



GREAT OCEAN ROAD
COAST & PARKS AUTHORITY

FACT SHEET

MARINE AND COASTAL MANAGEMENT FRAMEWORK FOR CROWN LAND IN VICTORIA



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THE VICTORIAN COAST

Aboriginal Victorians have been connected to Victoria's marine and coastal Country for over 60,000 years. We acknowledge and respect the separate and distinct Eastern Maar and Wadawurrung Peoples as the Traditional Owners of the Great Ocean Road's land, waters, seas and skies. We acknowledge their cultural knowledge that has led to sustainable practices and has cared for Country for tens of thousands of years. We honour Elders past and present and express gratitude for their sharing of wisdom that has ensured the continuation of Culture and Traditional practices.

Victorians love to live near, visit and experience our coast and ocean. Coastal and marine-dependent industries such as fishing, tourism, ports and shipping make significant contributions to local and regional economies. Our coasts and marine waters have many benefits and are core to our shared cultural identity and wellbeing. This sense of belonging and admiration is present when visiting or living near city beaches, coastal hamlets, smaller seaside towns or remote areas.

Victoria's marine and coastal environments are important habitats for many plants and animals. There are spectacular coastal landscapes that are integral to our identity. These environments can also protect us from the extremes of weather through natural coastal defences and carbon storage.



THREATS AND DRIVERS OF CHANGE

Coastal values and benefits are only possible when the marine and coastal environment is healthy and resilient. Currently, the health of the marine and coastal environment is under threat from multiple sources, including changing climate, growth in towns, cities, and industries that interact with the coastal ecosystems. Drivers of change such as population & visitor growth, changing climate and ageing infrastructure exacerbate existing threats and bring new challenges. Identifying these and adapting for change is an opportunity for coastal land managers and the community to ensure marine and coastal values are protected now and into the future.

Population & Visitor growth

Growth in resident populations and visitor numbers places pressure on the health of the marine and coastal environment. This can also cause a loss of character of coastal towns. As more people seek access to finite coastal spaces and marine resources, the risk of greater conflict between uses and the capacity of sites being exceeded increases. A balance between maintaining healthy and functioning ecosystems with the economic benefit is essential for the continued wellbeing of the marine and coastal environment.

Ageing Infrastructure

Many coastal infrastructure assets and buildings are aging and require maintenance

or upgrading. Increasing storms and erosion as a result of a changing climate will further undermine the integrity of many assets and buildings. This will force complex decisions to be made about their future existence and if replacement is suitable and appropriate.

Changing Climate

The changing climate is increasing coastal hazard risks, like erosion and inundation. This requires coastal land managers to have coordinated, evidence-based planning and decision-making tools to enable the planning of assets whose function is dependent on being on or near the water, (following the adaptation pathway, Figure 5) and to relocate non-coastal-dependant assets.



MARINE AND COASTAL MANAGEMENT AND PLANNING

The *Marine and Coastal Act (2018)* and the Marine and Coastal Policy (2020) each play a role in managing the health of Victoria's marine and coastal environment.

The Act outlines the guiding principles and objectives to ensure the marine and coastal environment is cared for so that future generations may also experience and enjoy its multiple benefits.

The Policy sets out the vision for *'a healthy, dynamic and biodiverse marine and coastal environment that is valued in its own right, and that benefits the Victorian community, now and in the future'* (Figure 1). The Policy provides specific considerations for planning, management and decision making and includes a 'Planning and Decision Pathway' (Figure 2) that shows how the objectives and guiding principles in the Act are to be used in decision-making.



VISION

Our vision is for a healthy, dynamic and biodiverse marine and coastal environment that is valued in its own right, and that benefits the Victorian community, now and in the future.

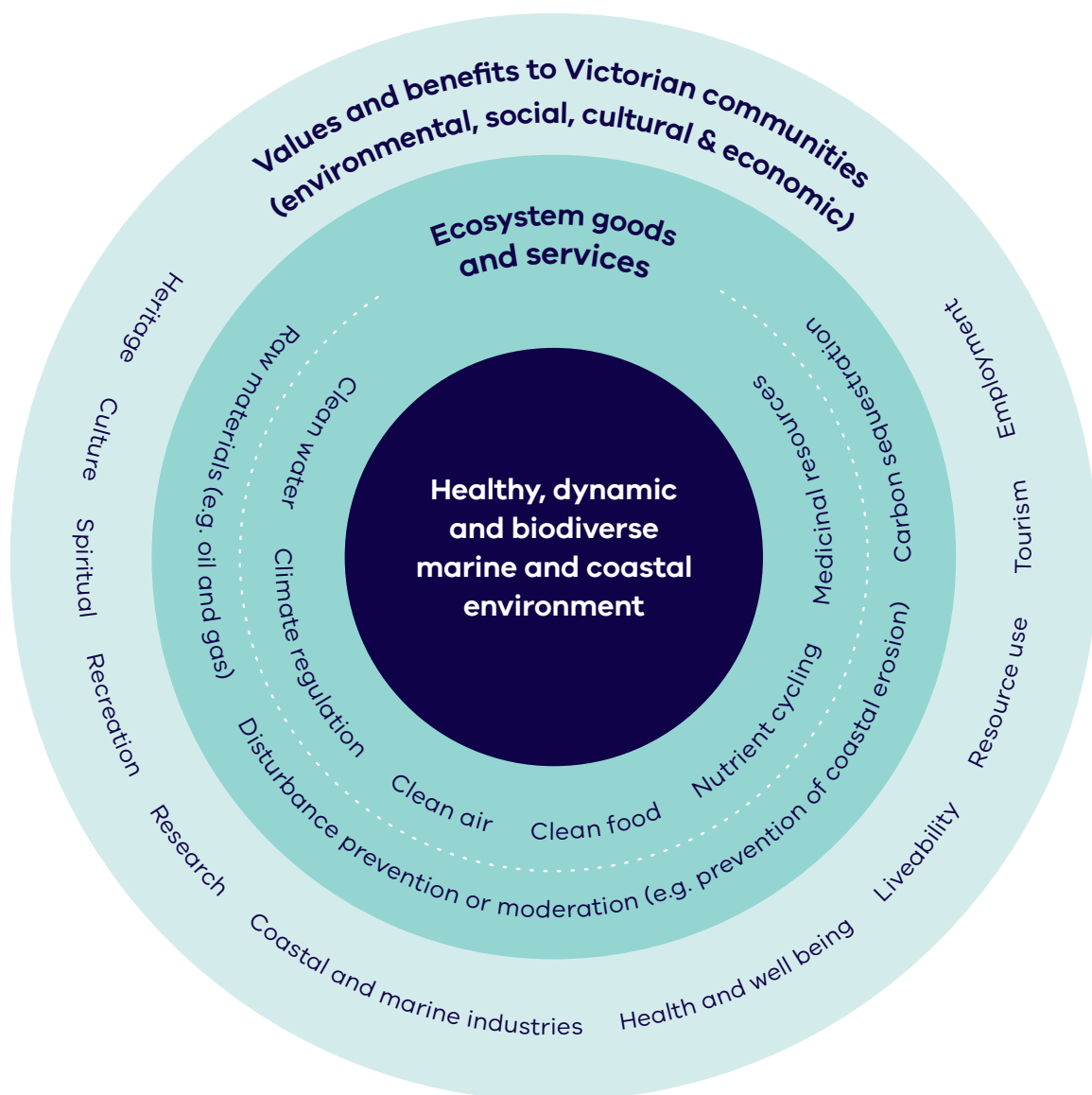


Figure 1. Marine and Coastal Act (2018) and Marine and Coastal Policy (2020)



PLANNING AND DECISION PATHWAY



Figure 2. Planning and Decision Pathway as outlined in the Marine and Coastal Policy.



RECREATIONAL USE OF THE COAST

Recreational use of the marine and coastal environment is highly valued by Victorians and visitors alike. The ways in which people enjoy the coast are many and varied, from the passive (beach walking, picnicking) to the active (swimming, surfing, boating, fishing).

These activities are often supported by water-based clubs including angling, sailing, boating and lifesaving clubs, and structures and facilities such as campgrounds, public jetties, boat ramps, paths and signage.

Increases in populations and visitor numbers are adding to demand for buildings and structures to support safe, equitable and sustainable recreational and tourist activities. Strong strategic planning can ensure sustainable use that does not degrade the values that make the coast a desirable place to visit.

COASTAL PLANNING AND MANAGEMENT HIERARCHY OF TOOLS

The *Marine and Coastal Act (2018)* sets out a hierarchy of tools (Figure 3) to enable strategic planning and guiding decisions to support the Policy vision.

These complement strategic tools under the *Planning and Environment Act (1987)*. A more detailed version is included in Appendix 1.

LEVEL	STATE	TOOL	Marine & Coastal Policy (2020)	ROLE	Statewide approach to guide decision making
	LOCAL		Coastal & Marine Management Plan		Strategic application of the Marine & Policy at local level for foreshore/ reserves
	SITE		Consent for Use Development		Application of the Marine & Coastal Policy for 'use and development on coastal Crown land'

Figure 3. Hierarchy of tools to enable strategic planning and decision making.



BUILDING & STRUCTURES IN THE ‘MARINE & COASTAL ENVIRONMENT’

Buildings and structures in the marine and coastal environment support the functioning of communities and industries. They include port facilities, transport docks, jetties, boat ramps, paths, toilet blocks, picnic facilities, structures to maintain public safety, and buildings to enhance recreation opportunities such as clubs and cafes.

New and improved buildings and structures that are well-designed, appropriately located and properly maintained are necessary to enable a diversity of uses in the marine and coastal environment, and to accommodate increasing demand as the population grows.

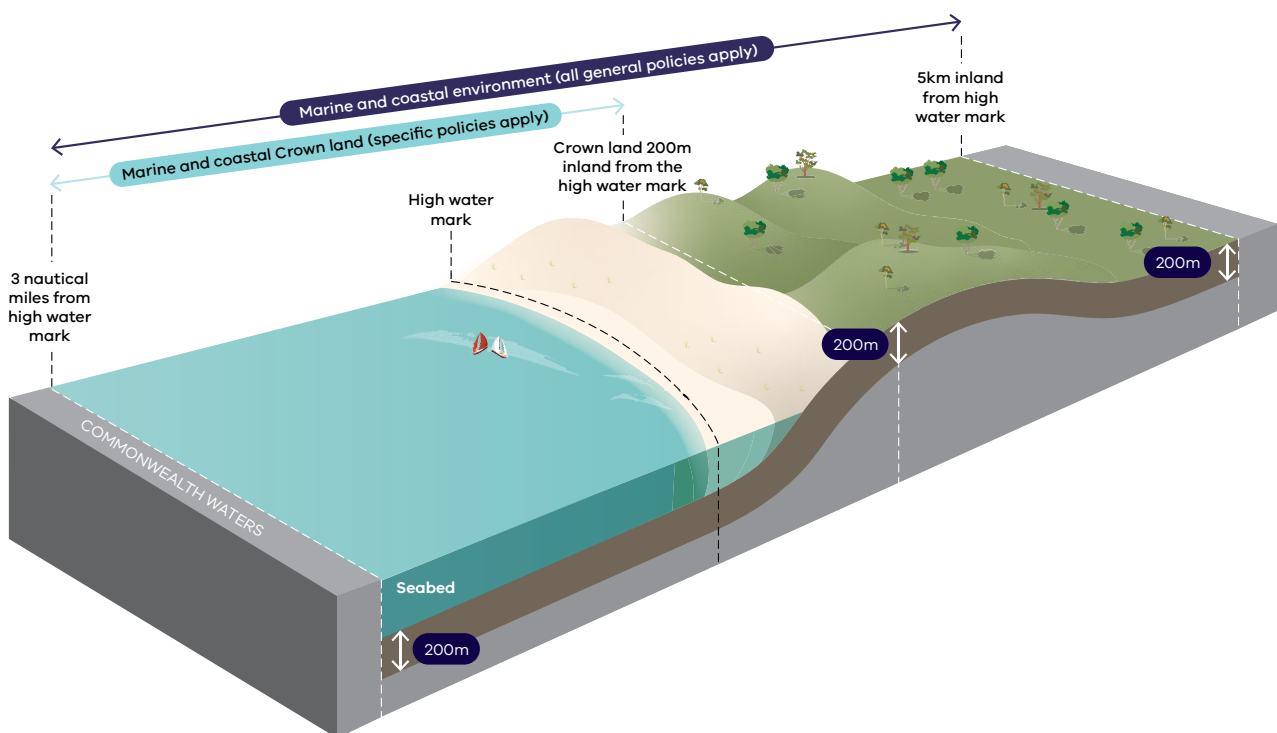


WHAT IS THE 'MARINE & COASTAL ENVIRONMENT' AND 'MARINE AND COASTAL CROWN LAND'

These terms are defined under sections 4 and 5 of the *Marine and Coastal Act (2018)*.

'Marine and coastal environment' means the area between the outer limit of Victorian coastal waters and 5km inland of the high-water mark, biodiversity associated with the land and water of these areas.

'Marine and coastal Crown land,' comprises the Crown land (whether covered by water or not) within the area between the outer limit of Victorian coastal waters and 200 metres inland of the highwater mark of the sea, to a depth of 200 metres below the surface of that land.



Marine and coastal Crown land

Defined under section 4 of the *Marine and Coastal Act (2018)*.

Comprises the Crown land (whether covered by water or not) within the area between the outer limit of Victorian coastal waters and 200 metres inland of the highwater mark of the sea, to a depth of 200 metres below the surface of that land.



BUILDING & STRUCTURES IN THE ‘MARINE & COASTAL CROWN LAND’ (LINKED TO STEP 5)

96% of Victoria’s coastline is designated Crown land. Buildings and structures on ‘marine and coastal Crown land,’ have additional specific requirements to ensure appropriate use.

Victoria’s marine and coastal Crown land is an important publicly owned asset offering benefits to all Victorians, as well as to visitors. Foreshores and reserves (on coastal Crown land) provide important public open spaces, as well as extensive environmental, social, and economic values.

Coastal Crown land has unique values and characteristics, is in high demand, is limited in size and may be reduced over time as sea levels rise and the coastline retreats. Given this, buildings or structures are confined to those that need to be located on or near the water and provide significant net community benefit*.

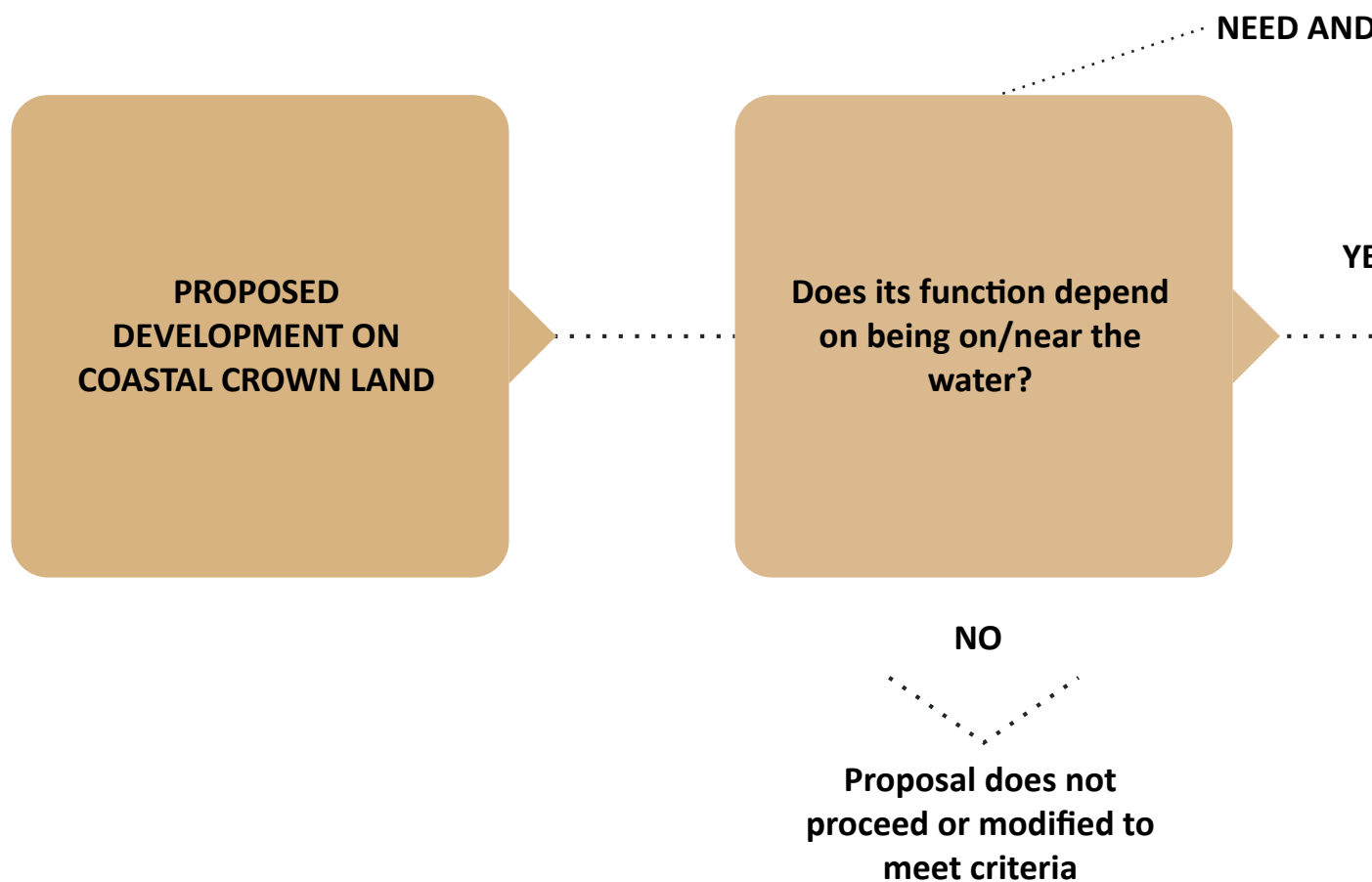


Figure 4. Summary of policies in Marine and Coastal Policy 2020 relating to Chapter 11, Buildings, structures, and access.



PATHWAY APPROACH FOR DECISION MAKING

When considering potential use or development on marine and coastal Crown land it can be useful to use a pathway approach, outlined in Figures 4 and 5. This helps to step through the elements in the Marine and Coastal Policy. It is important to note that no two marine and coastal locations are the same. Each location must be evaluated and planned for considering its own opportunities and constraints.

* The definition of **Significant public benefit** – demonstrated by the following criteria:

- ‘public benefit’ should be defined as relevant to each individual case, based on an understanding of public values of the site in question
- there must be a need for the identified value to be protected in order to provide significant public benefit
- protection of private property should not be the only purpose of a structure on marine and coastal Crown land. Benefit should, be in the least, access and amenity to the broader local community
- it is not enough to show that there is no public detriment as a result of a proposal. ‘Significant’ public benefit must be demonstrated (e.g. protection of environmental and cultural features of the coast). (Marine and Coastal Policy (20202))

PURPOSE

ES

Does it is provide
significant net
community benefit ?

YES

Proceed to Planning &
Decision Pathway

NO

Proposal does not
proceed or modified to
meet criteria



DEVELOPMENT ON COASTAL CROWN LAND CONSIDERATIONS

Planning & Decision Pathway

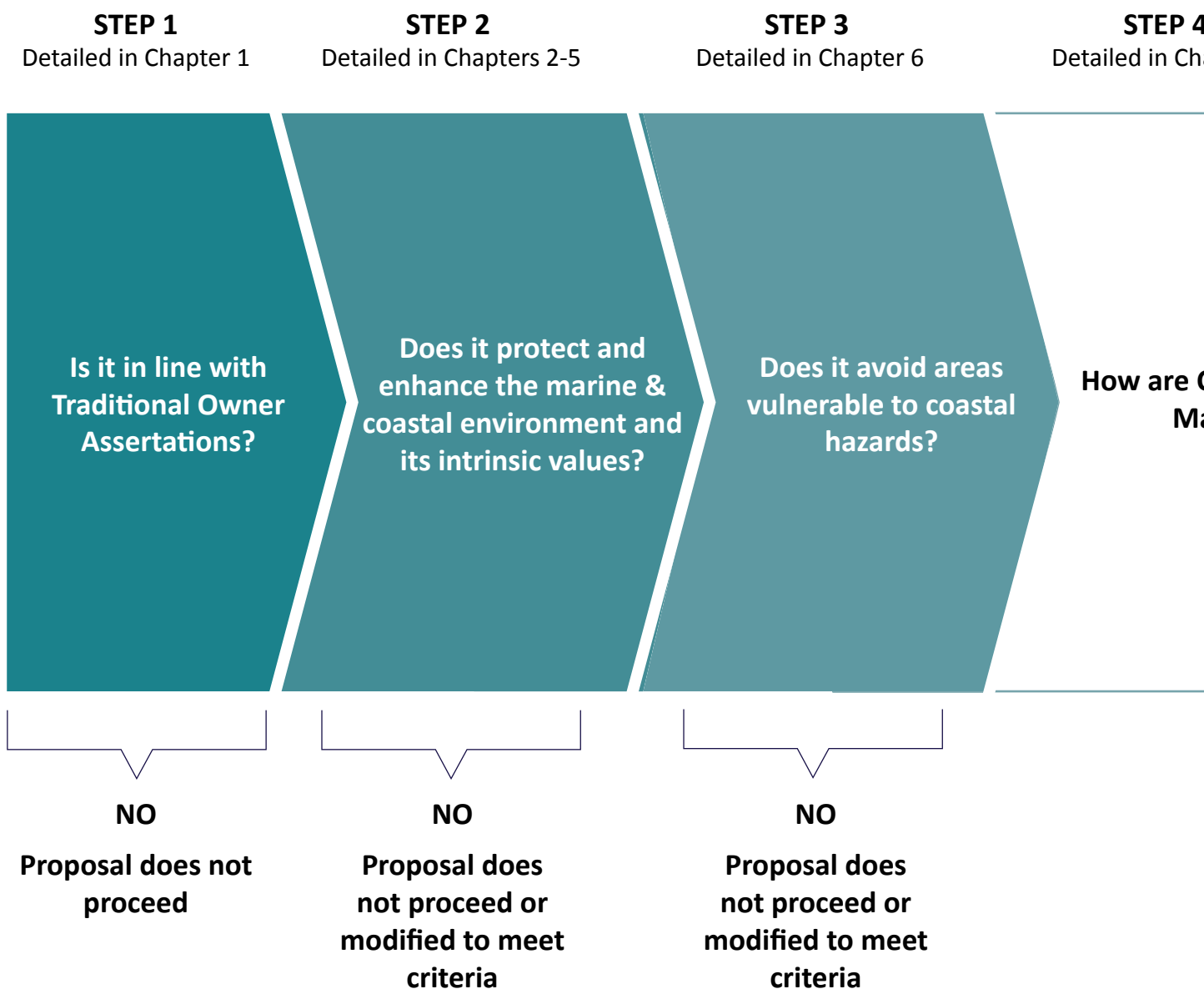
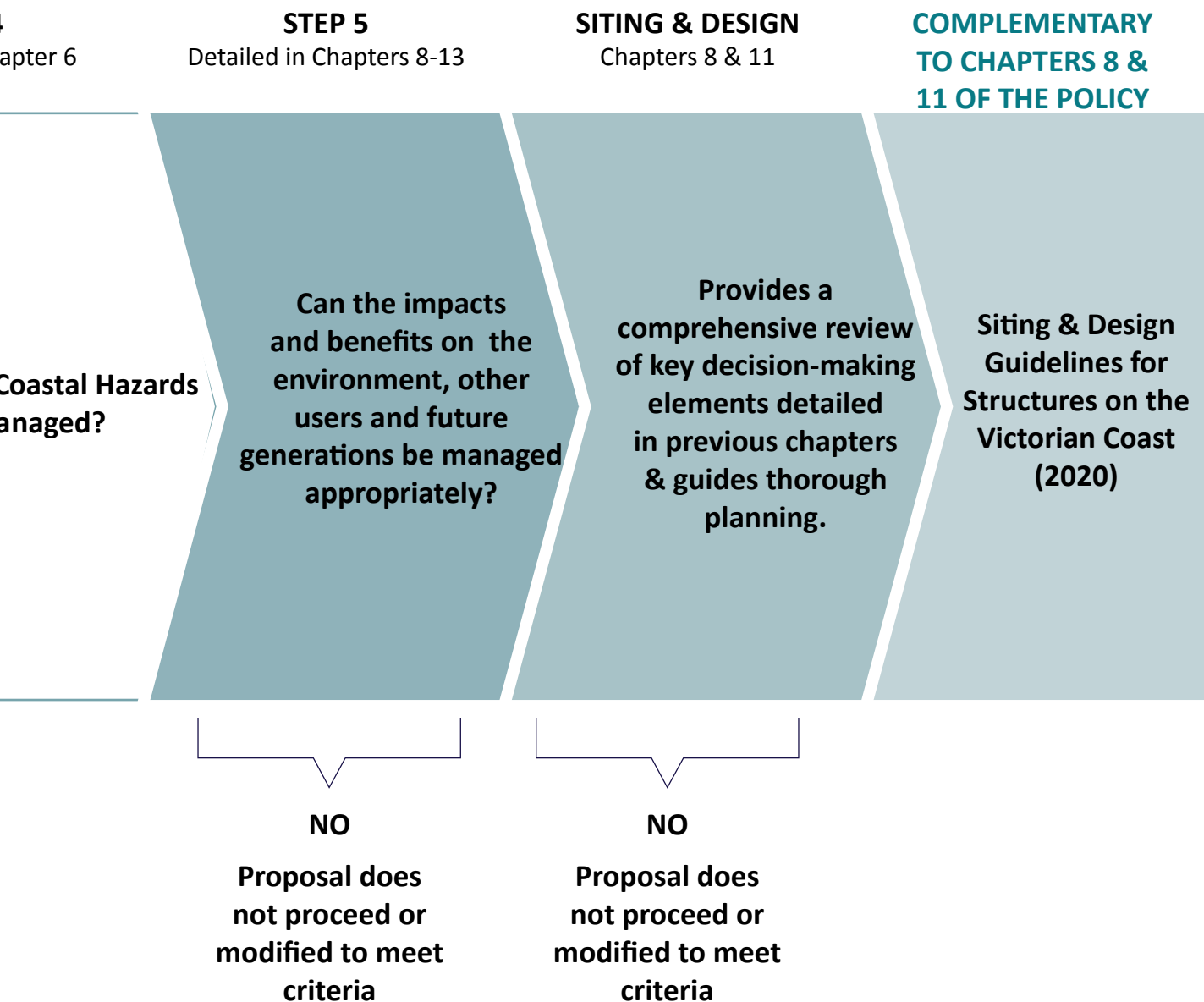


Figure 5. Planning and decision planning for use and development of coastal Crown land as outlined in the Marine and Coastal Policy





USE OR DEVELOPMENT ON MARINE AND COASTAL CROWN LAND

Each chapter of the Policy has a corresponding step in the Planning and Decision Pathway, as articulated in Figure 5. Chapter 11 revisits the other chapters in a comprehensive way to ensure all requirements have been considered. The policies listed here are all the elements a coastal land manager must consider when planning structures or buildings on coastal Crown land.

Development on marine and coastal Crown land is detailed in Policy 11.4

*“Provision or improvement of buildings and structures on marine and coastal Crown land is confined to those **providing significant net community benefit*** and whose **function depends on being on or near the water.**”*

CHAPTER 11 OF THE MARINE AND COASTAL POLICY

RISK, ENVIRONMENT/ CULTURAL VALUES

- Manage increase exposure to coastal hazard risk
- Exposure to public health and safety risk
- Manage detrimental impact on neighbour land
- Adverse effects on environment uses and values
- Manage impacts on marine and coastal functions and processes
- Minimise impacts on flora and fauna
- Avoid impact on cultural values and heritage values
- Avoid impacts of geomorphological significant and fossils
- Avoid generating ongoing noise that intrudes on local community

USE OF T

- Make efficient
- Facilitate multiple use and infrastructure
- When building replaced or minimised its footprint (to efficiently and
- Consider relocating existing that are not functionally dependent on marine and coastal
- Do not permit buildings or public use

Summary of Chapter 11 policies in the Marine and Coastal Policy (2020) for the development of coastal Crown land.



THE SITE

• Efficient use of site
• Consolidation and sharing of sites and structures
• Repurpose or modified, consolidate/consolidate to use coastal Crown land (where possible and sparingly)
• Avoiding buildings and structures dependent on being located on coastal Crown land
• Avoid structures that provide no net benefit

SITING & DESIGN

- Provide increased public functions and adaptability
- Minimise the structure environmental footprint
- Not impede access to coastal Crown land
- Avoid dominate structures not sympathetic to local heritage of character
- Complement and enhance surrounding landscape and coastal character
- Retain public views to, from, along the coast
- Use materials and finishes that are sympathetic to coastal environment
- Material that respond to geology and surrounding substrate



There are also examples in the Marine and Coastal Policy of buildings and structures that are functionally dependent on being located on marine and coastal Crown land. We and DEECA recognise this is not an extensive list therefore we seek advice if a proposed structure is not identified on the list.

Table 3: Examples of buildings and structure types that are functionally dependent on being located on marine and coastal Crown land

Usually located on marine and coastal Crown land because they are functionally dependent on being on or near the water	<ul style="list-style-type: none">• Jetty• Bathing box and boat shed• Pier• Marina• Mooring• Boat ramp• Harbour• Navigation aid• Lifesaving observation tower• Access point and stairs
Provide support to the functioning of marine and coastal activities and may be appropriate in some marine and coastal Crown land locations	<ul style="list-style-type: none">• Toilet facility• Shared trail, boardwalk• Car parking• Marine rescue facility• Lifesaving club room• Public lookout• Barbecue, picnic and play equipment• Kiosk/café/restaurant (preferably in an urban setting)• Appropriate public camping facility

Examples of buildings and structures that do not support a coastal or marine activity and do not need to be located on marine and coastal Crown land:

- Non-water-based sporting facility
- Non-maritime industrial plant and storage
- Community hall
- Commercial function centre
- Other utilities

Figure 6. Examples of buildings and structure types that are functionally dependant on being located on coastal Crown land. Source: Marine and Coastal Policy (2020).



MANAGING COASTAL HAZARDS AND ADAPTATION PLANNING (LINKED TO STEPS 3 & 4)

A crucial step in considering the use or development of coastal Crown land, is understanding and planning for coastal hazards and climate change impacts.

The Marine and Coastal Policy sets out a ‘pathway approach’ for this that is stepped over time and allows decision makers to plan for, prioritise, and stagger investment in adaptation options.

When identifying strategic adaptation options, they are to be considered in a certain order:

- Non-intervention
- Avoid
- Nature-based methods
- Accommodate
- Retreat
- Protect

More information on these options is detailed in Figure 8.

Strategic options order	Descriptions (aligned to Marine and Coastal Policy 2020)	Planning considerations/types of actions (examples - see Stage 5 for all actions)
Non-intervention	Allow marine and coastal processes and the hazards they may pose to occur.	Triggers (event, timing, other) can be identified for when additional action may commence.
Avoid	Locate new uses, development and redevelopment away from areas that are or will be impacted by coastal hazards.	This option typically applies for all coastal hazard areas.
Nature-based methods	Nature-based methods use the creation or restoration of coastal habitats for hazard risk reduction. ¹³	This may include beach and dune nourishment for the purposes of habitat restoration, wetland restoration, enabling landward migration of habitat, and potential hybrid nature-based approaches.
Accommodate	Structures can be designed to reduce the exposure to or decrease the impact of coastal hazard risk.	This may include movable infrastructure (e.g. life-saving towers, stairs/ramps) flood resilient building design and use of resilient materials.
Retreat	Existing structures, assets or uses may be decommissioned or relocated away from areas that are or will be negatively impacted by coastal hazards.	This may apply locally or more broadly as part of the adaptation planning process.
Protect (major engineering works)	Existing physical barriers are enhanced, or new ones constructed to mitigate the impact of coastal hazards. Protect is an option of last resort; it is often expensive, its benefits tend to be very localised, and it frequently transfers the problem to nearby areas.	This may include major beach nourishment programs, seawalls or other physical barriers/structures or interventions that are likely to have significant influence on natural coastal processes.

Figure 8. Coastal hazards strategic adaptation options, listed in order of consideration. Source: Victorian Resilient Coasts – Adapting for 2100+.



THE VICTORIAN RESILIENT COASTS – ADAPTING FOR 2100+

The Victorian Resilient Coasts – Adapting for 2100+ (2023) provides a strategic approach to coastal hazard risk management and adaptation. It includes a framework, guidelines and support for Local Government, coastal land managers and communities to:

- Enable place-based, best practice and long-term coastal hazard risk management and adaptation, and
- Build on the directions in the Marine and Coastal Policy 2020.

Another important policy for Victoria when managing coastal hazards is the sea level rise planning benchmark -

‘Plan for sea level rise of not less than 0.8m by 2100, and allow for the combined effects of storm surges, flooding, coastal processes and local conditions such as topography, and geology, when assessing risks and coastal impacts associated with climate change’.



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MORE INFORMATION

[Department of Energy, Environment and Climate Action Website](#)

[Great Ocean Road Coast & Parks Authority](#)

[Marine and Coastal Act](#)

[Great Ocean Road & Environs Protection Act](#)

[Marine and Coastal Policy](#)

[Marine and Coastal Strategy](#)

[Siting and Design for Structures on the Victorian Coast](#)

[Marine and Coastal Act consent Fact Sheet](#)

[Victorian Resilient Coasts – Adapting For 2100+](#)



LEGISLATION

Marine and Coastal Act 2018

Objectives and guiding principles for planning marine and coastal environment.

STATEWIDE POLICY AND STRATEGY

Marine and Coastal Policy (2020)*

15 year lifespan

Statewide policy to implement the *Marine and Coastal Act 2018* to ensure a healthy, dynamic and biodiverse marine and coastal environment, valued in its own right, and that benefits the Victorian community in the future. Includes a Marine Spatial Planning Framework.

Marine and Coastal Strategy (2022)*

Made every 5 years

Strategic actions to implement policy direction:

- Traditional Owner Self-Determination
- Habitat condition and connectivity
- Adapting to climate change
- Sustainable use and development
- Implementing the Marine Spatial Planning Framework
- Resource needs for marine and coastal management

REGIONAL PLANNING

Regional strategic planning

- Coastal Hazard Adaptation and Resilience Plans
- Marine Plans
- Regional and Strategic Partnership Products*
- Environmental Management Plans*
- Other products and plans

Strategic planning supported by:

- Act, Policy and Strategy directions
- Guidelines:
 - Coastal hazard risk Victoria's Resilient Coast Framework
 - Marine Spatial Planning
 - Victoria's marine planning areas
 - Siting and design
 - Other materials to support Policy.
- Tools:
 - Victorian Coastal Monitoring Program
 - Other tools to support Policy.

LOCAL PLANNING AND DECISION MAKING

Coastal and Marine Management Plans* Matters relating to and affecting marine and coastal Crown land.

Made / renewed every 5 years

Local planning supported by:

- Act, Policy, Strategy and regional planning
- Guidelines:
 - Coastal and Marine Management Plans
 - Bathing boxes
 - Other materials to support Policy.
- Site specific plans and investigations

Consents for use & development on marine and coastal Crown land*

Regulations for specified use & development on marine and coastal Crown land*

* Statutory tools under the Act

Appendix 1. Extract from Victoria's Resilient Coast Framework and Guidelines, 2023 - Policy and legislation context for marine and coastal management



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Coastal Act 2018 and support
coastal environment that is
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st – Adapting for 2100+

**Other relevant
legislation**

**Statewide policy,
frameworks
and strategies**

**Regional policies
and strategies**

**Local policies, zones,
overlays, management
and action plans**

**Planning permits,
leases and
licences**

Other relevant and applicable Acts:

*Aboriginal and Torres Strait Islander
Heritage Protection Act 1984 (Cth)*

Aboriginal Heritage Act 2006

*Australian Maritime Safety Authority
Act 1990 (Cth)*

Biosecurity Act 2015 (Cth)

*Catchment and Land Protection
Act 1994*

Climate Change Act 2017

*Coastal Waters (State Powers)
Act 1980*

Crown Land (Reserves) Act 1978

Emergency Management Act 2013

Environment Effects Act 1978

*Environment Protection Act 1970
& Environment Protection Act 2017*

*Environmental Protection and
Biodiversity Conservation Act
1999 (Cth)*

Fisheries Act 1995

Fisheries Management Act 1991 (Cth)

Flora and Fauna Guarantee Act 1988

Heritage Act 2017

Land Act 1958

Marine Safety Act 2010

*Maritime Transport and Offshore
Facilities Security Act 2003 (Cth)*

National Parks Act 1975

Native Title Act 1993 (Cth)

*Offshore Petroleum & Greenhouse
Gas Storage Act 2010*

Planning and Environment Act 1987

*Pollution of Waters by Oil and Noxious
Substances Act 1986*

Ports Management Act 1995

Traditional Owner Settlement Act 2010

Transport Integration Act 2010

*Underwater Cultural Heritage Act
2018 (Cth)*

*Underwater Cultural Heritage
(Consequential and Transitional
Provisions) Act 2018 (Cth)*

Victorian Aboriginal Heritage Act 2006

Water Act 1989

Wildlife Act 1975