

COMPARISONS TO NSW COASTAL POLICY REFORM: VICTORIA'S REVIEW OF COASTAL MANAGEMENT TO LEAD TO NEW MARINE AND COASTAL ACT.

Geoff Wescott

School of Life and Environmental Sciences,

Deakin University,

Melbourne Campus,

221 Burwood Highway,

Burwood, 3125.

Background to the Review

In the late 1980s/ early 1990s Victorian coastal policy was at a very low ebb described with a State coastal policy document with no institutional support (Victorian Government (1988) described by the author as “policy without implementation” (Wescott, 1993). But within a few years a complete public review had occurred (Wescott, 1994) and the Coastal Management Act 1995 had been established and its key ingredients of a Statewide (no exclusions) government Coastal Strategy, Regional Coastal Plans, Victorian Coastal Council and three regional Coastal Boards had been established (see Figure 1 and Wescott, 1998).

These institutional arrangements have been in place now for 20 years (see full chronological descriptions in Wescott, 2014) with the Act having been amended only once and despite three different governments (two coalition and one Labor) four Coastal Strategies have been produced.

Whilst the long life of the Act and its key players and institutions has led to extraordinary continuity some aspects of the coastal policy arrangements have been criticised, particularly as regards the lack of progress on marine environmental matters (i.e. within the State's Coastal Waters), in a mammoth reflective work by Mr Chris Smyth (Smyth, 2014) a person who had been directly involved in coastal and marine advocacy since leading a major independent work in 1974/75 (PIRG, 1977).

The long term major coastal / marine advocate in Victoria , the Victorian National Parks Association (VNPA) , had also carried out its fourth Nature Conservation Review (the third had a major role in the declarations of Victoria's marine national parks and sanctuaries in 2002) which also called for a reworking of marine (and coastal) institutional arrangements in Victoria (VNPA, 2014).

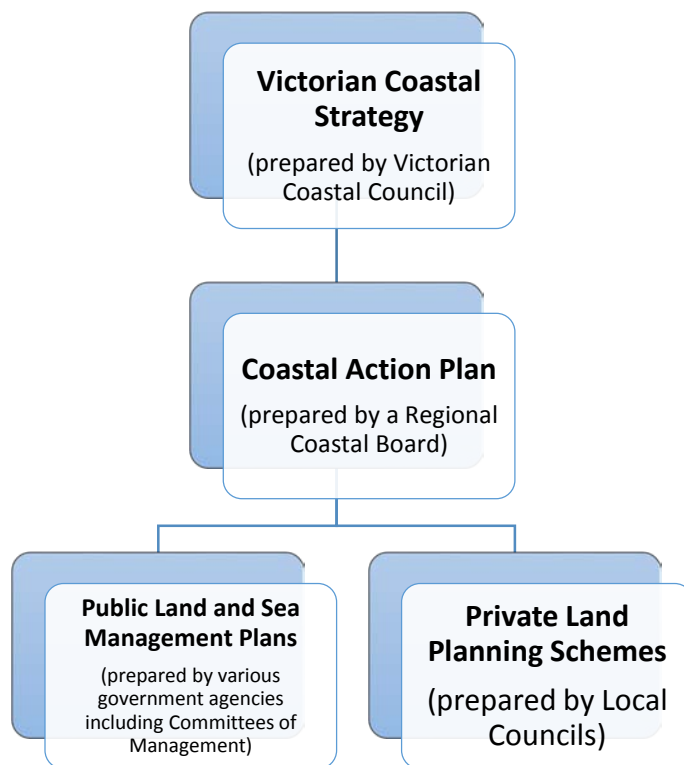


Figure 1. The still current Victorian Coastal Planning and Management Arrangements as outlined in the Coastal Management Act 1995.

A New Government and a New Marine and Coastal Policy.

Given the above background maybe it was not surprising that the ALP Opposition came into the 2014 State Election with a commitment to:

“An Andrews Labor Government will undertake a five-yearly State of the Bay report to monitor the health of coasts, bays and waterways. We will establish a new Marine and Coastal Act, bringing together all management and protections under the one system. “

(ALP, 2014; p. 4).

This policy position had been driven by the Shadow Minister for the Environment, Hon Lisa Neville - the member for the coastal electorate of “Bellarine” (covering the Bellarine Peninsula which includes ocean and bay coasts and places such as the outskirts of Geelong, Portarlington, Queenscliff and Ocean Grove).

On election a series of reviews in the environment and climate change portfolio were instigated (the previous government spoke of ‘climate variability and had unwound much of the previous 1999-2010 ALP government’s progressive climate change mitigation and adaptation policies).

The now Minister Neville announced, with the Premier the Hon Daniel Andrews, the establishment of an Expert Panel - to be chaired by the author of this paper – in June (State Government, 2015). The Panel was to prepare, in association with the Department of Environment, Land, Water and Planning (DELWP) and with full public

consultation draft legislation to become the new Marine and Coastal Act within the four year fixed term of the new government.

The process to be adopted and progress towards achieving this aim will now be described.

Towards Victoria's new Marine and Coastal Act.

First a qualification – the process outlined here has just formally started (announced at the Victorian Coastal Awards, 14 October 2015) and hence is a broad outline of the intended direction and process but as it evolves, particularly over the next few months before the summer holiday season, there may be changes in approaches and dates, names of groups and working documents.

Broadly speaking the overall timeline is (subject to change):

First half of 2015: Department working party formed, approximate timeline and proposed approaches discussed with the Minister.

June 2015: Media release announces formation of Expert Panel

September and early October: first informal meetings of the Expert Panel

14 October: Process for the development of the new Act and Membership of Expert Panel announced by the Minister at the Victorian Coastal Awards.

October to Christmas 2015: Stakeholder Reference Group established, DELWP Project Team (DPT) works up internal "issues papers" under the auspices of, and for, the Expert Panel (EP) to focus discussion by the EP, the Agencies Working Group (AWG) and Stakeholder Reference Group (SRG).

January – February 2016: Detailed work on preparation of, probably, a "Preferred Options Report".

Late March 2016 (pre-Easter): Release for full public consultation of the "Preferred Options Report on a New Marine and Coastal Act".

April – August 2016: refining of preferred options, in light of public input, to be converted to recommendations to the Government on drafting instructions for the New Act.

September to end of 2016: Drafting of a Bill for Parliament

Autumn 2017 Session of Parliament: Consideration of the Marine and Coastal Act.

Second half of 2017: Implementation of new arrangements.

The proposed but evolving relationships between the various groups is outlined in Figure 2 below.

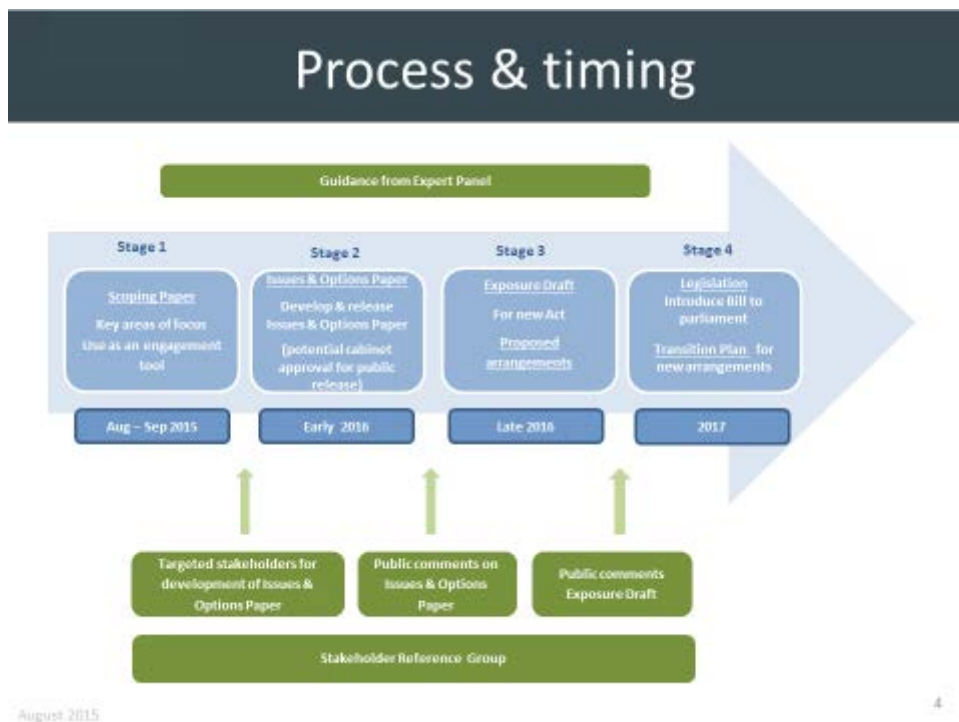


Figure 2. The proposed but still fluid/ evolving groups and timelines involved in deriving the new Marine and Coastal Act. Draft only.

Discussion on the Proposed New Victorian Marine and Coastal Act

Clearly the process has just begun and the author in no way wishes to prejudice the directions or issues that will arise as part of the various discussions in various forums and the various consultation which will take place in particular over the next 12 months.

Hence at the conference a general discussion will occur and the questions of the audience will guide the direction of that discussion.

But here in this required paper a few very general points can be made.

First the Minister has made it very clear that she wants a new Act – not a mere re-working of the previous sustained and successful (within a limited extent) Coastal Management Act which is now 20 years old.

One of the clear changes anticipated, and promoted by the Minister, is a much stronger focus on the marine environment in the new Act. The Victorian marine environment is

defined here as being the estuaries, bays and inlets - including the very sizeable and economically, socially and environmentally important Port Phillip Bay, Westernport Bay, Gippsland Lakes (to some extent- authors qualification) and Corner Inlet – as well as Victoria's coastal waters generally to three nautical miles off shore.

The VNPA (2012), Smyth (2014) and earlier Wescott (2006) all favoured such reform and the Victorian Coastal Strategies of 2008 (Victorian Government, 2008) and 2014 (Victorian Government, 2014) both emphasised a renewed focus on the marine environment - but little has occurred in reality with most of the coastal waters, bays and inlets unplanned in 2015.

Considerable discussion, as always with marine/ coastal matters, surrounds who does what on the coast (the multitude of stakeholders and decision makers) and what agencies and/or levels of government bear the cost of management and whether this is fair and equitable. Hence I suspect institutional arrangements / governance and the funding of coastal zone management to be discussion focal points.

Fortunately public consultation phases for the most recent (2014) Coastal Strategy and for three Regional Coastal Plans (approved 2015) as well as four well-constructed extensive Victorian wide public surveys (e.g. IPSOS, 2012 the most recent) as precursors to each Coastal Strategy give an excellent data base of stakeholders and of opinions on what is working, and more significantly what is not working, in Victorian coastal zone planning and management.

The Expert Panel and the Department Project Team will not be short on input and advice as the new Marine and Coastal Act is developed.

Acknowledgements.

The author would like to thank the Minister in particular for her foresight in launching this review and for the privilege of being able to Chair the Expert Panel.

Also extensive thanks are due to Liz Patterson in particular but also to her team working on this project within the Department and for much of the information contained here.

Of course though all the opinions expressed here are those of the author alone and not of the Government, Department or any other persons or group.

The author would also like to acknowledge the traditional owners of the sea and land country that we are so fortunate to now experience due to the care, concern and quality of the management of these areas by their elders both past and present: thank you.

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