



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

STANDING COMMITTEE ON CLIMATE CHANGE, WATER,
ENVIRONMENT AND THE ARTS

Reference: Climate change and environmental impacts on coastal communities

TUESDAY, 7 APRIL 2009

PERTH

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**HOUSE OF REPRESENTATIVES STANDING COMMITTEE
ON CLIMATE CHANGE, WATER, ENVIRONMENT AND THE ARTS**

Tuesday, 7 April 2009

Members: Ms George (*Chair*), Dr Washer (*Deputy Chair*), Mr John Cobb, Mr Dreyfus, Mrs Irwin, Ms Liv-
ermore, Ms Marino, Mr Murphy, Mr Scott and Mr Zappia

Members in attendance: Ms George, Ms Marino, Mr Murphy and Dr Washer

Terms of reference for the inquiry:

To inquire into and report on:

Climate change and environmental impacts on coastal communities. The committee will inquire into and report on issues related to climate change and environmental pressures experienced by Australian coastal areas, particularly in the context of coastal population growth. The inquiry will have particular regard to:

- existing policies and programs related to coastal zone management, taking in the catchment-coast-ocean continuum
- the environmental impacts of coastal population growth and mechanisms to promote sustainable use of coastal resources
- the impact of climate change on coastal areas and strategies to deal with climate change adaptation, particularly in response to projected sea level rise
- mechanisms to promote sustainable coastal communities
- governance and institutional arrangements for the coastal zone.

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Committee met at 9.01 am

CHAIR (Ms George)—I declare open this public hearing of the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts and welcome you all here today. The committee is inquiring into climate change and environmental impacts on coastal communities. The federal Minister for the Environment, Heritage and the Arts and the Minister for Climate Change and Water have asked our committee to examine the environmental impacts of coastal population growth, as well as the impact of climate change on coastal areas and strategies to deal with climate change adaptation, particularly in response to projected sea level rise.

The committee will also look at existing policies and programs related to coastal zone management, mechanisms to promote sustainable communities and governance arrangements for the coastal zone. I would now like to welcome representatives from the Western Australian Department for Planning and Infrastructure to this public hearing. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. In that regard, the giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

[9.02 am]

BICKNELL, Mr Charlie, Senior Coastal Engineer, Department for Planning and Infrastructure

PANIZZA, Miss Vivienne, Team Leader Climate Change and Coastal Planning, Department for Planning and Infrastructure

CHAIR—The committee has received your submission—it was some time ago—and it has been authorised for publication. We are very pleased to be able to be here in Western Australia. We will be doing a number of site visits, starting this afternoon at Cottesloe and then down to Mandurah and Busselton. But this morning's proceedings will be taking oral evidence from people who have put in written submissions to our inquiry. We would now like to invite you to make a brief opening statement, if you so wish, before we proceed to questions and discussion.

Miss Panizza—I am not going to make much of a statement today, because I would like to provide some time for my colleague to do so, and I have written my key points. What I want to do right now is to table some additional material to our submission from last April. I noted in rereading it that we made a significant number of references to our state coastal planning policy.

CHAIR—The submission that we received from the director-general was dated 20/6/08.

Miss Panizza—You are right.

CHAIR—You said April.

Miss Panizza—Yes.

CHAIR—That is fine, just so we have the same submission.

Miss Panizza—I would like to table a copy of our state coastal planning policy, which is the key guiding document as far as land use planning decisions. I would also like to table our coastal protection policy. That specifically relates to the engineering structures and the arrangements for construction—not in detail, but responsibilities and maintenance. I would like to table an example of work that we are currently undertaking to develop a Western Australian specific framework for informing policy. This is some work we are undertaking called 'Coastal compartments and sediment cells'. It is a brief outline of how that works, identifying the specifics of the Western Australian coast, and giving some indications on how we might build that into an improved state planning policy.

This last document is not a formalised document of the department; it is an internal view of some key components of coastal-specific assessment frameworks. So I would like to table those documents, along with my key message statement. As I say, I would rather not take up Charlie's time today. My key points are essentially about partnership and having a clear framework.

CHAIR—We are quite happy to give you the time to make some of those points verbally.

Miss Panizza—Okay.

CHAIR—Please, in summary form, indicate the main issues.

Miss Panizza—There are three key messages from us. The first is that, across government and also in terms of our education of the community, we need to recognise that this is a long-term and ongoing process that requires a sustained effort that is encapsulated within an adaptive management framework. It is something we have to work at constantly and gather information on to inform ourselves about how well we are going. Secondly, we need a strong and committed partnership across all three levels of government to deal with this issue. That partnership should be expressed through a strategic framework for policy and action that is agreed and adopted by all jurisdictions, is coordinated, is adequately funded and is transparent, so that it is clearly understood what actions are being undertaken, by whom and how they interact. It also needs to identify the priority actions, including roles and responsibilities, across the three levels of government. Thank you.

CHAIR—Mr Bicknell, would you like to add some opening remarks?

Mr Bicknell—Yes, please. I want to draw out some important points from our submission and from what Vivienne said. I will run you through an example of how we could be doing coastal vulnerability assessments, which brings up some of the key issues which we are dealing with at the moment. I would like to point out that these are my views as an officer with the department. It is very difficult to portray the views of the department as a whole.

CHAIR—Excuse me, could you stop there for a second. What do you mean, they are your views and not the department's?

Mr Bicknell—Some of the points that I may raise, such as the first one, which is improved coordination between the states and the Commonwealth, are the views of an officer within the department. The department as a whole may have the view that there is adequate coordination and adequate framework, but I wanted to explain to the committee that those frameworks may exist but they are not getting down to an officer level. The reason I say that is that it would be more beneficial to the committee to have an honest representation at an officer level than trying to portray what the actual department's opinion is.

Miss Panizza—May I add some clarification to that. What is in our written submission are approved departmental statements. So things such as coordination you will see are reflected in that.

CHAIR—It is up to you, Mr Bicknell. I do not want to put you in a position of any kind of compromise.

Mr Bicknell—I do not think any of my comments are that.

CHAIR—As long as you have taken that on board. Obviously at our level we want to know where your department is or is not heading.

Mr Bicknell—I do not think any of my comments would significantly differ from those of the department to the extent that it would cause me any grief when I return to my department.

CHAIR—Fine, Mr Bicknell.

Mr Bicknell—Although there are frameworks, as Vivienne pointed out, there need to be clearer decisions on who is responsible for doing what within those frameworks and the supporting funding provided.

At the moment there are frameworks and there just is not the funding to support implementing them. I will describe some of those in more detail in a second. As put in the submission under the summary bullet No. 1, there is a real need to avoid this ad hoc provision of Commonwealth grants to local governments. It is almost, if anything, counterproductive. There needs to be a much more coordinated and prioritised approach and it needs to be hand in hand with the states.

To give an example, the provision of small grants to local governments with scopes which are much larger than the grants just does not work. If the study is successful and it is not done in coordination with the state, the state probably will not support it, so there is very little benefit. So there is a need for a much better coordinated application of funding. There is a need for a significantly larger amount of funding and—as I said, the things I will go through in a second—the amount of money that we are spending on research into climate change on a local scale—

CHAIR—Sorry, when you say ‘we’ are you meaning the state government? You said, ‘The amount of money we are spending is not sufficient.’ Did you mean the state government?

Mr Bicknell—My department. Funding spent within the department and my observation of studies within the state.

CHAIR—Thank you.

Mr Bicknell—I am not sure where they are funded. There is a need for a clear framework to undertake climate change risk assessments for coastal impacts. There are frameworks for doing risk assessments, there are frameworks for doing climate change assessments, but there are not frameworks for doing coastal climate change risk assessments or whatever you wish to call them.

They have many different names, but a climate change vulnerability assessment involves—and these can be in a different order—what people call the data collection: assessing the current coastal physical environment, so it would be through collecting bathymetry, geomorphology, wave, climate, water levels. There is insufficient funding being spent within our state. Our department is allocating insufficient funding. To answer the question you asked before, there is insufficient funding being spent as a whole within the state.

The next step would be to classify the coasts, so classification into sediment compartments and sediment cells. That is one of the submissions that Vivienne has put forward. I think that is being done very well by the state. Understanding the current behaviour of the coast: that is looking at sediment budgets; it is understanding how sections of the coast behave, how the sand moves around, what are the actual dynamics of it. That involves very detailed studies. There is a

lot of work, and a lot of it is bordering on research work. I do not think that enough time or funding is being spent on that to gain the understanding needed for each section of the coast.

The next step would be to understand your climate projections, so that is the interpretation from a global scale to a local scale for a selection of climate change scenarios. I am sure the committee has had a lot of presentations from scientific representatives and this is something that really needs to sit within the Commonwealth's realm. Institutes like CSIRO do a lot of gathering together of scientific information, providing it to a state level. The state governments do not have—or our department does not have—scientists sitting within the organisation.

There is a real need for CSIRO or a similar organisation to do that at a Commonwealth level, because that is the foundation that provides coordination across the states—for example, what value to use for sea level rise. It relates later, in policy, to what planning time frame to use. They are very important foundations to build off so that everyone, when they do their studies, is using the same bit of information. Then there is assessing the physical impacts upon the coast: you understand the behaviour of the coast and you have your projections of how the coast actually behaves. Again, this is not really very well understood. The models for how the coast will change are either poor or old.

For example, when sea level rises, the coast recedes. How does that work if you have a combination of sand and rock? This again is bordering onto research work, and there is just not enough funding, time and effort spent on that. That is of particular interest to our coast because, apart from being very large, it is different to the eastern states in that a lot of our coast is a combination of sand and rock, which means that no part of it is really simple and it becomes very complicated. I would say that is poorly understood.

Then you need to assess the social impacts, the environmental impacts, the ecosystem impacts, the economic impacts. I am going to say again that that is poorly understood and the reason I say that is because I do not see a lot of examples of good studies looking at that. I do not see, within our state, evidence that that has been done well, or really done at all. That draws you back to having a framework for doing that specifically for the coast. Then you put all that together and that is your risk assessment, values against impacts.

Then at the last stage is the policy, the adaptation, the adoption of change. That is a very difficult step, as you would probably all understand, because that actually requires change. One of the problems which I see is that very few people actually get into the last step of this process. On a Commonwealth scale, from the work that I see, there is data collection and there are frameworks in place to that. There is classification and seeing what are vulnerable areas. Some of these earlier things in my list are under way. As we get down to the end and are setting up frameworks for policy, having adaptation and actually doing change, these are very difficult things, and this goes down to a local level, when funding is given to small studies.

You can still initiate positive change, but there is a reluctance to, because there is not a good framework for people to understand how to do it, and there is an obvious excuse: 'Well, I haven't done enough detailed work to give me the basis to make decisions.' To put that into context, if you pick a bit of the coast which is vulnerable, you know that it is going to recede when the sea level rises. The question will be how far it will recede. If you do this detailed work, you might decide that, rather than between 10 metres and 100 metres, it is going to recede 70

metres. The reality on the ground is that that means you lose, rather than two rows of houses, half a row of houses. You are still going to have the same implication that you are going to lose land, so you can still make the same policy decisions at whatever level immediately, but there is a reluctance to without people knowing the exact impacts, the detailed impacts. That is my submission.

CHAIR—Thank you. As I indicated earlier, by the time we get to different participants, the written submissions are inevitably a bit dated, and that is always a dilemma for a committee that travels around. I was quite concerned by a number of things, one in particular in your written submission, and maybe, with the documents that you have presented, things have moved on. You state:

No comprehensive statewide assessment of the impacts of climate change on the coast has been undertaken or is presently planned by the state government. What is known from the coastal vulnerability assessments undertaken to date is that there is the potential for significant coastal impacts in parts of Western Australia, although the magnitude, timing and relative impacts between sections of coast remains far from clear.

I appreciate that point. Has the state policy changed and, in particular, the state planning policy 2.6. I take it that is what SPP stands for?

Mr Bicknell—Yes.

CHAIR—At the time you wrote in your submission that you were being guided by the IPCC third assessment report, *Climate change 2001*, which in itself is pretty outdated. Even their most recent assessments are now being queried by a lot of scientific evidence as maybe being conservative. But at the time you said that you relied on a medium assessment of 0.38 mean sea-level rise by 2100. You state in the submission:

The pro-active policy has been actively implemented by State planning authorities with the support of local governments.

Then later in the submission you say that all this is being relooked at. You say:

1. Re-analysing the State Coastal Planning Policy with a focus on the methods used and climate change drivers in the Policy, including future mean sea-level rise factors.

It may be that that is all covered in documents that I have not had time to look at, but I would like your response to some of those comments from your written submission: (a) whether the state has changed its view and is taking a more comprehensive assessment of the impact of climate change; (b) the setback policy and the mean sea-level rise; and (c) any other information that you would like to give us.

Miss Panizza—In regard to the first statement, which was really a state-wide strategic assessment of climate change, that is still the case. The work that is being undertaken is all regions, so there has not been an assessment to prioritise regions. There has just been a sense of, ‘Where are our key priorities?’—the Pilbara, for example.

Mr Bicknell—Yes.

Miss Panizza—Even for the south-west, which is an area under a lot of pressure, we do not have a state agency climate change impact assessment process going on. Having said that, we have just awarded a tender to assist us in gathering high-resolution bathymetric data for the south-western corner of the state. That is from the northern boundary of the metropolitan area down to Cape Naturaliste, which is just at the edge of Geographe Bay. Earlier last year we collected, through the Department of Water, the high-resolution LiDAR data for the terrestrial side of that.

By the end of the year we anticipate having a high-resolution, seamless DEM from the near-shore to—I do not know exactly how far inland—probably around a 10-metre contour. We see that as an important basis for then going on to doing modelling and assessment of vulnerabilities in that area. That is quite a large region, with the vast majority of our population and the highest pressures. Mr Bicknell, would you like to pick up on the review of the policy?

Mr Bicknell—Yes. In your questions you asked a lot of things. One of the aspects you raised was the use of IPCC's third assessment report. That is the text that was written in the policy when it was first published. We have reviewed the fourth assessment report. You also pointed out that there are a lot of different bits of scientific information that have been published since the fourth assessment report. That draws me back to my point that it is very difficult as a department on a state level to understand and to interpret the scientific information on a regular basis as we are not scientists.

The approach we have adopted has been to use the latest IPCC work, so although it says in the text 'the third assessment report', we as a department compared it with the fourth assessment report and noted that the mean values of the fourth assessment report did not significantly differ from those of the third assessment report. We have also used the CSIRO's work when published.

CHAIR—So your advice to local government authorities is still in the context of what you have in your written statement: the median assessment of 0.38 metres in mean sea level rise?

Mr Bicknell—Yes.

CHAIR—Are you aware that other states have been revising their climate change impacts on the coastal zone, specifically in relation to anticipated sea level rise? I would refer you to South Australia, Victoria and New South Wales. Do you follow developments in other states?

Miss Panizza—Absolutely. I need to add to Charlie's statement where he is dealing with the specifics, as we are reviewing what we call schedule 1 of our policy. We anticipate by the middle of the year some recommendations through our coastal committee of the Western Australian Planning Commission to specifically deal with that sea level rise component. Because there is not just the question of sea level rise in determining what is an appropriate setback, we also have enshrined in our policy the need to regard and model the impacts of severe storms, as well as the historic trends. We see it as a multicomponent setback policy and that sea level rise in itself is not the only indicator of how far back it should be set from the coast.

CHAIR—Of course.

Miss Panizza—What models you use to determine those other impacts is also currently under review. We expect a complete review or a changed schedule 1 by the end of the year. We are still in progress.

CHAIR—I understand you have a Coastal Planning and Coordination Council.

Miss Panizza—Yes.

CHAIR—What are the kinds of issues that that council is now considering and what recommendations do they make to government for coastal protection? Is it an active committee?

Miss Panizza—Yes. It meets every two months and it reports to the Western Australian Planning Commission. The Western Australian Planning Commission is the decision-making body. The CPCC is only an advisory committee, but it does oversee the development of our state coastal planning policy. So we really report to it on how we should change the policy. We advise it, it deliberates and then it will advise the Western Australian Planning Commission, recommending changes.

CHAIR—You made a reference earlier to your concern about the ad hoc provision of Commonwealth grants to local government authorities. I take your point that ideally we want to have nationally consistent data and you know the first pass assessment is currently being conducted and will give us a much better set of consistent national data. You would be aware of the submission that the committee has received from the Local Government Association of Western Australia. I quote from it:

The Department for Planning and Infrastructure has primary responsibility for planning policy and its current climate change management strategy is ill-defined and inaccessible. It has not yet determined how, if at all, climate change will be embedded in planning frameworks. Local Governments are principally guided by State policy and legislation, and when these are inadequate to meet their needs, they tend to develop policy and projects that will meet their needs internally.

I would like to give you the opportunity to respond to their view that they are going to the federal government for what you see as ad hoc grants because they do not think they are getting enough guidance and support at the state level. That is their perception.

Miss Panizza—I think, firstly, we do. Within our policy, climate change has to be acknowledged. It is a key issue to informed decision making. At the time that that policy was written the key component was sea level rise. We do it state-wide because it is a state-wide policy. It does not deal with regions and there is a lot of variation around the state. So climate change has to be considered and, at the very least, you have to allow for the sea level rise component. I feel that local governments, other than being provided guidelines, want to drill down to the detail in their patch. We certainly acknowledge the need to develop better guidelines, along the lines of the points Charlie mentioned, for how to do a coastal vulnerability assessment.

We do not have those in place at the moment and we have been looking towards the advice that has been going to COAG through the adaptation program, through the subcommittee of

climate change and water, and the recommendations about developing planning guidelines. We are very much supportive of that approach at a national level and certainly would intend to reflect those in our own policies. What I would like to see in terms of our state in partnership with the Commonwealth is a funding program that is very clear on what its aims and objectives are, that approaches funding of specific local studies in a more strategic framework and builds into the basis of that funding program an agreement, an understanding with the state, that they partner in these projects.

As Charlie said, it is very important for local coastal assessments that the department for planning be partner to those projects because they have important messages for policy in terms of making statutory requirements. They could either be through the local planning schemes, which also have to be approved by the state, or they can be through statewide statements of planning policy, so it is very important that the state government be a party to those projects.

CHAIR—In the course of our inquiry and particularly in more recent times, the issue of legal liability for planning decisions has become the elephant in the room. In some states, local government authorities are indemnified if they act in good faith in accordance with state guidelines and policies. Is that the situation in WA? Do you indemnify local government authorities?

Miss Panizza—I do not believe so. I would have to take legal advice on that. We have approached the state solicitors office for advice in this regard. We do not have anything yet.

CHAIR—Could you take that on notice from the committee? Any advice you get will be important for our recommendations.

Miss Panizza—Yes, we can certainly do that.

CHAIR—We are going to Mandurah. I understand anecdotally—and we will confirm this when we are there—that canal estates are causing already some problems with flooding. Are you aware of that?

Miss Panizza—Yes, we are. That is Charlie's area in particular, but in a policy context we are working on, at least at this point, a discussion paper about canal estates and the pros and cons.

CHAIR—So your planning authority would still—

Miss Panizza—We recognise it is an important issue and that it needs more work.

CHAIR—But let's say down at Busselton a developer comes along and wants to build a canal estate. There is nothing in state regulation or legislation that would prohibit that?

Miss Panizza—No.

CHAIR—Thank you.

Dr WASHER—Just to follow up the chair's question there, basically different states have different policies. In New South Wales the planning minister, the equivalent of John Day here,

would have call-in powers. In other words, if there was a development that they thought was inappropriate that the local government was proposing, they could call it in and override local government. Can you elucidate to the committee how WA planning laws work, from local government levels, if you had what you considered a planning authority approve an inappropriate development as the chair suggested, hypothetically in Busselton or whatever?

Miss Panizza—The main issue that is critical here is who makes decisions about subdivisions, and that is state, not local, government, although we do work with local government on subdivisions. They go to the local government for consideration and are then forwarded to the Western Australian Planning Commission. They are the ultimate decision maker on subdivisions. For major developments, usually the starting point is a subdivision application. As far as a development application once the subdivision is approved, yes, the state minister does have call-in powers.

Generally, specific development applications are not that controversial. It is usually at the subdivision stage that the critical questions are asked.

Dr WASHER—The state government does have fairly extensive planning—way-ahead planning—for, say, northern, eastern and southern regions, don't they?

Miss Panizza—We have region schemes in the Perth metropolitan, Peel and Bunbury areas and Albany. The Western Australian Planning Commission has only just approved the establishment of regional planning committees for the Pilbara, Kimberley and what I think is called the Mid West or Gascoyne—sorry, I would have to get the exact name—with the view of going towards some form of region scheme in those areas. They are very big areas and there is not the development pressure. Most of the development pressure in those areas is going to be concentrated. Yes, as a state we have a very centralised planning system and the main powers lie with the Western Australian Planning Commission.

Dr WASHER—More so than in other states, because you know the set-up in other states. Western Australia would have the most powerful and centralised state planning.

Miss Panizza—Yes, it does, although there is always work under way reviewing the planning system. There are often calls about the planning system being too cumbersome. There is work under way at the moment, reviewing that planning system and seeing how we can improve on it and make it more efficient. A recent publication that is out for public comment is 'Building a better planning system', a consultation paper that was released in March 2009. One of the things that is being considered in there is delegation of smaller subdivisions to local government.

Ms MARINO—Thank you both for coming. I notice, Mr Bicknell, you referred to the fact that the smaller grants do not appear to be working and that there is insufficient funding, in your view. Either speaking for the department or yourself, would you see the Commonwealth being the source of that funding?

Mr Bicknell—Again I think it is a partnership between the state and the Commonwealth. To put into perspective the grant funding, the City of Mandurah received grant funding this financial year. I think the value of that Commonwealth funding was \$50,000.

Miss Panizza—From the Local Adaptation Pathways Program.

Mr Bicknell—In the scope of work required under that study—and there are quite detailed requirements: do the assessment and then risk assessment—to collect the data to do it properly would have cost more than \$50,000. You have to balance the funding with the expectations. If you are only going to give \$50,000 funding, that is fine, but only do \$50,000 worth of studies. Do not try to do a several hundred thousand dollar study, which you cannot do within a year anyway because of the work involved, with a budget that small. That is what I mean. It would be much better if it were done jointly. For example, the state also has grant programs, so they could have provided grant funding as well to boost the Commonwealth fund.

Ms MARINO—In a coordinated sense.

Mr Bicknell—But there is no coordination.

CHAIR—It makes it difficult to coordinate if, as you are saying, you do not have any kind of analysis at a state level of the areas of greatest vulnerability.

Mr Bicknell—Again, is that not part of the work being done by the Commonwealth as part of the coordinated approach?

Miss Panizza—The first pass assessment.

Mr Bicknell—There is another. Are we doing that or is the Commonwealth doing it?

Miss Panizza—Another layer.

Ms MARINO—Yes, another layer.

Mr Bicknell—On a local scale, we know which are the most vulnerable and what our priorities are as to the planning demands, but it is a mismatch.

Ms MARINO—Could I take it a little further. We touched briefly on the liability issue, but within the department itself—and I understand you have said, Miss Panizza, that you are going to look at seeking legal advice—is there any perception as to where the liability for any impacts of sea level rise might fall? Is it perceived to be with local government, state government, other, or the individual? Is there any consideration being given to the potential liability issue?

Miss Panizza—I really cannot answer that. The short answer is that there will be liability on each of those parties, depending on the specifics of the case. It might be the private individual or it might be the state planning body, but it is going to be the specifics of the case and the sorts of decisions that were made and the information that was taken into consideration at the time that will be critical to where the liability lies.

Ms MARINO—It is a very real issue for local government—

Miss Panizza—Yes.

Ms MARINO—and for individuals, so some very clear direction will be certainly required. Could you perhaps give me some greater insight as to the capacity of state planning to override decisions made by local governments in relation to planning decisions. With what frequency is it done and in what types of circumstances?

Miss Panizza—I do not have any figures. My general observation is that it does not happen very often, but that is partly because the commission makes the main decisions on subdivision. It does happen—

Ms MARINO—Yes, it does.

Miss Panizza—where local government has approved a subdivision, for example, in a coastal location, but the Western Australian commission does not do it. We generally find when that happens that the proponents then go to the State Administrative Tribunal for a determination to be made. There are frequent examples where local government has given approval and the commission has not, and it essentially goes into a pseudo-legal process to decide it in the end.

Dr WASHER—On that point, I think the previous local government—certainly the then planning minister, Alannah MacTiernan, had a policy not to take any complaints beyond local government and it all went to the tribunal. I think it was a fairly automatic thing. So private developers, if they did not agree with local government, had to go to the tribunal.

Miss Panizza—What sorts of complaints do you mean?

Dr WASHER—If a private developer had a fight with the local government and they wanted to appeal beyond local government, it usually went to the tribunal.

Miss Panizza—It will only go to the tribunal if it is a complaint about a decision. Other sorts of complaints on local government might go to the ombudsman. It depends on the nature of the complaint. It is usually the proponent's call as to whether or not they are happy about the decisions that have been made.

Dr WASHER—Sure.

Miss Panizza—I have not come across situations where local government has gone to the tribunal to complain about the commission's decisions.

Dr WASHER—No, sorry. I meant that if a developer had a complaint and did not agree with local government, I think their only course really was to go to the tribunal.

Miss Panizza—That is right.

Ms MARINO—Mr Bicknell, you acknowledge, and we know very well—we are from Western Australia—the vast nature of Western Australia's coastline and the number of variables in that coastline. The distances between settlements is significant. Then we have got the complexity of the vast growth happening throughout the south-west. So Western Australia has got significant challenges with the coastal assessment process and analysis. Given that, in practical terms, how much information do you actually have in relation to the extent of the

Western Australian coastline? Also, are you aware of any saltwater intrusions into freshwater aquifers? They are two issues that I have great interest in.

Mr Bicknell—Is the first question on the data that we have available for the state?

Ms MARINO—Yes. How extensive is the information you currently have with all of the planning, with all of what has been currently—

Mr Bicknell—The data collection historically has focused on where people have been. So historic data has been around historic settlements. From that point of view, there is never enough data, but there is a lot of data in the areas where you need to have data to make current planning decisions. Where you are making future planning decisions, where urban areas are expanding, there is a lack of data.

Ms MARINO—And up the coastline as well, up towards the north.

Mr Bicknell—Yes, where you are making environmental decisions—so information that supports the Department of Environment and Conservation; perhaps marine park designated areas where there are no humans—there is a lack of data or no data.

Miss Panizza—Most of that data actually comes from the proponents. Under the assessment process, the proponent has to undertake various studies. A lot of the data is held by specific proponents. Certainly the raw data is kept by them. There is data in report form to the state.

Ms MARINO—Are there any saltwater intrusions into freshwater aquifers that you are aware of?

Mr Bicknell—That goes beyond my area of expertise.

Ms MARINO—Thank you.

Miss Panizza—I would have to get that information from the Department of Water.

Mr MURPHY—Mr Bicknell, in your oral submission this morning you made the point that grants need to be better coordinated and small grants do not work. That suggests to me that federal government grants in some areas are being wasted. That being the case, could you give this committee some insight where you think, from the department's perspective or as an individual, long-suffering taxpayers' money is being wasted with some of these smaller grants.

Mr Bicknell—To try and put forward solutions rather than problems, an obvious solution would be to say, if you are applying for a grant, you must have a letter of support from the state government. Then the state government is aware of it and they can put it into a coordinated application. The other solution would be to have a flexible framework for the grant. The grant programs which I have seen recently have been very rigorous in what they—

Ms MARINO—Prescriptive.

Mr Bicknell—Prescriptive in what you have to do. When you have a small amount of funding, it may not be able to do all the tasks listed, but you may be able to do the first task or one of the tasks. The point I am trying to make is that there are good frameworks set up. A lot of these things are already in place. I have nothing against grant funding from the Commonwealth—it is great—and I have nothing against these local governments being proactive to try and seek additional funding and seek additional ways. The proactive local governments are the best ones to work with. That is great. Part of it is coordination and everyone being aware of what is going on.

The other benefit of the state understanding and supporting a study is that then the study can go ahead and the state can have input and it can tell the local government, ‘This is what is going on in all the other local governments. This is the base data that these people are using.’ So there is an added benefit of being able to share information across studies. I am not sure I answered your question.

Mr MURPHY—I was wondering whether you were going to identify a specific process where you thought, ‘That money was wasted.’ I say that against the background of seeing federal funds—

CHAIR—We are going to three areas where there are vulnerability assessments.

Mr Bicknell—I know you are going to the city of Mandurah.

CHAIR—Cottesloe, Mandurah and Busselton.

Mr Bicknell—Have a look at what have been the outcomes from the city of Mandurah study. In what way has that benefited the city? It has gone over some things in more detail and a bit more rigorously, but really the city could have come to the state government—and it probably sounds slightly patronising—and in half an hour we could have scribbled down and told them what the outcomes of their study would have been without them going away and doing the work.

CHAIR—We will test that with the mayor of Mandurah tomorrow. That is certainly not the anecdotal evidence we get from lots of local government authorities. On that point, I think it would be useful, if you do have the time, to sit in on our next discussion with the representative of the WA local government authority. The difficulty is that at the moment the federal government has no constitutional role in land use and land planning, so take us out of the equation. The major responsibility is a state and local government one, and you acknowledge that in your contribution. Local government tells us that they are the level of government that is most proactive in trying to deal with the complexity of this issue.

Miss Panizza—Some local governments.

CHAIR—Some local governments. They say:

Western Australian local governments look to their state agencies to provide advice, share information and collate relevant mapping and data, and are finding themselves without adequate resources through these agencies.

It is in that context that the federal government has a program that at least helps, whatever the limitations and inadequacies. I take your point: we do not want to be repeating the data collection, using different inputs, not having consistent data, but there is a sense in which, if I am reading it right over here—and I am only a visitor; tell me if I am wrong—the state level is not really proactively involved in assisting local government authorities. We will test that in evidence with the other councils, but I do want to give you the opportunity to tell me if I am heading down the wrong path with that perception.

Mr Bicknell—That Mandurah study is a good example to look at to gauge this conversation and put it into perspective. In that study their data collection was pretty much the data that we provided. They came and got the historical records off us—historic surveys, historic aerial photographs. There was not enough money to go and collect more. There are data gaps in our records, and we acknowledge that. Then the study went through, and pretty much the end output is identifying the vulnerable parts of that local government's coast. That is the end output. We already know what the vulnerable parts of the coast are. They are the ones where you have got increased housing density close to the coast, on controlled bits of the coast which are already eroding. That is north of Mandurah.

CHAIR—So why is it that the Mandurah council thought they had to apply for a federal grant? If you had all that information, why weren't they able to use that?

Mr Bicknell—We have been working with them on this study. They wanted to understand what policy changes they could implement to take it to the next step. I do not think that they have got that far, because they only had a limited amount of budget and a limited amount of time. So they have gone through the process. They looked at the data and the vulnerable areas. There was not enough money to do detailed studies or detailed management approaches and then it stopped. That is it.

CHAIR—What do you see as the role of the state government in the next stage of the Mandurah project? What are you offering to that council that you think could help them?

Mr Bicknell—The outcome of that first stage was recommendations for detailed studies in specific areas. That is where that project is at. We have offered to support the city by providing additional grant funding to go and look at specific areas. The north of Mandurah is a good example of a difficult bit of coast—north of the ocean entrance there. I am sure you will see it on your site trip. The coast is controlled by rock groynes. The area is being rezoned to high density, so you want people knocking down houses, putting up units. That section is a great example of how to apply policy.

Miss Panizza—I feel that none of these grants are a waste of money. They do produce something that can be used. At the very least this has provided a rigorous process to identify the vulnerable areas, which has more standing, certainly in the community's eyes, than if experts within the agency and local government sat down and just pointed to those areas on the map. The process that they go through is valuable. I used to be involved with the Coasts and Clean Seas memorandum of understanding—a bilateral agreement at that time. That is a really good model, where you have matching funding between state and federal governments to a defined set of objectives for defined types of projects.

As Charlie has indicated, the federal government is providing small grants and the state government has money available for small grants. This year Charlie has over \$1 million for coastal protection work grants, and some of those are requesting coastal vulnerability assessment type of work. I feel that money would be most effectively deployed through a framework that allows us all to see what we are spending, where and for what. I think that would be the most effective approach, rather than the federal government funding projects to its own program that we have had no consultation with the state on and the state doing the same. I would like to see a joint approach. The power of the federal government to focus the state in terms of a commitment to a particular level of funding and framework of works is very valuable.

CHAIR—In terms of the state planning policy No. 2.6, you say in your written evidence that that is the primary policy mechanism for the consideration of potential climate change impacts for new land developments. Then you mention specifically the setback factor. What other issues are encompassed in that coastal policy planning document that would be of importance to local councils when they are considering the impact of climate change, besides the sea level rise issue?

Miss Panizza—I have got to say that it is a very narrow perspective. The coastal policy does not pick up things like bushfire, potential water issues, salt water intrusion, although it would have the power to.

CHAIR—What about extreme weather events?

Miss Panizza—It does, in what we call component 1, which is taking into account extreme storms and also the actual historic trend, because we can only understand the impact of climate change on the coast by understanding the existing processes—so what are the current vulnerabilities? A critical component of that is, ‘What has the historic movement been?’ Even though climate change is changing the drivers, it does tell us what the underlying processes are.

What is important also is the planning framework, from regional to local. It requires that there be a nested planning approach, from the largest scale that identifies appropriate areas for development through to the local plans that then deal with how you would manage development at particular locations. So it does require a nested approach to planning and it ensures that you do have locally appropriate coastal plans.

CHAIR—When are we likely to see the revised coastal policy and planning documents? Is it midyear sometime?

Miss Panizza—We expect an interim position towards midyear.

CHAIR—And that is from the department of planning here?

Miss Panizza—Yes, it is the Western Australian Planning Commission.

CHAIR—Could you just elaborate for the record what kinds of issues that revised document will cover?

Miss Panizza—It may well just deal with the sea level rise and planning horizon. It is going to be a quick fix. No, it is not even a fix, just a recognition that there is a lot of change happening nationally; that the latest global scientific information is that we are tracking at the highest level. So it is doing an, ‘Okay, we need to revise that sea level rise figure.’ By the end of the year, we anticipate that the entire schedule 1 will have been reviewed and updated.

CHAIR—What schedule 1 figure?

Miss Panizza—Schedule 1 of the policy is where we deal specifically with how, in coastal planning, we take into account coastal processes, on the coast.

CHAIR—By the end of the year?

Miss Panizza—Yes.

CHAIR—Is that the advice that local governments then look to in terms of the decisions they make at the local level?

Miss Panizza—It provides a framework for them. It does not answer their local issues. It is not a spatial representation of probabilities for their coastal setback.

CHAIR—For example, with the sea level rise, is that just there for guidance, if you take the lead of other states? Do you say this is guidance?

Miss Panizza—No.

CHAIR—Do you enact it by regulation? Is it mandatory that they take that into account?

Miss Panizza—It is not mandatory but, in approving subdivisions, because the Western Australian Planning Commission is the approving body, we require that that spatial representation of the sea level rise is part of our coastal setback. So it does require coastal setbacks to a generic figure. In addition to that, with the further work we are hoping to be able to have guidance that is more responsive to the specific type of beach coastline that a local government is dealing with.

Mr Bicknell—Could I add to Vivienne’s comments. One of the things which the policy is good at is prescribing what you need to do for new developments, for greenfield sites. I do not think you will find that local governments complain about the policy in those sections. It is clear, it has a set framework, and it includes climate change consideration. One of the key aspects which we are looking at in the full review is development of existing subdivisions, so basically increasing density or redevelopment of existing buildings. Within the policy which Vivienne has tabled, it is described as ‘infill’.

The current policy, as it stands, allows the protection of existing property for a lot of applications. That is something that we, as part of the review, are investigating, comparing to other states and understanding—I think someone brought up the question—what are the liability issues. That is where local governments are saying the policy is lacking, because there is no clear

mechanism of saying to someone, 'You can't redevelop your house. You can't knock it down and build a new house. There's infill.' There is nothing to support the local governments.

I would see the state's role as setting that framework within the policy, then the implementation of that policy on a local level by the local government in the town planning scheme. That requires some difficult decisions by council, saying, 'We'll protect this area with groynes. We won't protect that area.' I would suggest that the complaints that you are receiving are with respect to this infill. That is something that the department has programmed to try and review over the next year.

Miss Panizza—For the committee's information, at a practical level a lot of councils are referring development applications to us for some advice. Without the actual power of an endorsed document, we are advising that memorials be put on titles where it is infill development in an area where, if it were a subdivision now, we would have required a further setback. We are asking at least that a memorial that recognises that the site will be subject to climate change impacts in the future is recognised in the system.

It is then up to the local government to ensure that a memorial is put on a title. We are doing that in very specific infill, where you have a single lot: there is no house on it to date and they want to develop it, but we need to inform them that it is vulnerable.

CHAIR—Yes. You make the point that for future development the boundaries are more certain. When we go to Busselton, for example, on our schedule we are to visit a canal development at Port Geographe; area to the west of Siesta Park where erosion is already affecting private property and there are several private seawalls; and the end of Holgate Road, where erosion dune movement associated with the coastal defence structure has affected the coastal path network. I am not familiar with the area at all; I am just reading from where we are going.

In relation to the issue, as it likely will arise, about legal liability, what currently is the state government's position in regard to complaints, either from private people whose property has been affected by say beach erosion or the local government authority who might say to us, 'All the plans that we put in place were in conformity with the guidelines applying from the overarching state policy'? What is the state government's response to the issue of legal liability in those situations, or do you need to take that on notice?

Miss Panizza—I think virtually everything we look at predates SPP2.6. The main problem areas along the Busselton coastline predate that. You can only be held liable where you are aware of a problem and that should have influenced your decision. I am talking as a professional, a technical coastal planner, not as a legal officer. As a general principle, the state government would not be accepting liability for coastal erosion problems there. I do not know where specifically they are taking you, but some of those coastal protection works on private property have no approvals whatsoever.

Mr Bicknell—To draw it back to the two current policies that Vivienne tabled, the State Coastal Planning Policy was set up at the same time as the Coastal Protection Policy.

CHAIR—That is, early 2000? Is that right? Is that where it goes back to?

Miss Panizza—It was gazetted in 2003.

Mr Bicknell—They were set up together fairly much. The coastal policy is saying, with new development, set it back sufficiently far so that it will not require protection. The other one was set up as a fifty-fifty funding grant to coastal managers, who are identified in the policy as predominantly the local governments, acknowledging that a lot of development has been built too close to the coast and will require future protection. The stance of that policy is that there is a framework set up for the state to fifty-fifty fund coast managers, who are identified as local governments, but it is acknowledged that the state has no obligation to protect private property. So in putting that forward in the policy, they are putting the onus back onto the property owner in many respects.

Ms MARINO—To explore that further, once the local government has come to you and you have placed a memorial on a particular infill area, would the liability be with the local government, should there be a problem, or with the individual, in your view, given what you have just said?

Mr Bicknell—I do not think we can answer that question. That is something that we are currently investigating.

Ms MARINO—Thank you.

Mr Bicknell—The one thing I will add is that the current policy approach to infill development is that it must be set back sufficiently safe for current day—so we do not approve anything that is currently unsafe—but it acknowledges that future protection will be required for that property. That is where these decisions have to go hand in hand with the local government, because you will see that Busselton is pretty much controlled coast now. It is controlled by groynes the whole way along the coast, some of which are registered with the shire and some of which are not, because of the history of when they were built.

If you are approving a property which is protected by a groyne, the local government has to understand that and accept that the property is dependent on this groyne being in place and the upkeep of this groyne to protect that property.

Ms MARINO—I am aware that some of those groynes are provided by the developer at the time. At what point do those groynes become the property of the local government? Does it depend on the individual agreement, or is there an overriding state engagement? At what point is the state involved, particularly when you look at somewhere like Port Geographe and the challenges there?

Mr Bicknell—That is a good question and again becomes a very complicated legal argument. The department in the past has sought legal advice on that issue, which has come back in a four- or five-page response. The stance and the policy is that, if no-one is acknowledged as owner, the coastal manager—the local government—is owner. Where that actually comes into play is when you want to approve a development which has the groyne. That is the stance and the policy.

These are issues which we are all trying to get to grips with, to be proactive. One of the things that we have done is a condition inspection in Busselton—that was hand in hand with the shire—

to identify all the coastal structures and identify the current condition, and that is just being completed for the Perth metro coast. There will be some small regional areas where we aim to complete that by the end of this calendar year, so at least then, although there is going to be the difficulty over ownership, we will know where all the structures are and their current condition. That is one step.

Ms MARINO—Thank you. There has to be a first step.

Mr MURPHY—Finally, because I realise we are right out of time here, when your department's submission was signed off on 19 June, you concluded that the state had recognised the challenges the subject of this inquiry and was actively working to develop a thorough, coordinated response:

Importantly, this approach recognises the State's research, policy and planning capacity and plans to build on previous successes in this regard, while learning from the barriers faced to date.

I respectfully submit that, from your oral testimony here this morning, the response of the state is uncoordinated. I also acknowledge that, between 19 June and a couple of months later, there was a change of government. I am not being political. Has anything happened that would support the testimony that you have given here this morning—that it in fact is quite uncoordinated—and what can be done about it? You might have to take that question on notice, because we just do not have time to take an exhaustive reply to that.

Miss Panizza—There has been one big change, which has been a change in the financial situation, particularly at a state level.

Mr MURPHY—The GFC.

Miss Panizza—And that certainly is impacting on agencies' capacity to undertake this work.

Mr MURPHY—I think it is important. You may want to think about that question because, if you go back to your report, you conclude on a very positive note. Yet you have identified so much which is uncoordinated. We are all working together, so things are going through my head and I am going to ask lots of questions. Maybe at local government and state level there is more of an expectation that this is a federal government responsibility. I think this committee would see that it is holistic in that responsibility. We are all in this together.

Miss Panizza—Yes, and we would agree.

Mr MURPHY—So if you have any good ideas for us which will influence our recommendations, can I suggest you give us something in writing in response to my question. You do not have to.

CHAIR—Thank you very much. I would like to conclude this part of our public hearing. Thank you very much, Miss Panizza and Mr Bicknell, for attending today. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send on as soon as possible any additional material that you have undertaken to provide. We will be looking with interest to the 're-evaluation'—I think was the word you

used—of your existing policies and procedures, if you could forward those on to the committee. Hopefully that will be done before we report to the federal parliament so that we can take the latest advice into consideration. Thank you very much for coming along this morning.

Miss Panizza—Thank you very much.

Mr Bicknell—Thanks.

[10.16 am]

BAINBRIDGE, Ms Melanie Shane, Climate Change Coordinator, Western Australian Local Government Association

CHAIR—Welcome to this public hearing. Do you have any comments to make on the capacity in which you appear?

Ms Bainbridge—I will state for the record that I am not by any stretch a planning expert.

CHAIR—Thank you, Melanie. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. In that regard, the giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

The committee has received your submission, it came some time ago, and we are now finalising our visits to all the states before we write our report. So some of the information may need to be updated in your oral testimony today. We would now like to invite you to make a brief opening statement before we proceed to questions and discussion, thank you, Melanie.

Ms Bainbridge—Thank you. The Australian Bureau of Statistics identified in 2006-07 that federal tax revenue stood at \$261,988 million, state tax revenue stood at \$48,911 million and local government tax revenue stood at \$9,388 million, out of \$320,287 million. Local governments received 2.94 per cent of Australian tax revenue, but only through their own taxation efforts—that is, property rates. Through financial assistance grants, local governments receive from the Commonwealth funding that equates to 0.67 per cent of federal government revenue. Adding funding for local roads, local governments receive from the Commonwealth funding equivalent to a total of 0.75 per cent of federal government revenue.

Additionally, the Systemic Sustainability Study into Western Australian local governments, which was sponsored by the WA Local Government Association but conducted by an independent review panel, found that significant challenges to local governments' financial sustainability were posed by the sector's accumulated infrastructure funding deficit, which was then estimated at \$1.75 billion. This converts to an annual funding shortfall of around \$100 million that must be sought annually merely to ensure that that backlog does not increase. To address the current outstanding deficit would require even greater investment and injection of funds from state and federal governments.

This is in the context of the wide range of services that local government delivers for the community. I cannot list them all so I will start with the usual big ones: roads and waste management; planning and development; asset and infrastructure construction and maintenance; community facility provision; street lighting provision; public conveniences et cetera—the list is long. This is a sample of the breadth of services that local governments, to the extent that their resourcing capacity allows, provide on a regular basis to the community.

It must be acknowledged that many of these services are devolved in a sense to local government with insufficient consultation and inadequate resourcing from state and federal government. In many ways public health, environment, aged care, emergency management, planning and infrastructure functions are services that local government takes on, not because they want to, or indeed have the capacity to do so, but because other spheres of government are no longer taking responsibility for the services.

In the absence of adequate and sustainable resourcing, local government steps in to ensure that communities do not suffer inadequate service provision. This issue exists despite the COAG intergovernmental agreement establishing principles guiding intergovernmental relations on local government matters, which establishes that any consequential financial impacts are to be considered within the context of the capacity of local government. This implies that any policy, legislation or operational function devolved from federal or state government to local government for implementation must be properly resourced, considered and consulted and all cost implications taken into account.

I do not want to go through all of this, because I realise it will take up a lot of time. You have heard about the liability, so I will not go through that. In both rural and urban areas, human settlements and associated essential services and community infrastructure are especially vulnerable to extreme weather events, as you know. Cyclones, floods and major storms can result in significant damage to homes, businesses and infrastructure, which leads to significant liability issues for local government. This is likely to result in increased liability and possibly litigation for councils if planning provisions for matters such as coastal surveys or flood-prone areas have not been adequately considered.

Climate change impacts which accelerate the degradation of infrastructure, such as rising tidelines, more frequent storm events and flooding, will significantly increase the costs associated with asset management, repair and replacement, which are local government functions by and large. This will place ever-increasing financial pressures on the local government revenue base, which is already constrained within the environment. This is perhaps illustrated by a recent funding bid to Infrastructure Australia by the Swan and Canning councils of \$80 million to address issues of the poorly maintained and managed sea and river walls. It provides an indication of the infrastructure backlog issues surrounding these pieces of infrastructure that local government has responsibility for.

So the impacts of climate change on local government and on coastal communities are likely to be severe, not only as a result of the direct environmental and infrastructure impacts but also as a result of the pass-through costs that local governments are likely to need to devolve to communities through rates and other financial instruments to ensure that their own climate change challenges can be adequately met.

CHAIR—Thank you, Melanie. Sorry, maybe I was not clear. The opening remarks are usually in terms of the written submission. We are more than happy for you to table the evidence that you want to present to the committee about the funding for local government. I know it is an issue of concern to all local government authorities. Would you like to spend some time telling us about the main things you would like the committee to address from your written submission.

Ms Bainbridge—Certainly. My apologies.

CHAIR—That is fine.

Ms Bainbridge—I was under the impression that we were to elaborate on any issues that had come up in the interim period.

CHAIR—That is fine.

Ms Bainbridge—I would agree with the previous speakers, in that there is an ad hoc element to the funding that is devolved from Commonwealth government to state government and to local government to deal with these issues. The way that is disbursed and the way it is used is probably not as effective as it could and should be under the circumstances. Small grants of up to \$50,000 to single local governments for single issues are not effective and they are not creating the holistic picture of local government that they need to have. They are not allowing that risk assessment across a regional framework that they need to allow. That is one of the issues that I would deal with particularly.

I do not necessarily think this is entirely a function of our state departments. However, I would like to see a coordinated approach to climate change generally and climate change integrated into planning across the portfolios, rather than centred on DPI or the Office of Climate Change without interaction between each. I do not think I need to recouch the issues and impacts around climate change, such as storm surge and flooding issues, sea level rise and saline intrusion impacts, because I suspect they have been covered.

For local government, tourism and agriculture are issues that need to be addressed, particularly tourism in the south-west of Western Australia, which is evidently where you are going to be hearing from some of those affected councils. Less so vector-borne diseases, but there are emergency management issues that I think are not being dealt with around the north-west of Western Australia, and these perhaps fall into infrastructure and coastal community impacts also.

CHAIR—Thank you. You are familiar with the submission that we have received?

Ms Bainbridge—Yes.

CHAIR—Thank you. I want to address some questions to it. In the written submission the local government authority here in Western Australia states:

In Western Australia the policy framework surrounding coastal zone management is complex. Many agencies and organisations, both public and private, operate in the coastal management ‘space’, and as a result much of the on-ground work is undertaken on an ad-hoc basis when funds become available.

You have made that point. Then you go on:

With no strategic overview of policies and programs, and significant overlap and occasional policy conflict between State departments (for example the coastal setbacks embedded in the *State Coastal Planning Strategy* may be inadequate in light of recent climate science) it would seem that coastal management in general is poorly coordinated, and strategic linkages in State and Federal policy to climate change impacts broadly unaddressed.

Based on those comments, what practical proposals would you like to ask the committee to consider as to how those issues could be better handled between the three levels of government into the future, bearing in mind that the federal government has no constitutional authority in the area of land use planning?

Ms Bainbridge—I understand that. Perhaps then I would approach that from a state and local government partnership perspective, with federal government involvement in terms of injection of funds for strategic projects done across a state level. What I would like to see is a coordinated cross-agency climate change initiative. I will call it an initiative because I do not think such a construct exists at the moment. With the previous government there was what was called the High Level Stakeholder Group on Greenhouse, which did not necessarily fit that function but it made a start at getting all of the agencies in the room, including local government, who are responsible for a portion of those planning issues. It got them in the room debating about what they had to bring to the table in terms of their own policies and how those might be coordinated in a cross-agency sense.

I do not think that is happening at the moment. I suspect that it is a function of the change of government and also the global financial crisis, or whatever people want to call it at the moment. I acknowledge all of this in a space where I think that state departments are struggling with their own revenue and where they can best rationalise those cuts. We struggle with the same thing at local government level, so we fully understand that. But the discussion is not being had across agencies, because I know of several projects that have duplicatory impacts on each other, both at local government and state government level.

I know of a project in the Peel Harvey Catchment Council, which is the Mandurah region. The catchment council is a NRM function, whereas the project that is being done in Mandurah at the moment is being done through the local government. They both significantly overlap, with projects being developed through the Office of Climate Change and the association. I do want to qualify that we are an association, not an authority. We are not a state government body. The association is a peak body for local governments, as opposed to an authority.

CHAIR—What are the main concerns that are raised with you by your 142 member local government authorities?

Ms Bainbridge—I will correct that now, because there are 139.

CHAIR—Okay.

Ms Bainbridge—And there may be fewer, as you know.

CHAIR—What are the kinds of issues that come to your attention that we should be mindful of in framing our recommendations to government?

Ms Bainbridge—The big one is funding. I think local governments at the moment are very mindful of the fact that they want to do coordinated projects across regional areas. We attempt, as the association, to bring them together in regional constructs, get them talking to each other and allow them to open up a dialogue that says, ‘We have regionally similar impacts; we should

be undertaking regionally specific projects.' However, we do find the resourcing issue, particularly outside the metro area, really difficult to countenance.

We had a recent project in Broome, where they were awarded the LAPP—Local Adaptation Pathways Program—funding, similar to the Mandurah Stretch. They had to send the funding back because they did not have anyone who could coordinate the project. Effectively, they were awarded the ad hoc funding and given the opportunity to do a local risk assessment and adaptation planning process. They did not actually have anyone at local government level who was resourced to be able to even run the project through a consultancy, so it was even a project management issue.

That is an indicator of the resourcing barriers outside the metropolitan area, not just in the risk assessment and prioritisation of climate change impacts but simply the understanding of climate change impacts. That is possibly the one that is brought to my attention most often.

CHAIR—In your written submission you suggest that some of the local government authorities also raise the issue of how, if at all, climate change will be embedded in planning frameworks. Could you elaborate on that, please.

Ms Bainbridge—Certainly. Local governments struggle when they come upon liabilities, I think, in ascertaining where those might fall and how they can appropriately plan. I think they look to the state government to provide that very solid framework within which they can work their town planning schemes and local planning policies. At the moment we are working on a project with the Office of Climate Change to embed climate change into planning policy. We had trouble pulling anyone from the state planning agencies to the table.

CHAIR—What do you mean, you have had trouble getting people to the table?

Ms Bainbridge—We have made the approach and put the invitation. We wanted to make this a three-agency cross-coordinated approach to planning for local governments so that at the end of the process, when we are putting out guidelines for local governments to embed climate change in their own policies, the planning agencies are aware of the project, know what local governments are looking to do with that and can support it at a state level. We have not found that easy to do, and we understand that that is probably a function of human resourcing and financial resourcing at the moment.

CHAIR—We are getting the picture, rightly or wrongly, that the impact of the financial crisis has made the work in the local government area to address some of these issues even more problematic than it might have been a year go.

Ms Bainbridge—Very difficult, yes. It has had a significant impact on local governments and also on the way state agencies can interact with local governments, given their funding and human resourcing constraints.

CHAIR—I appreciate that resourcing is a problem at all levels of government, but I guess the resourcing goes with the priorities afforded to particular issues by the various tiers of government. Do you think more needs to be done in terms of an integrated approach here in this state?

Ms Bainbridge—Yes, I certainly do. I think that climate change needs to be prioritised beyond the limits of global financial crises and, for local governments, the amalgamation issue that is happening at the moment. There is a tendency to focus on the short-term issues, which at the moment are obviously our particular funding constraints around the GFC and also, for local governments, there is an amalgamations process at state government level which is impacting quite markedly on the way we can and do go about doing business. Right now, both state and local governments are very much engaged in short-term planning, where climate change is not something that is a short-term issue. It is something that is going to be around for many years to come and we need to be doing our planning now.

CHAIR—Melanie, I have been concerned to hear the suggestion made a couple of times this morning that maybe the federal grants are not really used effectively or are not the right way to go. In the absence of other avenues of resourcing and financial help, it may be that some councils have seen the Local Adaptation Pathways Program as better than nothing.

Ms Bainbridge—Absolutely.

CHAIR—Are you saying that it is complicating the scene; that we should maybe make a recommendation that it not occur in that way in future? That is open to the committee. What would you see as replacing it? On the one hand, you are saying you have all these financial and resource constraints. On the other hand, when the federal government intervenes to try and assist, there is a suggestion that I had not heard before that some of these grants may not have been spent wisely or used wisely.

Ms Bainbridge—And I have to agree with that. Even representing local governments, I think that a lot of times, particularly in the climate change field where it would appear that there is a lot of funding available, there actually is not a lot of funding available to local governments for specific projects. When it does come up, even if it is on a very ad hoc basis—and local governments acknowledge that it is probably not going to create the outcomes that they would like to see, that it is finite and that it is very limited in what they can get out of that money from the consultancies that they are employing to do projects and is probably not going to cover half of what they actually need out of the funding—they have to take it, because it is what there is.

I would absolutely agree that the way that the funding is devolved from the Commonwealth government is inadequate and inappropriate. I do not necessarily have an answer to that at this time. Possibly the answer to that is the tripartite approach, through the state associations and the relevant agencies at state level, to a national project as opposed to little bits of funding to local governments. The LAPP process was \$500,000 nationally this year. The idea that that could cover off on risk assessment and prioritisation for local governments is—

CHAIR—I do not think anyone has suggested that. I think it was an indication from the federal level that adaptation to climate change was a serious issue and that local government authorities ought to be getting on with the job of doing their own assessments wherever possible and, to the extent that we could help, we were willing to help. If it is not being used effectively, it is not beyond our brief to recommend that the minister revisit it and maybe do something in a more coherent way that requires some state contribution. Is the state authority putting a lot of money into the local government risk assessments and vulnerability studies? What are you hearing from the local government authorities?

Ms Bainbridge—In terms of funding, I would say no at this present time. I am only familiar with the Office of Climate Change and the resourcing issues that they have. I think they see it as more functional to put those funds into the association, which can do things broadly—unfortunately, in a bit of a generic way, given Western Australia’s vast climatic differences. We have to do things for all of the local governments. We cannot necessarily use small buckets of funding to do a lot of regional projects, because again it approaches them in an incomplete way.

When the Office of Climate Changes says, ‘Okay, we’ve got this bucket of funds that you can tap into,’ we work with them on the best way to integrate that. At the moment there are two projects. One is specifically around land use planning and planning policies for local government and the other is an adaptation toolkit by which we are using the risk assessment and adaptation planning process put through the LAPP grants to do something that local governments can do themselves, effectively, and administer themselves.

CHAIR—Finally, you make reference to legal liability in your written submission. For the record, would you like to say a little bit more about the local government authorities’ perspective on this issue.

Ms Bainbridge—Sure. I do not think they fully understand how they are likely to be impacted in a cost sense and in a legal sense. Some metropolitan local governments are very concerned about legal liabilities. You would understand that Mandurah is going to have those sorts of issues, and they are already starting to think of the implications of their built environment—where it is and how it is formed. Cottesloe, which I understand you will be visiting, and Scarborough have already started the work of trying to understand their legal implications.

However, we have not had a case yet where this has gone to court and there has been some sort of litigious issue around it. So we are unaware of how those impacts might play out in Western Australia. We only have the eastern states cases, such as those in the Philippa England paper out of Griffith University et cetera, to pull on at this stage. For us it is an information gap and something that—I will be very honest—our Local Government Insurance Services is not taking the lead on at this stage. So we are finding it very hard to bridge that gap for local governments.

Unfortunately, until we have an issue that we have to contend with and we have to support local governments on it, we are aware that there is an issue, but not aware of what we can and should be doing to address that issue. We do not want to scare the horses. We do not want to put information out there that is going to make all local governments step back from doing that planning which they need to do. We want to ensure that they have done it appropriately and therefore covered themselves for those issues.

CHAIR—You mention in your written submission that you have had some discussions with the Insurance Council of Australia.

Ms Bainbridge—Yes.

CHAIR—What kinds of issues has the council raised with your association? I know that they have done some risk assessments in various parts, and our Department of Climate Change points to a number of properties, from Fremantle to Mandurah, at risk.

Ms Bainbridge—Yes.

CHAIR—Have you had ongoing discussions with the Insurance Council and what is their advice to the LGA?

Ms Bainbridge—Certainly they are flagging the issues that they have with reinsurers, effectively. They are having the discussion around the increases in premiums and excess payments for events that were perhaps one-in-100-year events that might now be brought down to a more local scale and a more frequent scale. The Insurance Council itself is saying the likelihood is that, if those kinds of events start happening on a much more frequent scale, they will be much less likely to insure them at all, particularly when we are dealing with sea level rise that is not accounted for in planning decisions. The Insurance Council have advised us that, in the case of sea level rise, particularly in flood-prone areas and properties in surrounding flood-prone areas, those two things are less likely to be insured.

Ms MARINO—Thank you for coming along, Ms Bainbridge. Have you sought any advice from the Insurance Council or others on, if and when the state, through its various agencies, overrides a decision made by a local government, where at that point any liability may sit?

Ms Bainbridge—No, we have not. At this point in time we have been consumed by the liabilities around the CPRS, which is a set of liabilities that does exist and for which there is legislation and regulation in the works. That is a major issue for councils, particularly those with waste issues. For local governments in respect of where that liability sits, our assumption is always that it ends up falling back to local government. That is local government's assumption, not based on legal advice.

Ms MARINO—With your now 139 members, firstly, what is their awareness of the issues in relation to sea level rise? Coastal communities, by necessity, are far more aware.

Ms Bainbridge—Yes.

Ms MARINO—Secondly, from the feedback you get from your member organisations, what level of awareness is there within those individual communities of those issues?

Ms Bainbridge—The association does not deal direct with the public, as you would understand, but the feedback that we get through our local councils is that they are undertaking a lot of community engagement projects. That is something that local government does largely without funding externally. It does it on its own back. Certainly local governments in metropolitan areas do a lot of community engagement on climate change. We have had reports from several local governments who have done future proofing type scenarios with their communities. Largely the understanding of what sea level rise is likely to do for coastal communities is limited. Certainly outside of the metropolitan area it is very limited. I was going to say 'close to nonexistent', but that is probably unfair. For local governments on the coast outside of the metropolitan area—in the south-west the understanding is far more prevalent and in the north-west they have other priority concerns which take precedence and climate change at the moment is not really on the radar.

Ms MARINO—There is less development as well.

Ms Bainbridge—That is true.

Ms MARINO—Thank you.

CHAIR—Melanie, in New South Wales we learnt that if local government authorities, in terms of their planning powers, acted in accordance with overarching policy, guidelines and manuals, they would be indemnified. Is that the situation here in the west or not? We are not absolutely clear on that issue.

Ms Bainbridge—I am not absolutely clear on that issue. As I qualified, I am no planning expert and I am certainly not a lawyer. So I would hesitate to comment.

CHAIR—Would you mind getting a view from your association executive as to how they read the situation here?

Ms Bainbridge—Certainly.

CHAIR—We have asked the department of planning also on notice to give us some advice, because obviously the issue, as I have said earlier, is probably the hidden elephant in the room in many of the hearings that we have had.

Ms Bainbridge—Definitely.

CHAIR—We will need to get a good handle on it in our recommendations to government.

Ms Bainbridge—I think so.

Mr MURPHY—Ms Bainbridge, on page 4 of Mr Batty's submission he recommended:

That State agencies are required to develop linked climate change strategies/policies and coordinate with each other on climate change policies.

He says and recommends:

Where State policies and programs affect Local Government frameworks, ensure that responsibilities, costs and resourcing requirements are communicated.

What is happening now that they are not being communicated?

Ms Bainbridge—It is largely left up to the local governments and to the association itself to find out what policies affect them, which is standard procedure. So they should be. Local government has been left out of the consultation in the cross-agency coordination. They are given information very late in the piece and possibly too late to engage with the consultation itself. That approach has been rectified to a degree over the last two to three years and local government has been invited to the table, so to speak, far more often.

In relation to communication of impacts and liabilities, particularly when it comes to planning liabilities and cost for local government, it should not always be local government's responsibility to find that information and to have to go through the legal process to find out how state or federal policy might impact on them. As an aside, we are certainly seeing this in the case of the CPRS, where local governments have not been given the information they need to make adequate decisions and are now going to find themselves in a really sticky situation with regard to reporting. We suspect that this is the case for a lot of the climate change policies across the board at state and Commonwealth level.

Mr MURPHY—Are the local government areas blaming the state, the Commonwealth or both?

Ms Bainbridge—I do not think it is a blame game at all. I think local governments take on themselves the responsibilities that they can and are resourced to do. They would like to see those gaps filled and they acknowledge that there are gaps in their knowledge. Where those gaps are created by state policies and perhaps even state legislation, those things should be communicated by the state to the local governments in a very strategic way and the consultation should be happening at all three spheres of government.

Mr MURPHY—Thank you, Ms Bainbridge.

CHAIR—Is there anything else that you would like to add on the record, Ms Bainbridge, while you are here?

Ms Bainbridge—Not at this stage, thank you.

CHAIR—Thank you, Ms Bainbridge, very much for coming along today to represent the Western Australian Local Government Association. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send the secretariat any additional material that you have undertaken to provide and to do that as soon as possible. In regard to the legal liability and the indemnification, in particular, we would like to hear the views of the LGA peak body here as soon as possible.

Ms Bainbridge—Is that a case of receiving legal advice to that effect?

CHAIR—No, I do not expect you to go to any expense to get that advice, but just their understanding of the way the system operates so that we have a clearer view.

Ms Bainbridge—Thank you.

Proceedings suspended from 10.51 am to 11.04 am

[11.04 am]

BRADLEY, Mr Alan, Chief Executive Officer, Northern Agricultural Catchments Council

CHAIR—Welcome to this public hearing. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. In that regard, the giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

The committee has received your submission and it has been authorised for publication. We would now like to invite you to make a brief opening statement, if you wish, before we proceed to questions.

Mr Bradley—Thank you. I would first like to explain what the Northern Agricultural Catchments Council is. We are one of 56 regional bodies set up over Australia through the Natural Heritage Trust and the National Action Plan for Salinity and Water Quality. Our main focus is to engage the community on issues of natural resource management, and we extend that to include climate change.

With the expected climate change, the northern agricultural region is going to be one of the hardest hit regions in Western Australia. We are advised of a predicted 20 per cent drop in rainfall, and much of that rainfall will probably occur outside the normal cropping window; an increase in temperature of one to two degrees; increased wind speeds, which will impact on the wind erosion that we have significant problems with in the region; and a potential rise in sea level, although it is not clear what we can expect. Professor Jorg Imberger, at a conference last week, indicated that he is anticipating a rise of up to five metres just through the thermal expansion of the ocean waters.

Many of our northern agricultural region communities are built on flat coastal sands only, which means there is no substrate there to help with protection measures. They are only a few metres above sea level. In Geraldton, for example, 50 per cent of the city area is on sand only two to three metres above sea level. So, even with small changes, we will see increased erosion on our beaches and around our coastal infrastructure. Increased storm events that may occur from climate change could lead to further flooding from storm surge across the city area. Many of the other smaller communities up on our coast are in a similar situation.

As an organisation, what we think is required—the top priorities—are better coordination of activities between the groups responsible for coastal management; education and training, so that both community and industry understand what the potential impacts are going to be; better planning for predicted climate change outcomes. For example, the 100-metre setback that the Department for Planning and Infrastructure has applied across Western Australian coastlines will probably need to be a lot greater in the low-lying, flat, sandy areas that we have on the west coast.

We need stability in our funding regimes. Every time there is a change of government, there seems to be a different attitude towards climate change and natural resource management, and that leads to a disengagement of the community in these issues because we have a stop-start approach to delivery of education programs, coastal restoration programs and NRM activities across the region. We need greater control of our natural resources to minimise the impacts that we are experiencing from increased community pressures and greater development pressures on coastlines.

From our organisation's perspective, we can help by engaging the community in participating in those activities. We do not see ourselves as the be-all and end-all of delivery. Local governments, for example, play a significant role in that, but our focus is to bring the community in to assist in those matters. I am happy to take questions on our submission.

CHAIR—Thank you very much for your submission, Alan. It is full of very coherent and practical recommendations that will help guide the report that we will write and the recommendations that we make. You say in part of your submission:

Management in our region is currently very sectoral with numerous different organisations, towns and lower levels of government all trying to manage areas either next to or overlapping each other. A holistic approach is needed. The problem of fragmented responsibility among various government agencies has resulted in a lack of management integration, which has led to needlessly reactive management. Would you like to make some suggestions in terms of how these overlapping levels of intervention and different people occupying the coastal space might be better addressed here in Western Australia?

Mr Bradley—That is a very good question. As an example, we can talk about the city of Geraldton. Up until recently we had the Shire of Greenough surrounding the city, we had the city itself in a very small, contained area of the peninsula that it was constructed on, and we had the Geraldton Port Authority, which sits slap-bang in the middle of the city area and controls a vast area of the bay the city sits in. So we had those three authorities in the past all trying to manage the coastline with different responsibilities and priorities for the city.

The Shire of Greenough, which surrounded the city, managed the catchment but did not undertake any coastal activities, so they did not see the coastal water quality issues that resulted from their activities further out in the catchment. The port authority is there basically as a corporate entity trying to make money from its imports and exports. The Department for Planning and Infrastructure then sits across those three key managers and provides policy developments from the state perspective.

We have always had trouble having the three or four parties integrate coastal management in a cohesive manner, and the only way to help control that is to build up the responsibilities, or have a clearer understanding of each other's roles and responsibilities so that they can act in unison along those fronts. We have had some success, because the City of Geraldton and the Shire of Greenough have amalgamated, so those issues can be dealt with from a local government perspective across a broader front. We still have the port authority operating as an entity controlling coastal lands that are not subject to normal planning requirements. They obviously try to give consideration to those planning requirements, but they are not legally obliged to follow them because they are operating under a separate act of the state.

The Department for Planning and Infrastructure is very much centred on metropolitan issues. That is where the vast majority of the population live; hence, the planning issues tend to reflect metropolitan issues and concerns and not so much rural issues and concerns. I must say that the staffing issue in regional centres is always secondary to metropolitan requirements.

In summary, we probably need a better understanding of roles and responsibilities for each of the organisations, better coordination across those roles and responsibilities, and greater resourcing in the local area to manage those roles and responsibilities.

CHAIR—Specifically looking at one of our terms of reference, which is the impact of climate change on the coastal zone, where do you as an organisation look for advice on how to better manage that impact? Do you expect advice and guidance predominantly from the state level or increasingly do you see that it is a federal government responsibility? If it is a federal government responsibility, should we perhaps be looking at regional plans rather than directing the focus just onto local government in terms of adaptation to some of these issues?

Mr Bradley—In my opinion, the federal government is taking the lead on climate change. I think it has recognised that climate change will have significant impacts on Australia, both in terms of the environment and the economy, and is putting in measures to deliver on possible outcomes for the future. The change of government in this state has seen a move from being a climate change believer to being a sceptic, and we are going to have to work with the state government on building up the expectations of the community to deliver on climate change outcomes.

To answer the first part of your question, I think we are going to be following the federal government lead on climate change issues because I think the state is going to be a few years behind in managing whatever it feels it needs to do as a state government on those issues. Yes, I do believe that we need a regional approach to delivering on climate change outcomes.

CHAIR—Nola and Mal, you are WA people.

Dr WASHER—Yes. Alan, thanks for your presentation. It was excellent, I thought. I have a couple of questions—one because I am interested in the Abrolhos Islands. I have never been there, but my son-in-law is a cray fisherman and he mentioned it is a problem. It is a very low-lying island group. I think the Department of Fisheries now prevails over that. Is there any damage being noticed already in the Abrolhos?

Mr Bradley—It is all anecdotal. There is not a lot of research done on the Abrolhos on these types of issues. The islands themselves are all very low lying. There are a few islands that rise to about five or six metres above sea level. Rising ocean levels will have a significant effect on the islands. In terms of understanding the current impacts, the north island is experiencing significant movement of sand. It is a sand island, and there is lots of movement from one side of the island to the other, with sand accreting on the other side to the point that many of the jetties that fishermen have installed, which were once over the coast, are now over sand, basically. They could have saved significant construction costs if the sand had been there when they built those jetties.

We do not know whether that is an impact of climate change, though. We can only suspect that there has been some change in the currents around the islands to start moving that sand that has been predominantly stable for hundreds of years. Any impacts will be significant for those islands into the future if sea levels do rise.

Dr WASHER—Alan, you mentioned local communities and, in that, Indigenous groups and art and heritage groups. Have they been easy to engage on some of these issues and the responsibility of looking after their artefacts?

Mr Bradley—Indigenous communities still have a lot of work to do to understand the issue of climate change and the impact that it may have. We have been doing a lot of work with Indigenous communities on identifying sites of significance to them and putting in management plans for those to protect them into the future. That is mainly driven from a human impact perspective, where people are moving to these coastal areas and they are taking their families camping and using all the latest off-road vehicles to enjoy themselves, but in doing so they have the potential to impact significantly on sites that would be significant to the traditional owners. We are establishing management plans to protect those sites, but a lot of them are on the coast, where it is a sandy environment and it is low lying. If we do get a significant rise in sea levels, we will not have any ability to prevent the loss of those areas, basically.

CHAIR—Thank you very much for coming this distance to speak to us. We really appreciate that. You are at the coalface, which I think is an excellent initiative. Has your funding changed in recent times? Are you achieving the same level of funding? I am really interested what you believe would be an appropriate vehicle for funding for NRM and other bodies like your own.

Mr Bradley—There is no doubt that there have been changes to our funding. The most significant is the change from NHT to Caring for Our Country. We received a reduction in funding of in the order of 30 to 40 per cent. That is from the Australian government's perspective. However, the program needs to be tied with the state government, and the state government would match that virtually dollar for dollar.

CHAIR—Yes.

Mr Bradley—It would not need to be directed solely at regional groups, but it would be matched across the state. With the change of government in the state environment, they have not decided what they are going to do with the program. As it stands today, we are not receiving any significant level of funding from the state for our programs. We are hoping that they will come on board in the very near future and try and match the Commonwealth's funding, which will increase the level of support that we have.

From our regional perspective, put in a simple way, we are getting 50c a hectare to deliver on matters of Caring for Our Country such as rabbit control; weeds of national significance; wind erosion, which is a particular issue for us; and engaging coastal communities. When you put it in that perspective, there is not a lot of budget there for us to have a wide-ranging impact on the environmental outcomes. We are using that money to engage the community so that they have an understanding of what the issues are and they can use their own resources to improve their NRM outcomes.

Ms MARINO—‘Own resources’ being? Are you talking about voluntary contributions or are these bodies that are resourced from other sources?

Mr Bradley—No, these are voluntary contributions. From a farmer’s perspective, they will provide their equipment and time in putting up fences, planting perennial pastures or oil mallees or whatever will assist them with controlling wind erosion. We are intending to provide some support in terms of incentives. For example, we will buy the perennial pasture seed that they can then plant onto the landscape and help control wind erosion. So the funding issue is very significant to us but we are looking to other avenues to try to raise our own funding through corporate sponsorship or donations through tax deductible gift recipient status for an organisation. Hopefully we will be able to build that diversified funding front in the long term.

Ms MARINO—In relation to the vehicle for delivery of funds to organisations like your own, what type of process would be effective from the grassroots back?

Mr Bradley—It is important to us to engage with our communities and have them all working in the same direction.

Ms MARINO—Yes, very important.

Mr Bradley—We went from a process of having a regional allocation and being able to use that to bring people to the table and talk about working together. With the change of the program, we are now getting a small regional allocation, and that is the 50c a hectare that I mentioned. Also, our competitive bid has seen lots of people putting in lots of effort to work in their own sphere on how they want to do things. Trying to bring together people in a collaborative front has been a lot more difficult for us through this process.

Ms MARINO—Yes, and even the outcomes.

Mr Bradley—The outcomes will be difficult too. From my perspective, I would like to see the regional allocation. There may be rules there on how much needs to be spread around through a competitive process, but if we are controlling the funding, we can then bring people together to work collectively with what resources they have, to share the outcomes for the betterment of the program.

Ms MARINO—I want to touch on some of the other issues that obviously are not major issues to you. I am aware of your coastline. How much awareness is there on the ground, just with the average person, in relation to sea level rise and issues for Geraldton itself and the Greenough area all along there? What is the level of awareness and engagement? You said you work with the community, but I know that can be a challenge.

Mr Bradley—Yes. The whole issue of climate change is still pretty foggy for people. There are a whole range of mixed messages coming out from different spheres, so there is not a clear perception, from the community perspective, of what climate change impacts will mean to them. There are still a lot of unknowns about the coastal sea level rise. People talk about the polar ice caps melting and causing sea level rise, but then you get scientific advice saying, ‘No, it’s not the ice sheets that are melting that are going to cause a problem, it’s the ice on the land mass that’s going to cause the problem.’

I do not think anyone in the community has heard of thermal expansion of the oceans causing a major change in sea level, even though, obviously, if sea temperatures rise, the water will expand and that will be the main instigator. I know a lot of this detail because I am well read on it, but the community is not.

Dr WASHER—Just to re-emphasise, you are right. You mentioned the five metres that Jorg Imberger estimates. I know he is a credible fellow, old Imberger. We go back a long way. That five metres is due to thermal expansion. A lot of people do not comprehend that, just to reinforce it for the committee's sake. It has been looked at as melt. As you say, the Arctic will make little difference because it floats. But Jorg anticipates five metres and he is world-renowned, so that is a heck of a statement. Sorry to intervene, but when you said you accept that, a red flag went up.

Mr Bradley—Just to carry on, part of our role is providing that information to the community—not in the technical terms that people fog over when they are trying to read about it, but the down to earth talk that you hear on the street about what the impacts are and how they might affect them. As an example, we have an initiative with our local newspaper. It is called the Greener Life. We are providing that day-to-day information so that people can understand it and providing the linkages to other areas where they might be able to access information if they do want to become more educated on those sorts of things.

Ms MARINO—With your NRM type of work, the engagement and retention of the farmers, the people you work with are really important, in my view, at the grassroots level, because you have such a vast area to deal with and there are never going to be sufficient resources independently. What process do you see would work for your group in assisting you to retain the interest, the engagement and the ongoing support of those groups that you are currently engaged with and the individuals?

Mr Bradley—Of critical importance is to have some continued approach. I do not have any problem with changing the priorities of government and delivering on the landscape, but we need to have a measured approach to that. To turn one program off on one day and start up a new program—it is not the next day but 12 or 18 months later, because there is a lag time there in understanding and building up the business case and the activities that the government wants to see delivered—means there is a critical period there where the community becomes disengaged because we cannot provide them any activities, education or anything.

That continuous approach to delivery, whatever the priorities need to be, is a critical element. With that, you will always pick up new people and disengage with some people, but we will have that understanding in the community that they are delivering on government priorities.

Ms MARINO—Consistently.

Mr Bradley—Yes, consistently.

CHAIR—You mentioned that you were one of 56 bodies across Australia, which are called different things in different states but we will say NRM today. Sometimes they are catchment management authorities. You argue that these 56 bodies should be involved in strategic decision making on the zoning of coastal areas and planning. That is one of your recommendations.

Mr Bradley—Yes.

CHAIR—If we were to move down the route of regional adaptation and mitigation plans and assessments, do you think these 56 bodies are capable of doing that kind of pulling together at a regional level? I hear that one of the criticisms that has been made about these bodies in the past is that their focus has been predominantly on land, farming and water quality issues and that very few have embraced coastal types of issues, which probably explains why you are one of the very few NRMs to have made a submission to this committee. I guess I am asking you for your view about whether these bodies, in that framework of maybe not taking much interest in these issues, could or would be appropriate bodies if we were to move to a better integrated regional assessment?

Mr Bradley—Regional bodies that have coastlines would relish the opportunity to deliver on that as a priority for the Australian government. Each of the frameworks is different in each of the states. That is part of the reason why we are providing dissimilar responses to different committees in our reports and things like that.

In some of the eastern states, for example, they are managed by the state as an organisation under a ministerial act, whereas in Queensland and Western Australia we are independent organisations and we are incorporated associations. Without a sponsorship tied to the state government, for example, we are not obliged to follow their policies and respond to those.

CHAIR—And they are not obliged to consult with you either, in reverse.

Mr Bradley—That is right.

CHAIR—In your opinion, does your body have the expertise—and others that you know locally—if we were to recommend a more regional focus?

Mr Bradley—Our focus would need to be initially engaging the community in understanding the policies for and the ramifications of climate change. If you set up a regional group to manage the coast, for example, our role would be to engage the community in the decision-making processes of that regional group. If, though, you wanted us to have a different role and be engaged in the delivery of NRM outcomes for that greater regional group, we could gear ourselves up to deliver on that. It all depends on what you see as the roles and responsibilities of the different players in that type of structure. As independent organisations, we can structure ourselves to meet any policy directions or requirements of the federal government.

CHAIR—Just in your regional area, what is your interface with the local government authorities?

Mr Bradley—It varies. Some local governments have a very proactive relationship with us. The City of Geraldton-Greenough, for example, are working with us on a range of studies on the coastal area that confronts them because they see us as an independent body. They want to work with the port authority and the Department for Planning and Infrastructure together, but they do not want to see either of those bodies running that approach because there might be some bias coming out of their management on the outcomes of the reports. So they have asked NACC to play a lead role in coordinating those studies, such that we can manage it and ensure that there is

no advice coming from any of those parties. That is an example of how we can play a role. Many of our coastal communities are isolated from one another, so sometimes it is a lot of hard work to engage the local governments.

CHAIR—Particularly here in the west.

Mr Bradley—Yes, in coastal management issues. Sometimes it will depend on the background of the local government. For example, the Shire of Coorow is very much a farm based community, with the centre of the local government at the Coorow town site, even though it has coastal communities. The Shire of Dandaragan, however, started out as a farming community and has since moved most of its infrastructure and headquarters to the coast because that is where the growth of the shire is, and they are very much engaged in coastal management issues with us as an organisation. A lot of it is to do with attitudes, history and what the future of the shire is.

Mr MURPHY—Mr Bradley, our two witnesses from the Department for Planning and Infrastructure and a witness from the LGA painted a pretty bleak picture of how uncoordinated strategies are in relation to dealing with the coastal communities. I noticed that Chiara Danese, who authored the NACC's submission on 28 May said, inter alia:

Under a management point of view the coast suffers from fragmented control and responsibility, resulting in poor integration and lack of coordination of planning and management.

She went on to say on page 2:

Here are some gaps/issues emerging from current coastal policies ...

Then it lists eight descriptors of issues and gaps that need to be addressed. Bearing in mind that next month it will be 12 months since the date of this report, has any progress been made at all in relation to the areas of concern?

Mr Bradley—Yes. I think Chiara has been working very hard on trying to pull the partners together. The example I mentioned earlier is one of those outcomes that we have been able to achieve, where we brought together the City of Geraldton-Greenough, the Geraldton Port Authority and the Department for Planning and Infrastructure to look at the coastal issues that—

CHAIR—Sorry, Alan, I think Mr Murphy meant in terms of the gaps at the state level that you enumerated on the second page, starting with:

- Reviewing the component for sea level rise ...

Do you have that in front of you?

Mr Bradley—Yes, I do.

CHAIR—They are the ones?

Mr MURPHY—Yes.

CHAIR—Have we seen progress in any of those areas, do you think?

Mr Bradley—I would say very limited progress, to be honest. I cannot see any of those dot points that are mentioned there as having been significantly progressed in any way, shape or form.

CHAIR—On a positive note, because we do not federally have any constitutional role to play in land use and planning regimes, but obviously there is a big call for the federal government to be more proactive in the area of coastal protection, could you sketch out, in a tripartite arrangement—federal, state and local—what you think the various tiers of government could do better. What would you look to us at the federal level to be providing? What could or should the state be doing to assist people at the coalface, just based on your experience?

Mr Bradley—As I mentioned, we will be taking the lead from the federal government on the climate change issues. There has certainly been a lot of work supported and funded by the federal government.

CHAIR—So things like data collection.

Mr Bradley—Understanding what is going on. The federal government needs to take the lead in reviewing and providing information to the states on what the impacts are going to be across their areas, and then perhaps put forward some guiding policy principles that the states can follow in dealing with those issues as they arise. You are telling us what the implications are going to be, you are saying what the states need to do in terms of determining the types of policies that they need to consider, and then the states can take that framework on the policies that are required to be developed and work it up in consultation with the local governments and the communities, so that we all have an understanding of what the impacts are, what the policies require and then the deliverable outcomes.

CHAIR—You say in one of the gaps there—and this is important in terms of conceptually where we go from here—that currently it appears there is not ‘an incorporation of climate relevant policies into coastal development plans’. I hear this morning that the planning regime here is different to other states, so we are trying to get a handle on all that.

When the central planning department or agency authorises a major development to occur somewhere on the coast, currently what are the parameters within which those decisions are made? I understand the setback policy and the sea level rise, which appears not to have been updated to take into account the most recent scientific evidence. What other impacts are you aware of that get factored into the equation before the state planning authority gives the tick of approval to a major development that might occur on the coastline?

Mr Bradley—If it is a significant development, such as a new marina, the proponent will be required to lodge an application with the Environmental Protection Authority, who will conduct an environmental impact assessment of the development. I am not sure if the impact assessment process takes into account potential climate change issues. It is very much focused on what the receiving environment is for that development and what the impacts will be locally. I might be wrong here, but I do not think the Environmental Protection Authority looks to the future scenario of whether climate change will have an impact on the development of the coastline—

the arrangements that could occur through climate change factors. That impact assessment may be released to the public for comment. It is at that stage where the communities may have the opportunity to provide comment on concerns of that development in their environmental area and those factors may be taken into account during that assessment process.

CHAIR—So theoretically we could write in some suggested guidelines for different levels of government and local government authorities to take into account before developments or subdivisions are approved?

Mr Bradley—Yes, that would be a good thing. I think local governments in particular are looking for the tools to help guide them in their policy decision-making processes. Obviously, if they go to their community and say, ‘We need to establish a 200-metre setback for coastal developments,’ unless there is that backing from the state and federal government to justify why that policy decision is being made, they will come under intense pressure from developers as to why they are setting those requirements.

CHAIR—Part of the problem in having generic policy statements is that there is so much variation, as we have been told, along your coastline that it is difficult to be too prescriptive.

Mr Bradley—It is. You might have heard of the town of Cottesloe—

CHAIR—We are going there this afternoon.

Mr Bradley—in the structure report? Even in a small section of coastline, they have different—

Ms MARINO—Twelve.

Mr Bradley—sections, different geotechnical information there that needs to be taken into account, whether it is a sandy or rocky thing. So it would be difficult to have a broad statement.

CHAIR—But the federal government could make some suggestions about processes that need to be undertaken.

Mr Bradley—Yes.

CHAIR—Without being prescriptive. Do you think that would be helpful?

Mr Bradley—That would be very helpful.

CHAIR—Thank you very much. As I say, we had very few submissions from NRMs or CMAs, so it was really good to have yours. It is very practically focused and you do make great store of public education information and that is going to be a very important part of our recommendations, as will be the whole governance arrangements. What we are finding is the complexity of different overlapping and jurisdictional issues that apply that make the end result more problematic. Obviously we will have to address that too. Thank you very much for travelling to be with us this morning.

Mr Bradley—Thank you. It has been a pleasure.

CHAIR—Mr Bradley, thank you for attending the hearing today. The secretariat will send you a copy of the transcript for any corrections that need to be made. I would be grateful if you could also send the secretariat any additional material that you have undertaken to provide as soon as possible. I declare this session of the public hearing concluded.

Resolved (on motion by **Dr Washer**):

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

Committee adjourned at 11.43 am