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WESTERN AUSTRALIAN PLANNING COMMISSION

STATEMENT OF PLANNING POLICY No. 6.3

NINGALOO COAST

AUGUST 2004

1. Citation

This is a statement of planning policy made under Section 5AA of the *Town Planning and Development Act 1928* (as amended). It applies to the planning decision-making within the area identified in section 3 Application of the policy. This policy may be cited as Ningaloo coast statement of planning policy 6.3.

2. Background and Purpose

The Western Australian Planning Commission in July 2003, released a discussion paper titled *Future Directions: Sustainable Tourism and Land Use Scenarios for the Carnarvon-Ningaloo Coast*. A series of public information sessions, community planning days, and direct consultation involving State agencies and local government, key stakeholders and the general public were undertaken in 2003. This extensive consultation on the options canvassed in the paper was actively pursued and the feedback from was used to formulate a draft statement of planning policy 6.3 and the related draft Carnarvon-Ningaloo coast regional strategy. Extensive public consultation and assessment of submissions received on both the draft policy and draft strategy have been used to formulate this policy.

This policy has been prepared by the Commission under Section 5AA of the *Town Planning and Development Act 1928*. Under section 5AA of the Act, local government must have due regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice on planning applications that deal with land within the Ningaloo coast policy area. The commission also will be guided by this policy in its decision-making and recommendations to the Minister for Planning.

Related planning policies are—

- State planning framework statement of planning policy 1
- Environment and natural resources statement of planning policy 2
- State coastal planning statement of planning policy 2.6

3. Application of the policy

The Ningaloo coast statement of planning policy 6.3 applies to all land within the Ningaloo coast policy area (Figure 1).

4. Policy Objectives

The four key objectives of the policy are—

1. Provide state agencies, local government, community and proponents with clear guidance regarding acceptable and sustainable development on the Ningaloo coast.
2. Maintain the Ningaloo coast as an all-seasons recreation and nature-based tourism destination and limit growth with managed staged development, to ensure that the community continues to enjoy a remote and natural experience.
3. Preserve and protect the natural environment and enhance and rehabilitate degraded areas within the environment.
4. Consolidate future residential, commercial, higher-impact tourism and industrial development in the towns of Carnarvon and Exmouth and provide strategic directions for their future growth.

5. Policy Measures**5.1 Guiding Principles**

The following guiding principles will be used to assess all future planning and development on the Ningaloo coast to ensure the protection and sustainable use of the environment for the future.

1. Sustainable development

All planning and development must meet the needs of current and future generations through appropriate land use and planning policies and practices which integrate environmental protection, social advancement and economic prosperity in the interests of sustainable development.

2. Community aspirations

Future planning and decision making must be consistent with the vision for the Ningaloo coast, including equity of access for a range of visitor experiences in different settings for all people from those seeking a remote and natural experience along the coast or the infrastructure and services provided for in the towns of Carnarvon and Exmouth.

3. Aboriginal heritage

All planning and development must provide for the ongoing protection of Aboriginal heritage (if there are direct impacts), especially relating to the marine environment, and the continuation of Aboriginal use and caring for country. Where relevant, it should also provide opportunity for the development of culturally appropriate tourism through the interpretation of Aboriginal heritage.

4. Economic development

All planning and development should assist actively in the creation of regional wealth, support the development of new industries and encourage economic activity as long as these activities are in accordance with sustainable development principles. Planning and development must also support the provision and maintenance of infrastructure based on sustainability principles to service regional communities and develop and upgrade tourism infrastructure to improve the attractiveness of the region as a natural and remote place to visitors and residents alike.

5. Interdependence

Development must not significantly interfere with current natural ecological processes. Ecological processes include both physical and biological systems, which are strongly interconnected. Changing one part of the environment may have an impact on other parts.

6. Limits of acceptable change

Development must be within limits of acceptable change. The limits of acceptable change are defined as the degree of change a system can accommodate or buffer while still sustaining or returning to its desired characteristics. The limits may be defined by environmental, social or economic concerns. What is acceptable or appropriate is determined by consultation with governments and communities, as well as by legislation and regulations. The limits of acceptable change establish the maximum level of alteration for a resource that society is prepared to accept. Given the region's acknowledged fragile nature, more reliance on scientific knowledge and research will be necessary in defining appropriate limits of acceptable environmental change for this region.

7. Precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason to postpone measures to prevent environmental degradation. In applying this principle in planning and development, the following steps must be followed—

- The onus is on any proponent to show that development does not pose any likelihood of serious or irreversible harm of the environment.
- If the proponent cannot demonstrate there is no likelihood of such harm, the onus is on the development proponent to show that the harm can be managed.
- If the proponent cannot demonstrate the harm will be managed, the development should not go ahead.

8. Cumulative impacts

All planning and development must consider its cumulative impact. The demand for and subsequent provision of tourism or recreational development along the Ningaloo coast may result in cumulative impacts as each new development proposal is added to existing development. The ad hoc establishment of developments along the Ningaloo coast has the potential to erode the remote and environmental values of the area over time and also may affect the economic viability of the individual development projects. If there is an unacceptable cumulative impact, the development should not go ahead.

9. Protection of high-conservation values

Planning must be based on the protection of high-conservation areas such as the Ningaloo Marine Park, Cape Range National Park and surrounds. These areas are rare and irreplaceable natural assets with outstanding scenic, recreational and scientific value, which have been identified as a potential world heritage area. Development must not adversely interfere with these values.

10. Protection of remote values

Remoteness is a dynamic concept, rather than a static one. It varies from place to place, through time as society's values change, and from person to person, therefore it is useful to describe remoteness in terms of relative values, rather than providing a definition. The Planning and environmental guidelines for sustainable tourism development on the Ningaloo coast address specific issues which may affect remoteness values, for example emission of noise (e.g. power generation, vehicles and boats), light, smoke or dust, waste disposal (e.g. refuse disposal site, public toilets, evaporation ponds and pipe outfalls), visual impact (e.g. buildings and roads) or odour (e.g. sewage treatment). Development must not significantly interfere with any identified remote values.

11. Protection of biodiversity

Biodiversity underpins the processes that make life possible. Healthy ecosystems are necessary to maintain and regulate atmospheric quality, climate, fresh water, marine productivity, soil formation, cycling of nutrients, and waste disposal. Biodiversity is intrinsic to values such as beauty and tranquility. Australians place a high value on native plants and animals, which contribute to a sense of cultural identity, spiritual

enrichment, and recreation. Biodiversity is central to the cultures of Aboriginal and Torres Strait Islander peoples. Australian plants and animals attract tourists and provide food, medicines, energy and building materials. Our biodiversity is a reservoir of resources that remains relatively untapped. Planning must consider biodiversity, and development must not significantly interfere with the biodiversity in a particular area.

5.2 Planning

(1) When preparing and considering local and regional planning strategies, structure plans, planning schemes and other planning instruments relating to the Ningaloo coast policy area the commission and local governments will apply the objectives, principles, terms, actions and guidelines of this policy and the following components of the Ningaloo coast regional strategy Carnarvon to Exmouth—

- Regional land use plan
- Coastal tourism framework
- Planning and environmental guidelines for sustainable tourism on the Ningaloo coast
- Carnarvon structure plan
- Exmouth structure plan
- Coral Bay settlement plan.

5.3 Determining applications

(1) In determining all applications for subdivision, strata subdivision, the granting or variation of leases, development, redevelopment, changes of use and other planning decisions the commission and local government will ensure that—

- (a) no application will be approved within Coral Bay or the significant environmental areas which is inconsistent with this policy and the following components of the Ningaloo coast regional strategy Carnarvon to Exmouth—
 - Regional land use plan,
 - Coastal tourism framework,
 - Planning and environmental guidelines for sustainable tourism on the Ningaloo coast, and
 - Coral Bay settlement plan
 - (b) no applications for higher impact tourism, residential, commercial or industrial developments will be approved unless—
 - (i) they are within the townsites of Carnarvon and Exmouth;
and
 - (ii) consistent with this policy and the relevant structure plan components of the Ningaloo coast regional strategy Carnarvon to Exmouth;
and
 - (iii) consistent with the applicable local planning strategy policies and objectives and town planning scheme.
 - (c) All development proposals should be referred to the Environmental Protection Authority where there is likely to be a significant impact on the environment.
- (2) Significant environmental areas are outlined on Figure 1 include pastoral lease exclusion areas, national park, marine park, state and local government reserves, environmental protection management areas, conservation and multiple use areas and tourism or other leases.

6. Implementation

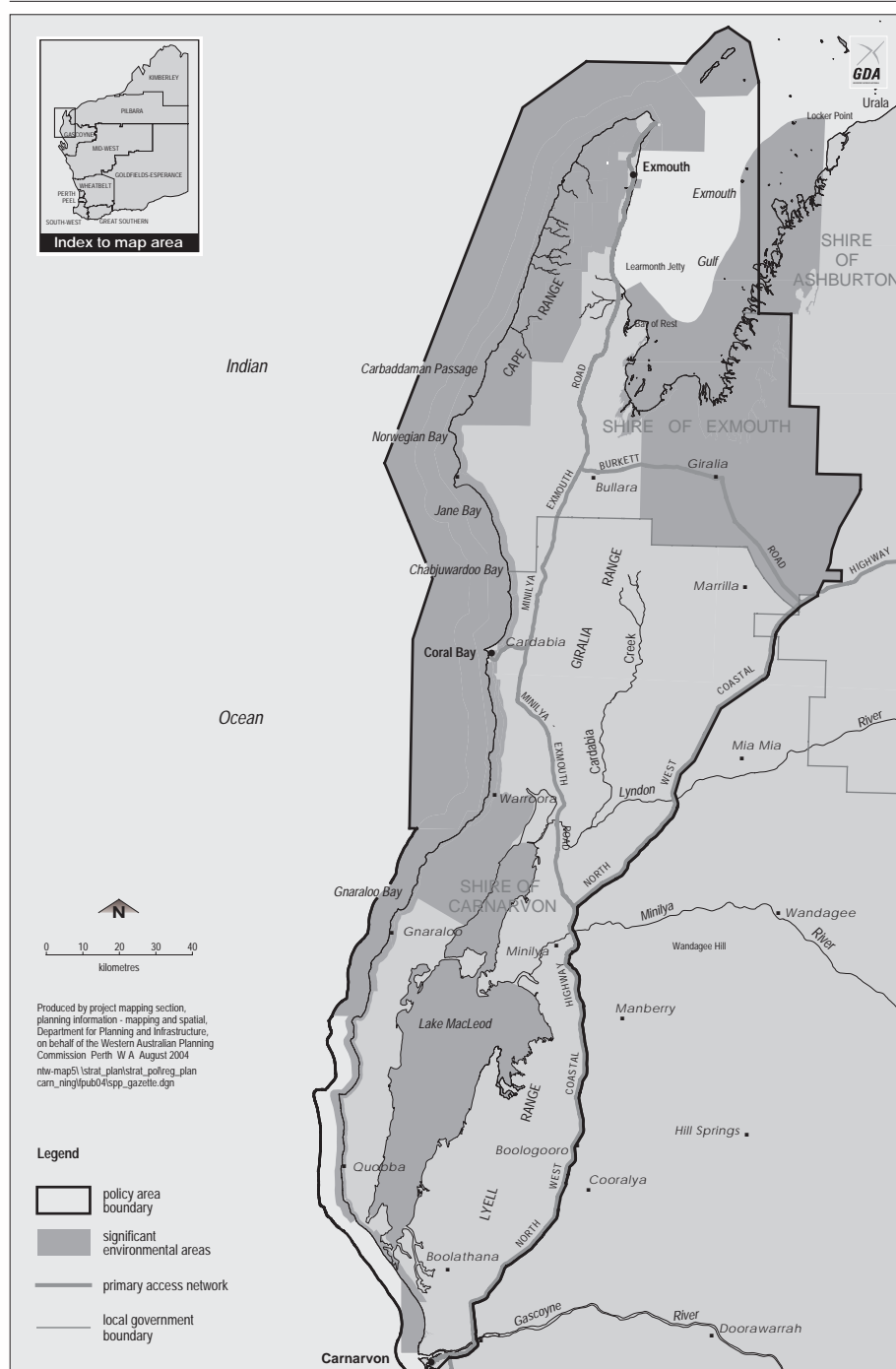
(1) Implementation will occur through the commission and local governments applying the objectives, principles, terms, actions and guidelines of this policy and the following components of the Ningaloo coast regional strategy Carnarvon to Exmouth—

- Regional land use plan
- Coastal tourism framework
- Planning and environmental guidelines for sustainable tourism on the Ningaloo coast
- Carnarvon structure plan
- Exmouth structure plan
- Coral Bay settlement plan.

(2) Implementation also will be supported by other decision-making authorities having due regard for the objectives of this policy and using the associated strategies, guidelines and plans identified in 6(1) of this policy in a consistent way in their own jurisdictions as applicable. In particular—

- (a) The *Land Administration Act 1997* administers the use, development, leasing and subdivision of unallocated Crown land and pastoral leases. The Minister responsible for the *Land Administration Act 1997* should have due regard for this policy.

- (b) The *Conservation and Land Management Act 1984* administers the management and commercial opportunities within lands and waters reserved for conservation and recreation purposes. The Minister responsible for the *Conservation and Land Management Act 1984*, the relevant delegated decision-making authorities under the Act, the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority should have due regard for this policy in making decisions for lands and waters within the policy area.
- (c) The Department of Defence is encouraged to also have regard for this policy in the management of its land holdings within the policy area.
- (3) Co-ordination of relevant government activities to achieve the objectives and guiding principles of this policy will be undertaken by the Western Australian Planning Commission, supported by the Ningaloo Sustainable Development Office.
- (4) As part of the implementation of this policy and the Ningaloo coast regional strategy Carnarvon to Exmouth, further consideration of the proposed staging of development along the Ningaloo coast is required. It is expected that a range of tourism opportunities will be provided at the nodes identified, ranging from camping through to ecolodge style accommodation. This may include staging within identified coastal tourism nodes, and staging of development opportunities along the Ningaloo coast.
- (a) The basis of staging of tourism development shall include—
- protection of the fragile environment of the Ningaloo Reef and coastal landforms;
 - the need for proactive planning and provision of sustainable tourism development on the Ningaloo coast;
 - the guiding principles of the strategy;
 - objectives of the statement of planning policy;
 - development of environmental monitoring and audit systems to gauge environmental impacts (input to the cumulative impacts assessment framework);
 - consideration of all new proposals within a cumulative impact assessment framework containing identified levels of acceptable change thresholds;
 - limits of available infrastructure;
 - water availability;
 - existing environmental pressure;
 - pressure on the environment by existing tourism use;
 - provision of a range of tourism accommodation to cater for a variety of visitor experience;
 - recognition of the lack of tourism accommodation on certain sections of the Ningaloo coast;
 - policies of the Planning and environmental guidelines for sustainable tourism on the Ningaloo coast;
 - estimates of future tourism visitation;
 - recognition of established coastal tourism nodes;
 - where appropriate, commercial viability and opportunities for a diversity of sustainable tourism developments to be realised on the Ningaloo coast; and,
 - opportunities for sustainable tourism development will be offered through a public competitive tendering process.
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Ningaloo coast statement of planning policy 6.3

figure 1



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