

Second Reading Speech
THE HON JEREMY ROCKLIFF, MP
PREMIER OF TASMANIA

Validation (State Coastal Policy) Bill 2024

Madam Speaker, I move that the Bill now be read a second time.

The State Coastal Policy has been a crucial component of the State's Resource Management and Planning System. For nearly 30 years, it has enabled many developments while protecting our coastal areas. It is essential that we provide certainty and strive to balance sustainable and reasonable development in these areas.

In recent months, there have been concerns about how the State Coastal Policy has been applied to development on actively mobile landforms. The recent approval of the Robbins Island windfarm —specifically the wharf needed for its construction— by the Tasmanian Civil and Administrative Tribunal, has raised questions about the application of Outcome 1.4.2 of the State Coastal Policy.

Outcome 1.4.2 prohibits all development on actively mobile land unless it aligns with Outcome 1.4.1 of the Policy, which focuses on works for the protection of land, property and human life.

Madam Speaker, the ongoing concerns with the operation of the current State Coastal Policy are compounded by the lack of a definitive description of actively mobile landforms or an accepted map of their locations. Tasmania hosts numerous developments on potentially actively mobile landforms that provide access to our beaches, recreation facilities, or works to help conserve areas of fragile environments.

The proposed Bill provides that previous permits for developments on actively mobile landforms, issued under the *Land Use Planning and Approvals Act 1993* from 16 April 2003 until the date of commencement of this Bill, are validated.

The introduction of this Bill ensures that previous decisions under the State Coastal Policy and Tasmania's Resource Management and Planning System do not give rise to unintended consequences in terms of liability for the owners or managers of infrastructure on our coasts.

This Bill also establishes that no action can be taken against individuals or organisations that have acted in line with permits issued under the Land Use Planning and Approvals Act.

This Bill will ensure that our communities have no doubts about the validity and protection of their coastal infrastructure.

Separate to the Bill, the Government believes it is time to update the State Coastal Policy to include more contemporary planning controls for actively mobile land. This will improve how we assess proposals on actively mobile landforms.

A position paper is being released for public comment to outline these issues and the need for a more sophisticated policy setting in line with recent planning reforms that have contemporised the State's planning system.

Furthermore, an amendment to the State Coastal Policy should clarify what constitutes an 'actively mobile landform' so that we have some certainty where it should apply to ensure we can protect our coastal environment while allowing sensible and sustainable recreational and other infrastructure that benefits the community and their connection and enjoyment of our coasts.

With the introduction of the Tasmanian Planning Scheme across the State, we now have statewide mapping of coastal hazards and detailed planning requirements for assessing development in these areas. In addition, the new Tasmanian Planning Policies offer a more detailed set of guidelines to guide future land use in the coastal zone. These will soon be brought into effect.

Madam Speaker, I commend the Bill to the House.