning process.

## **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, 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, 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 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 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 across affected ministers, in addition to obtaining financial support.
- There 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 cross sector, 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 state-wide marine spatial plan, as a first step.

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

Yes, strongly support a state-wide marine spatial plan as a first step. A state-wide marine plan could identify values, threats, conflicts and synergies among stakeholders, and 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, as it currently gets lost within the policy.

Thank you for the opportunity to provide comment. Please do not hesitate to contact us for further comment or clarification.

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## Appendix I

VNPA Marine Protected Area Review, 2019. See attached report.

## References

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