



CPB 100/14/56/6

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South Australian Productivity Commission  
**By Email [sapc@sa.gov.au](mailto:sapc@sa.gov.au)**

To the South Australian Productivity Commission,

I am writing in response to the South Australian Productivity Commission's (the Commission) request for further information, outlined in its Draft Report Tourism Regulation Review report of 6 August 2021:

*"The Commission requests additional feedback regarding the experiences of local councils trying to develop coastal infrastructure to accommodate increased tourism demand. In addition, the Commission would like to understand the respective roles and responsibilities of the Coast Protection Board, local councils and other agencies for maintaining and protecting the coastal environment"* (Information Request 4.7).

The functions of the Coast Protection Board (the Board) as stated in the *Coast Protection Act 1972 Act* (the Act), are outlined in the Commission's Draft Report (p.62). If read out of context, these functions may suggest a greater responsibility and funding role than in fact applies. These duties, and especially the coast protection one, are mostly carried out jointly with and through local councils, and the Act provides for the Board to make grants to assist councils in this.

As a prescribed referral body in the *Planning, Development and Infrastructure Act 2016*, the Board may assess certain coastal infrastructure projects to accommodate tourism demand (if classified as 'development' and not minor). The Board's assessment focusses on public access implications, coastal hazard risks and or environmental impacts. The Board typically supports such projects, as they generally seek to facilitate sustainable, controlled access to the coast, consistent with its policies.

Except in rare circumstances in which the Board owns land, coastal land is either privately owned, in the ownership of another Minister or agency, or Crown land which is administered by DEW, dedicated to councils for various purposes or subject to lease or licence. Therefore, the Board generally has no direct involvement in the maintenance and management of coastal land for tourism purposes.

Councils' boundaries extend to low water mark along the South Australian coast. Councils have care control and management of the sea floor, and foreshore land, in accord with the *Harbors and Navigation Act 1993*:

**18(4)** Subject to any provision made by proclamation under this section, the care, control and management of adjacent and subjacent land, and of structures situated on adjacent or subjacent land (except land and structures in private ownership) are —

- (a) if within the area of a council but not within a harbor—under the care, control and management of the council; and
- (b) in any other case—under the care, control and management of the Minister.

With respect to “Boating Infrastructure” (Draft Report 6.3), the Board recently endorsed policy settings on boat ramps, and associated development guidelines, to assist planning authorities and applicants submit compliant development applications. The SA Boating Facilities Advisory Committee has also recently updated its Funding Application Form, which contains information requirements consistent with Board policy, which ensures greater consistency and efficiency across the respective approval processes (funding and development approvals) and minimises non-compliant applications.

For further information, please contact me at [DEWNRCoastProtectionBoard@sa.gov.au](mailto:DEWNRCoastProtectionBoard@sa.gov.au).

Yours sincerely



**Jeff Tate**  
**Presiding Member**  
**COAST PROTECTION BOARD**