



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**

THURSDAY, 18 JUNE 2009

CANBERRA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES



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

**Thursday, 18 June 2009**

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

**Members in attendance:** Mr Dreyfus, Ms George, Ms Livermore, Ms Marino, Mr Murphy, Dr Washer and Mr Zappia

**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.

**WITNESSES**

<b>CARRUTHERS, Mr Ian, First Assistant Secretary, Adaptation and Land Management Division, Department of Climate Change .....</b>	<b>1</b>
<b>FORBES, Mr Malcolm, Deputy Secretary, Department of the Environment, Water, Heritage and the Arts .....</b>	<b>11</b>
<b>MIDDLETON, Ms Vicki, Assistant Secretary, Environment Assessment Branch 1, Approvals and Wildlife Division, Department of the Environment, Water, Heritage and the Arts .....</b>	<b>11</b>
<b>RANKIN, Ms Alexandria, First Assistant Secretary, Land and Coasts Division, Department of the Environment, Water, Heritage and the Arts .....</b>	<b>11</b>
<b>RISHNIW, Ms Tania, Acting First Assistant Secretary, Marine Division, Department of the Environment, Water, Heritage and the Arts .....</b>	<b>11</b>
<b>TAYLOR, Mr Hilton, Assistant Secretary, Department of the Environment, Water, Heritage and the Arts .....</b>	<b>11</b>
<b>WILSON, Dr Anne-Marie, Director, Coastal Adaptation, Adaptation and Land Management Division, Department of Climate Change .....</b>	<b>1</b>



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**Committee met at 10.50 am**

**CARRUTHERS, Mr Ian, First Assistant Secretary, Adaptation and Land Management Division, Department of Climate Change**

**WILSON, Dr Anne-Marie, Director, Coastal Adaptation, Adaptation and Land Management Division, Department of Climate Change**

**CHAIR (Ms George)**—I declare open this public hearing of the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts. The committee is inquiring into climate change and environmental impacts on coastal communities. The 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 rises. The committee has also been asked to 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 like to welcome representatives from the Department of Climate Change to this public hearing. Although our 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 thanks your department for its second appearance before us today. Unless the department wishes to make an opening statement we will proceed to questions and discussion.

Before we proceed to discussions, the committee has spent a considerable amount of time hearing evidence from people who had submitted to the committee, travelling around and doing site visits and meeting with a range of stakeholders. Today's public hearing is the last in a very long and informative process. It was with this in mind that we wanted to touch base with both departments before we begin the process of writing our report and making recommendations. I might start by asking about progress with the first-pass national coastal vulnerability assessment. When you previously appeared you indicated that you were expecting the final report to be due by the end of February. So we would like to know what progress has been made and where that first-pass assessment is at. Also, if you could indicate the kind of information that that first-pass assessment will provide in a usable form to people at the local level who are involved, for example, in strategic climate change adaptation responses.

**Mr Carruthers**—When we spoke last September we noted the scale and complexity of that venture. We were at a relatively early point. Our planning of that has continued. In some ways we have made some significant changes to the scoping and planning for that. Our current timeline is for that to be delivered around the third quarter of 2009. What it will comprise will be, firstly, an integrated synthesis of the body of information that has been developed through this program of work, which will be a statement on the nature and degree of the vulnerability to climate change of Australia's coastal areas. It will be accompanied by some web based visual information tools, which will address the elevation of the different coastal areas—the digital elevation model work that we spoke about.

There will be another product, which addresses the relative degree of erodibility of coasts. As we discussed previously, and you will have picked this up, some coasts are more prone to erosion from storm surge than others. It will show the pattern of development on the coasts. So they will be three parallel products. The first-pass will not produce that as an integrated dynamic product. That is a step beyond what is achievable in the first-pass.

There will be a series of underpinning reports that deal with the components of that. We have discussed a number of those with you previously. Some of those have already been produced, many of which are at a fairly advanced stage at this point.

**CHAIR**—In terms of the first-pass assessment, what we were finding as we travelled around the country was that different jurisdictions, and even different local government authorities, have been doing their own DEM modelling. For the sake of consistency, in the first-pass assessment what level of digital elevation modelling will be available for the whole of the coastline?

**Mr Carruthers**—As I think we mentioned in September, the plan is that we will have a medium-resolution digital elevation model for the whole of the Australian coastline and a high-resolution digital elevation model for much of our metropolitan coastal areas. If you are interested I could ask Dr Wilson to identify the physical differences, if you like, between the notion of medium resolution and high resolution.

**CHAIR**—At this stage I do not think we need to go into that level of detail. Maybe, committee members, we might deal with this part of it as a package. So we are looking at the first-pass, the modelling. My understanding originally was that, pursuant to this information being available, it was the intention of the government to call a meeting of local government authorities to make this information available and understood. Is that still the intention? As I understood it, the conference was to be earlier this year, but obviously it has been put back.

**Mr Carruthers**—It is certainly the intention that the government will convene some kind of national forum. We are discussing the timing of that with the minister. Notionally that might be late 2009, but that will obviously fit around the government's calendar. But the notion is that we would have, ahead of that national forum, the series of technical reports. We would have the vulnerability assessment available, and so the national forum would be attended by participants from the diverse range of interested stakeholders—including, of course, local government, but not confined to local government. There would then be a discussion about how they see the picture around vulnerability in the coastal areas and where we go from there, to really start that national discussion, if you like.

**CHAIR**—In terms of the technical papers, I think we forwarded you a submission from Engineers Australia, who raised with the committee some technical issues and their concerns about the integration of other modelling that has disparately been done across the nation. Are there plans to integrate the different data that is available into a consistent model?

**Dr Wilson**—Yes, particularly with regard to the high-resolution DEM. There has been an exercise that has been ongoing for a number of months now to develop a national coastal high-resolution dataset for the three-dimensional terrain mapping, which is the primary data that is needed not just for understanding climate change dynamics in the coastal zones; there is a lot of other regional scale modelling of change in the landscape. That project is actually being

conducted under the auspices of ANZLIC, the Spatial Information Council, which is really keen to make sure that there is limited duplication. There is real strength in value-adding in the exercise so that we are not spending twice on the same dataset. The longer term objective is for this nationally consistent available dataset in the interests of public good—obviously thinking of local governments and their needs for finer-detailed information to conduct their own modelling and assess their areas of risk and which adaptation options would be most useful in that context.

With the mid-resolution spot DEM, the intent is to make that available as well. There are some issues still to resolve, and there is a discussion required under ANZLIC between the Commonwealth and states and territories members to progress the overall intent to have a nationally consistent available dataset.

**CHAIR**—Would anyone else from the committee like to raise anything on this issue before we move on to the next set?

**Mr Carruthers**—Maybe I could just add something. On the question of the national approach, chair, I think you will have well appreciated what sort of stakes are involved here in terms of the decision making that is going to have to happen into the future around the management of the coastal zone. I think it is essential that this is evidence based decision making, and the kind of vulnerability assessment information that we are talking about is absolutely critical to that decision making. Inherent in your question is a concern that this not be fragmented, that this needs to be standardised and that, if we have a national approach, we can do this in a much less costly way and to a better standard.

In essence what we are looking at here is a fundamental piece of national information infrastructure. It needs to be viewed as a national venture. That is why we have tried to present it, if you like, to the states and to the Australian New Zealand Land Information Council to essentially act as the sponsor for this in terms of integration. Clearly, this is a venture that will go on beyond the first-pass assessment. There is a good deal of information platform that will not be done in this first-pass assessment. But if we really want to have evidence based strategic decision making by the Commonwealth government, states, local governments and communities then they are going to need this.

**CHAIR**—We certainly commend you for the efforts that you have made in such a short time to deal with this important national issue. The other issue that has obviously become apparent as we have gone around is that different states are now adopting different sea level rise projections. I think we can expect through COAG will we arrive at a commitment to develop some kind of a standardised approach to this kind of risk management in planning in the coastal zone. Do you have further advice as to whether these issues have been progressed through COAG?

**Mr Carruthers**—Yes. During 2008 there was a program of activity through COAG. That was led by the COAG Climate Change and Water Working Group, which is chaired by Minister Penny Wong, and did proceed to the point of, at the working group level, the development of two action plans that were agreed by the Commonwealth and the states. However, the product did not go forward to COAG, because it would have involved some funding implications. That was really about the point that the global financial crisis hit and the budget context for both the Commonwealth and the state governments really changed overnight. So, whilst that work is still underway, I think it is in large measure in abeyance until governments can reposition on it. I am

very conscious that, at least for the Commonwealth government, the minister and the government generally are very focused on this pillar of adaptation to climate change and within government there is active consideration as to how this will move forward.

**CHAIR**—We have also come across conflicting scientific evidence as to the projected level that we might be looking at by the end of the century. There is the IPCC report, there is further argument about the fact that we are tracking at the top of that and there might be other factors that have not been properly factored in. In your advice to our committee what scientific evidence does your department rely on as a guide to what we might say about the issue bearing in mind the different scientific inputs that are occurring?

**Mr Carruthers**—One of the areas that has been identified in the COAG work is the need to develop some common approaches, common standards if you like, particularly on an issue such as the level of sea inundation we work to. If you like, it is a planning standard in the same way that we have planning standards for flood risk in terms of development of new rivers. It is important to get the science picture clear. The IPCC provided in its fourth assessment report an estimate only of the sea level rise that would be due to the thermal expansion of the oceans. They said there was not enough certainty about the component of sea level rise that would be due to the melting of the major ice masses, Greenland and West Antarctic; therefore they did not put a figure on it. So what is in the IPCC report is only one component of what will be a total, but they did not give an estimate of the total. There have been further estimates given in more recent scientific publications and some Australian scientists have been—

**CHAIR**—The ones in Tasmania.

**Mr Carruthers**—And Dr John Church in terms of CSIRO in Tasmania. They are really world class in that regard and I would suggest that the committee listen to their advice in terms of the approach to take there. The sorts of estimates we are talking about are somewhere in the vicinity of 0.8 of a metre to one metre by the end of the century in terms of sea level rise. But, of course, as we discussed, what matters on top of that is what is going to happen with storm behaviour sitting on top of that sea level rise, and that is a more complex matter.

**CHAIR**—Are there any other questions specifically on the science aspects?

**Mr DREYFUS**—The Victorian government has adopted in its planning schemes a sea level rise of 0.8 metres by 2100. This is a follow-up on the chair's question to you just a moment ago. Quite a lot of suggestions that we have had during the course of this hearing have been to the effect that that 0.8-metre sea level rise by 2100 is at the low end of the estimates that are now being worked on. Do you have any comment on that?

**Mr Carruthers**—I think from the discussion so far it is not possible on the basis of the science today to come up with the definitive all-time estimate. I think we need to make some judgments based on the best available science recognising that the science is advancing. It is certainly a step forward to recognise that the climate of the future will not be climate of the past in this case in relation to sea levels. The only question is: how do you recognise that? We have an estimate of the order that Victoria or the CSIRO scientists are talking about. I think there needs to be discussion amongst the Commonwealth and state governments through the COAG process to further work that out. I think there is a broad recognition of the value in a

standardisation of approach and that we should settle on a proposition. We probably need to have some process of review of whatever initial standard is set and vary that with time.

**Mr MURPHY**—In my inbox yesterday I received a little pamphlet, *A sceptic's view*, with so-called reputable scientists and others questioning climate change and the fact that more CO<sub>2</sub> might pour into the atmosphere but there is only so much that can be absorbed and therefore there is nothing much we can do. Has the department seen that or some of the views of those so-called reputable scientists, because they seem to be out of step with mainstream scientists in relation to climate change?

**Mr Carruthers**—Yes, there is debate by some who are scientists. Science is a process of exploration and debate amongst the science community but, through the Intergovernmental Panel on Climate Change, essentially a combined view is arrived at in terms of the findings. That is a massive and carefully constructed operation. But, yes, there is a body of people with varying degrees of qualifications in this area who make various claims, some suggesting that the climate is not warming, and usually they point to air temperature patterns over the last few years in that regard.

The IPCC is very clear that the climate system is warming when you look at the combination of oceans, what is happening to ice and what is happening to air temperatures. But air temperatures do fluctuate because they are overridden by major cycles like El Nino and La Nina, which produce fluctuations. But without doubt the climate system—the whole system—is warming.

**Mr MURPHY**—I have no doubt too.

**CHAIR**—In terms of adaptation, we met with a number of local government authorities who were successful in getting funding from the federal government under the Local Adaptation Pathways Program. The question is: is there a better way that we can assist local government authorities to deal with this issue? It has been raised with us that often local government boundaries do not deal with the whole of the region and that they use different risk assessment methodologies. In your submission you stated that you hope the results of the vulnerability assessment will assist jurisdictions to develop regionally specific yet nationally consistent adaptation plans. That is not happening now. How could this committee help progress the standard use of a template for risk assessment? Is there one that you would recommend? What has been your view about the success or otherwise of the Local Adaptation Pathways Program? Could we recommend a better way of doing those assessments at the local level?

**Mr Carruthers**—Clearly, the Local Adaptation Pathways Program to date, in terms of providing grants to a number of local governments, has been in the spirit of a first step. There is a recognition of the need for action. Some local governments have been more willing to move early and essentially champion the process. So it is about helping to galvanise that even in the absence of the full body of the information that they need and methods for decision making. Perhaps Anne-Marie, if you wished, could explore a little more some of the achievements and so on that have come out of that, but then you have probably heard that directly from the local governments. That is really the first step.

Your question really is about where we go from here because, as you are indicating, these are fairly major and complex questions with considerable stakes involved. In my view the key next steps to assist local government are to provide the principal information sources in a form that will allow them to make decisions. With that, yes I agree, there would be value in trying to give them some standardised approaches to conducting risk assessments in local government.

Thirdly, we need to put in place some select standards or standardised codes of practice on things like sea level rise and setback so that they basically have a common basis for that. I think those elements would be certainly of value to local government. They would also serve great value to businesses, developers, state governments and all with an interest in the question of vulnerability to climate change in the coastal zone.

**CHAIR**—Is there currently a particular template for risk assessment? I think the CSIRO did one. There have been a number that we have seen in operation. Is there one that the department thinks at this point of time would be a good template to be looking at?

**Dr Wilson**—For a number of years now we have been providing guidance in the form that relates to the Australian and New Zealand standard on risk assessment which underpins the approach to risk assessment in the natural disasters realm as well. That is a common reference point in the process that the recipients of the Local Adaptation Pathways Program were guided to use that fits within that broader framework. In a sense it is informing our own thinking in how we step through the questions that we have in getting a better understanding of climate change risk in Australia's coastal zone. We are trying to step through that risk assessment approach where we are getting a better understanding of the issues and the interactions and what is emerging as really significant versus things that we can worry about later on, maybe, or not worry about at all. It helps to get a sense of relative priorities.

**CHAIR**—So is it really like a work in progress?

**Dr Wilson**—The framework itself is just a broad guidance. I think what Ian was perhaps suggesting is that within the spirit of the framework we already have some guidance tools available to anyone who is interested, be they government or businesses, in starting to step through assessing climate risk for their businesses and decisions. Perhaps we need to develop something that is clearly identified as useful in this particular context for local government.

**CHAIR**—It seems to me that after you release the first pass assessment the next question will be: how do we translate all this useful information in terms of our planning regime? We might well recommend that further work be done in that area so that there is some kind of consistency of application of the risk assessment. While we are on risk assessment, obviously, insurance and legal issues are a bit like the elephant in the room. Nola has a particular interest in pursuing that, so I will throw it over to her.

**Ms MARINO**—From our committee's point of view the issue of liability comes up on a regular basis and it comes up for individuals, insurance companies, local councils and state governments. Where in your view or the department's view do you see the liability? Essentially, from our committee's point of view what level of response do you believe we should be providing in relation to the liability issue?

**Mr Carruthers**—We have not at this point worked through a specific policy position on liability. I can say that, in the context of the COAG work, we have flagged the need to develop, on a national basis, a clear statement of roles and responsibilities between government and private sectors—whether that be businesses or communities, down to householders—and within government, between Commonwealth, state and local. We really do not have that blueprint at this time. So that proposition has been on the table in the COAG officials' discussions, and I think it will continue as an immediate focus for how we move that forward. If there is a public policy position on roles and responsibilities then that will start to flow through in terms of liability in the exercise of those responsibilities.

We can view climate change as a new dimension of risk management. It has some particular characteristics, and it needs to be embedded within our overall approach to risk management, whether we are talking about disasters or the other sorts of circumstances where we manage risk. Climate change produces some particularly characteristic challenges in how you manage that risk, but essentially we need to embed this within our planning approaches and building codes. Once you do that, you bring into play the connections with the markets. The markets will have a role to play here, including in insurance. So we need to start to really build this as a planned approach to the exercise of roles and responsibilities, and from that, I think, will flow the legal position on liability.

**Ms MARINO**—What we will have is pre-existing issues such as we saw in our tour, our discussions, our taking of evidence and our site visits—somewhere, perhaps, like Cottesloe in Western Australia, where you have a road right on the edge of the council area that is essentially a state government road, council facilities—really core facilities such as sewerage and others—right on the edge of the ocean and houses just beside that. Should they have a major storm surge or event, they may lose the road or part of these key service facilities may be gone and those houses would have to be evacuated. What will happen is that the owners of those homes will be wanting to blame someone, and someone will be responsible for the costs and the risk that have gone with that. You are making suggestions on what recommendations we would make in relation to this in an umbrella sense—because we had some sense that this might be a period almost of a starting point and, again, perhaps a work in progress for what is ahead in relation to these matters. It is a very key issue for each of the groups that we met and consulted.

**Mr Carruthers**—I agree. I think we really have two distinct circumstances here. The first and most tractable relates to the new decisions that we make today and tomorrow, essentially about development. That is about land use zoning; it is about location of different types of development—intense development versus dispersed development. That is within our hands today. We have choices. Do we continue to make new decisions essentially on the basis of the past climate, or do we quite quickly move to a position where we are factoring in projections of future climate that will be relevant to the life of that decision? Some decisions are essentially permanent—land use zoning decisions, for all practical purposes, are irreversible—whereas some other decisions are of perhaps only intermediate ramifications, and one would have some further choices going ahead. So we need to be very clear about that, but we do have a choice as to the form of the new decisions we make today.

Then we have essentially the very big question of the legacy risks that we are inheriting and our children will inherit. That is a very big question. We are not going to solve that one overnight, so I think the first thing we need to do is understand, in a sound, evidenced based

way, the nature of the risk that is arising from past decisions. That is why I think things like the vulnerability assessment on the coastal zone are so important. We will be presented with some big challenges. We need to make the right decisions, based on sound information. Beyond information, the question is: what practical steps do we take? That is a discussion which has barely begun at this point.

**CHAIR**—Yes, it is interesting. At our last hearing we had a representative of the Insurance Council, and we showed him a photo of the Central Coast, where we visited. Following the recent storm there were houses precariously on the cliff top. When we showed him that photo, we asked: what would the situation there be? His response was that currently the insurance industry would consider that as ‘landslip’, in which case there would be no insurance coverage. Obviously there are lots of issues that arise from all this. Maybe this will be the first time that, in a concerted way, we make some recommendations that address this obviously important issue. There is no other work that we should be apprised of before we write the report?

**Dr Wilson**—I just want to comment a little bit more about the legacy issue. We also have the legacy of development decisions that have been made regardless of climate change, and climate change exacerbates those. Some of these pictures I think reflect the fact that there are decisions taken that do not reflect an awareness or a deep enough understanding of the coastal dynamics in a particular area.

**CHAIR**—Building on primary dunes, for example.

**Dr Wilson**—That is right. So we are not starting with a blank slate even in terms of the decisions regardless of climate change. Climate change comes along and exacerbates and really highlights the critical failures in particular spots for those decisions, and that is the complexity. What I have observed in the discussions I have had with different people over the last few months is that already it is a difficult issue to deal with the results of poor decisions from the past in terms of that vexed issue about compensation—who pays, who carries the risk? In terms of the insurance sector, I understand that they are still interested in providing affordable products; it is just that they too need the same or a more detailed information base to assess their risks and put a price on that. I think the legacy issue is a very, very challenging one.

**Mr Carruthers**—The insurance industry are very focused on the information and evidence from which to determine the relative degree of risk, and they will price risk accordingly into their products or they will not provide products where they think the risk is unmanageable from their commercial viewpoint. So the insurance industry are already pretty well set up to deal with that, but what they are asking for is—

**CHAIR**—Scientific data.

**Mr Carruthers**—That is their broad framework of commercial operation, but they see that they need additional information and evidence to underpin their operation as a business. In the case of local governments and householders and so on, I think they do not have access to anything like the kind of information they need. They will not understand at this time the increasing risk of building on the primary dune and so on. So I think that the more we can move to give them this information in an accessible and understandable way, the more they will begin to understand those issues and make decisions that are sensible in their own terms.

**Mr MURPHY**—How soon do you think the report of the national coastal climate change forum will be available?

**Mr Carruthers**—As I said before, the timing of the national forum has not been decided yet. If you are talking about the national coastal vulnerability assessment, we are looking at somewhere around the end of the third quarter of 2009.

**Mr MURPHY**—That is right, yes.

**CHAIR**—We have been asked to recommend governance arrangements, and I guess there have been three options raised. You would be aware of the submissions from people like Professor Bruce Thom arguing for specific legislation. We have had others argue that the best way to progress from here is through a COAG agreement for the different levels of government. Others have suggested amendments, modifications, to the EPBC Act to include specific protections of the coastal zone. Does the department have a view about those three options or a combination, or a preference?

**Mr Carruthers**—The answer in governance will depend on what purpose you are trying to fulfil. In terms of the scale, both the magnitude and the implications for society, the economy and the environment that are involved here, this has to be treated at the highest level of governments. That essentially means that COAG needs to be focused on this as a major national issue, just as COAG—

**CHAIR**—Did on water.

**Mr Carruthers**—focuses on other national issues, because we are at the beginning of a long-term agenda here on managing vulnerability in the coastal zone, and we should get this right. Arguably, 20 years ago or whenever, we did not get it right on water, so let us get it right on this issue and proceed forwards. We are doing this within a federal system of government—the Constitution is taken as a given on this matter. I will not even pretend to open up that discussion. And then of course there will be, as we have already discussed, certain matters which need to be properly handled at local levels, but handling them at local levels will need to be done in some kind of partnership or standardised approach. We have talked about sea level rise common standards and those kinds of things.

I think we would need a well-planned approach to the implementation of this agenda. I think all levels of government will have a responsibility, and private interests will have responsibilities, whether that is the insurance industry or whether that is householders or developers—whoever—and this really comes back then to a clear statement of government's expectations on roles and responsibilities.

**CHAIR**—Is there anything further on that? There is a last issue that I would like to raise. We were disappointed that we did not get a submission from groups like the Northern Land Council, because we did want to include a perspective of Indigenous communities who we believe are going to be very vulnerable, but we did have a follow-up submission from the Torres Strait Regional Authority which I would like to hand over to the department so that any potential action does not wait for our report and recommendations. I understood that the department had undertaken a study to look at the impact of climate change on Indigenous communities. Is there

anything arising from that that would be useful? The Torres Strait presentation raised some alarm bells already about the impacts on infrastructure like their airstrip. Are we addressing those immediate issues in the Torres Strait as well?

**Dr Wilson**—The department have not necessarily focused specifically on the Torres Strait although we are very mindful that there are situations in coastal Australia where there is further attention required. There has been some engagement between the department and the Torres Strait Regional Authority on some of their work. We have also recently commissioned a scoping study to look at what climate change means for Indigenous communities. I do not think it is focused only on the Torres Strait. Certainly one of the issues that we are mindful of in the NCVA is that we have not looked at islands, for example, particularly in that northern part of Australia. It is obviously a very critical issue for the populations that live there.

The issues that apply to the Indigenous communities are going to be complex. It is not just about where they are; it is also the current state of infrastructure and the services and the lifestyles that they would like to maintain. So it is relatively early in our understanding, but there is some work in train and we are very keen to continue liaising with the various Indigenous bodies. There have been some interactions over time with NAILSMA, the Northern Australia Indigenous Land and Sea Management Alliance, as well, and they have been involved in some really good work on getting a better understanding of water issues in that space. The Commonwealth has contributed significant funding to a major research undertaking in the north, a tropical rivers and coastal knowledge research program that perhaps DEWHA could comment about if you are interested to hear about that. There is a climate change dimension to that in the interplay between the various interests and issues in that part of the world.

**CHAIR**—It is just that when they presented from the Torres Strait they had gone to a lot of effort and had taken photographs and the impacts seemed to be already very apparent. As chair of the committee can I say that, rather than just waiting for recommendations that we might make, there may be an avenue in which any of the research you are undertaking could incorporate what was a good submission.

**Mr Carruthers**—Thank you for that. We will be happy to look at the report.

**CHAIR**—In closing I thank you both for appearing and for your wise counsel and assistance. I commend the department for the enormous strides it has made in a comparatively short time to address what is obviously going to be a major national issue. We hope that the work that we undertake will be of benefit to this new and challenging issue of public policy. Please thank all the members of your department for their assistance as well.

**Mr Carruthers**—I thank the chair and the committee for the opportunity. If there is any assistance we can provide as you complete your report, we are available.

[11.39 am]

**FORBES, Mr Malcolm, Deputy Secretary, Department of the Environment, Water, Heritage and the Arts**

**MIDDLETON, Ms Vicki, Assistant Secretary, Environment Assessment Branch 1, Approvals and Wildlife Division, Department of the Environment, Water, Heritage and the Arts**

**RANKIN, Ms Alexandria, First Assistant Secretary, Land and Coasts Division, Department of the Environment, Water, Heritage and the Arts**

**RISHNIW, Ms Tania, Acting First Assistant Secretary, Marine Division, Department of the Environment, Water, Heritage and the Arts**

**TAYLOR, Mr Hilton, Assistant Secretary, Department of the Environment, Water, Heritage and the Arts**

**CHAIR**—We would now like to welcome representatives from the Department of the Environment, Water, Heritage and the Arts 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 thanks the department for its second appearance before the committee today. This is our last public hearing and, unless you wish to make an opening statement, we might proceed to discuss some of the issues that we have raised.

**Mr Forbes**—Chair, I would not mind just returning to a couple of the issues which you have raised, because, in some respects, mentioning them first off might help the discussion. So I would like to make a short opening statement.

**CHAIR**—Yes, fine. Thank you, Mr Forbes.

**Mr Forbes**—I would like to thank the committee again for allowing us to appear before the committee, because it is an important inquiry and the outcomes are significant for the government. I wanted in particular to address questions 12 and 13, which seemed to be at the heart of some of the issues, and I will spend some time addressing those because they relate to governance, and also the EPBC Act. In doing so, we need to acknowledge that Australia needs to do things in the coastal zones to address climate change impacts and the pressures of increasing coastal populations. We recognise that.

As for the first proposition, which is suggesting specific legislation for the coast, you would recognise that this would be a significant challenge given the Commonwealth's limited constitutional power. I think that at our last appearance we brushed across that. It is a difficult issue in terms of the Commonwealth regulating coastal zone activities. In some respects, for the Commonwealth to be in that space it would need to no doubt have some referral of powers from

the states. This in itself would be a challenge given that land management is, essentially, a clear state responsibility. We also need to be careful that, if there were to be activities by the Commonwealth, we did not end up with duplication of regulatory arrangements because that could get confusing as well. So whenever the Commonwealth is in that space, clarity is quite important.

The establishment of a COAG agreement could be a useful approach, to agree upon and establish a set of national principles for the protection and management of the coastal zone. The concept of developing national principles for the coastal zone was part of the government's Caring for Our Coasts election commitment.

In considering the third proposal concerning the amendments to the EPBC Act and how the act's effectiveness could be improved, I think we can draw from the ideas that have been brought forward by the current independent review of the EPBC Act, which is currently being undertaken by Allan Hawke. Of particular relevance would be the suggestions to improve the use of bioregional plans and strategic assessments to act at a landscape scale so as to better address cumulative impacts. The reach of these powers is reliant on agreement with the states and territories, due to the limits of the Commonwealth in terms of its powers. We note that similar ideas have been raised in submissions to the inquiry. We also note that in late June the independent review team led by Allan Hawke will be releasing a summary of the issues raised during its own public consultations on improvements to the EPBC Act.

**CHAIR**—Do we know when that is likely to be publicly available?

**Mr Forbes**—It will be a public release, and my understanding is that it is likely to be before the end of this month—so within the next week or so. The realisation of many of these proposals is some time off, which is not necessarily a great thing in terms of the committee's time lines, but we recognise that you are trying to work through these incredibly complex issues in the coastal zone and understand that that is quite a difficult task.

In the meantime, of course, we have been attempting to work within the current arrangements. I think that in our last appearance we gave evidence about the sorts of programs and policies that were being pursued by the Commonwealth in the context of programmatic activities and also in the context of activities associated with working with the national resource management ministerial council in particular, as well as with the states. I think it is useful to leave it at that and then to go forward to questions, if you like.

**CHAIR**—Just on that point, we have been asked to recommend what we think might be the way forward on governance arrangements. It may be that they are not mutually exclusive; it may be that we could look at some form of COAG agreement but also have a look at how the act is operating and how it might better operate. I think that last time you appeared before us you talked about a more strategic approach and trying to get government agreement on a bioregional basis. I understood that that was the approach that you were adopting in the Kimberley region, for example.

**Mr Forbes**—Yes.

**CHAIR**—Could you tell us a little bit more about that and about whether there would be value in the committee examining in more detail the way that strategic approach has played out, for example, in the Kimberley?

**Ms Middleton**—At the moment, the Kimberley strategic assessment is operating under powers that already exist under the EPBC Act, which are the strategic assessment powers. In order for a strategic assessment to progress, it must be done in cooperation and under joint agreement with the state government. So, in relation to the Kimberley, it is now going through the consultation process, where they are identifying what values will be protected in that area and getting an understanding of the likely impacts. At the end of that process, specific locations will be recommended in which it is preferred that development proceed. But the process has some way to go. On the whole, I would say that, while the process is proceeding well, it involves extensive consultation and usually takes a number of years to resolve. So it is still in the assessment process.

**CHAIR**—From the point of view of the committee, if we are looking at possible changes or amendments to the act to give you greater powers of protection in the coastal zone, it would be useful to know and understand how the approach as contemplated in the act is already operating on the ground. If we were to go, say, to the Kimberley, are there a range of stakeholders that you could recommend we have discussions with about how people on the ground see this approach working?

**Ms Middleton**—We certainly would be quite happy to provide the committee, if you are interested in going to the Kimberley, with some additional briefing about who the key stakeholders are and some detail on where the process currently is.

**CHAIR**—You read in the paper about different views.

**Ms Middleton**—Yes, you do. I think that that is the reality of environmental impact assessment work—on the whole, there tend to be varying views, and those views vary depending on whether you are a local, you have a broader landscape view on the situation or you are a proponent that is likely to be affected. I think that is part of the complexity of the process and why the strategic assessment process is designed to have agreed terms of reference with the state and the Commonwealth—to make sure that we are very clear about the process that we are undertaking but also very focused on achieving landscape-wide outcomes.

**CHAIR**—Is the Kimberley the only example of the application of this more proactive strategic approach?

**Ms Middleton**—The Kimberley strategic assessment is the furthest progressed of our strategic assessments. We currently have an agreement to progress one in Victoria and there is also one running in the ACT at the moment.

**CHAIR**—So the Kimberley is the most advanced?

**Ms Middleton**—Yes, the most advanced.

**CHAIR**—I might ask the secretariat, then, to make further contact with the department.

**Ms Middleton**—Sure.

**Mr Forbes**—We suspect that one of the major focuses in Allan Hawke's discussion papers, when they are released, will be on this particular area, because we see that—as you clearly do as well—as providing opportunities for improvements to the act and also for being able to get a strategic context in order to address some of the more difficult issues such as cumulative impact, which we see as the outcome. So I think his report will be quite important for giving you some sense of how he is thinking.

**CHAIR**—Thank you. The other issue I wanted to raise before opening it up to committee members is that I was incredibly disappointed as chair of the committee that, in all the submissions we received, we only received two from catchment authorities or NRMs. Seeing that one of our terms of reference is to look at the catchment to coast to ocean continuum, I found that response very disappointing. I know that the federal government sustains and assists a lot of these CMAs, so it is not all negative. In our visit to South-East Queensland, we came across an excellent report card which does take catchment to coast to ocean impacts into account. It was done by—what was the name of the group?

**Mr Forbes**—It would be the South-East Queensland region—

**CHAIR**—You know the one?

**Mr Forbes**—Yes.

**CHAIR**—Is this typical? Are other catchment authorities doing work like this that we may not have come across in the absence of submissions from the CMAs? More broadly, it seems to me that there is not a good interface in those situations between local government authorities and catchment management authorities, and there is sometimes duplication or no clarity about respective roles. I thought this was a really good example, as it did include all LGAs in that area. Could you tell us a bit more about CMAs?

**Ms Rankin**—I think you are right that that is probably an Australia-leading, or potentially even a world-leading, type of product and that the South East Queensland Healthy Waterways Partnership have put a lot of effort into that area. I think one of their greatest successes is their capacity to build those partnerships in that region, and they have a very good model there. As far as we are aware, that model itself is not actually replicated at the moment in any other CMA or regional body, although a number of them are looking at it. Others certainly do their own forms of reporting, but I guess they tend to focus on their own regional catchment priorities and take a different approach for each one, so we cannot say that that report card could be found anywhere else, although you can find good report cards in, say, some of the reef catchment regional bodies as well as some of the other ones around the country.

You are right again that the whole issue of the relationship between regional bodies, CMAs and local government is quite varied across the whole country. Some of them do it very well—they have local government members actually on the CMA board and spend quite a lot of time trying to work closely with the local government partners to create integrated projects—but in a number of other cases there is a sense of some sort of competition between the different roles and responsibilities of the bodies. There is certainly room for improvement there.

**CHAIR**—But I take it the Commonwealth provides substantial financial and other resources to CMAs.

**Mr Forbes**—Our investment in the CMAs is huge because we see regional delivery of natural resource management investments and Caring for our Country as essentially the model which we have adopted. We provide base funding; I think it is about \$138 million. There is guaranteed funding to the regional bodies, as well as their having access to a competitive component to Caring for our Country. So we rely heavily on the continuing longevity of the regional bodies. We recognise, though, that the intersection with local government is quite important in that process, and I think that, when you have seen reviews of the importance of Caring for our Country and its predecessors through the Natural Heritage Trust and the national action plan, you see that the role of local government was always very important in how that intersection could be improved. So that is an important issue and one which we try to foster. But, as with all these things, it is an evolving model. It is not one which is perfect yet, but it is one in which our investments will continue to create better linkages between the natural resource management bodies and local government.

It is variable depending on what state you are in, too. For example, in Victoria, which probably has the most mature of all the regional bodies, they have a statutory base, whereas in WA and Queensland their regional bodies do not have a statutory base. So it is a bit different in each of the states depending on where you are. It is important, though, that those regional bodies are supported by the Commonwealth, and the states are also quite supportive of them; it is just that in some states they have not given them a statutory base.

**CHAIR**—If the Commonwealth has an investment in these CMOs or NRMs, could you provide any explanation of why the response from bodies that the Commonwealth funds on this important public inquiry were so minimal?

**Mr Forbes**—We are disappointed too. I did not realise that only two had actually made a submission to the inquiry. When you consider that we have also put in \$200 million in terms of Reef Rescue, which involves intersection of all the—

**CHAIR**—We have had numerous submissions from the Great Barrier Reef Marine Park Authority.

**Mr Forbes**—But the interesting there is that the delivery of that Reef Rescue is going through our regional bodies. Although I say ‘our’, they are not actually ours. We invest in them, so we do not actually have ownership of them. So one would have thought that they might well have made a submission, because that whole investment is about the reef-catchment interface. And that is a really significant issue.

**CHAIR**—We have had quite a few submissions from landholders and the Great Barrier Reef Marine Park Authority. I think that is an example of where the continuum works well. But that is only one stand out example. I always had the view—and people had said this to me—that up until now those catchment management authorities had really focused on land management issues. But their brief is much wider than that and I think the message needs to be sent from the department—and I have certainly raised it with the minister’s office as well—that these bodies need to understand that they do have an important role as far as the coastal zone and oceans are

concerned, as well. Is it the intention of the government to continue the specific Community Coastcare program that was announced in last year's budget?

**Ms Rankin**—Yes, but that is part of the Caring for our Country election commitment. So there is \$100 million being invested over five years through Caring for our Country for coast care activities. In 2008-09 we ran that as a transition program, which we called Community Coastcare, and ran as a separate small grants process. As of this year, and in all future years, that program will be run as part of the annual Caring for our Country business plan process. So there will not be a separate call for Coastcare small grants, but people will still be able to apply to apply for the funding through their applications to the Caring for our Country business plan.

**CHAIR**—What direction or what influence can be exerted by the department so that when these bodies apply for funding under that umbrella, coastal issues have got to be addressed by these CMOs in a more comprehensive manner?

**Ms Rankin**—In the business plan we set some fairly clear targets about what we are trying to achieve. The whole focus of the Coastcare funding is to try and get greater community engagement and improved outcomes in coastal environments. So we assess the applications on the basis of how well people are demonstrating that they are able to deliver on those outcomes. If a CMA is putting in a proposal that does not address coast outcomes they are unlikely to get funding. So that in itself is a reasonably large incentive for groups to put in applications that are focused on coastal activities.

**CHAIR**—I think it is important for the minister to understand the paucity of response from authorities that we fund that one would have thought would have a very keen interest in the work of this committee and its recommendations. So, Mr Forbes, we request that you pass that information on to the minister so that he is aware.

The last issue that I wanted to raise—and I know Ms Marino had some questions to do with it—is that in our travels around the country we have been quite shocked to see some totally inappropriate development adjacent to Ramsar listed wetlands. I know the management of those wetlands often falls to state authorities but I think that we need to have a better look at that whole area. I understand that there was a report, the *Ramsar snapshot study* report, and it noted:

Currently Australia does not have a systematic reporting process to allow government stakeholders and other resource managers to gain an overarching view of the state of Australia's Ramsar estate at any given time.

Could you make some observations about how we might strengthen the management of our listed wetlands and also give your views about developments that are occurring contiguous with Ramsar wetlands? There was one where they were draining the wetland for a canal estate. There is another in Queensland where, when you drive up the driveway, you are driving adjacent to mangroves. In that case it is probably not a listed wetland, but it certainly is at Busselton, where the wetlands were being draining and an inappropriate canal development was occurring. Has the EPBC Act got any teeth to prevent that kind of inappropriate development?

**Mr Forbes**—The Ramsar wetlands are in fact a trigger under the EPBC Act. The trigger relates to whether there is likely to be a significant impact. If that is triggered, there should be an appropriate assessment under the EPBC Act for that development to see whether it can be

approved or otherwise. I am not aware of the particular examples you talk about. I do not know if Ms Middleton is.

**Ms Middleton**—Not off the top of my head. But certainly in terms of assessments of projects where the Ramsar wetlands are triggered we do go through quite a robust assessment process that also goes through a period of public consultation. If the proposal is to be approved, it is always applied with conditions that focus on protecting the values of the Ramsar wetlands. That made be not just the species that rely on the wetlands in order to survive, but can also quite often include conditions around water quality, drainage of nutrients from the project site into the wetland and control of those. So it is very much on a case-by-case basis, by the project. If you can provide me with specific details of the projects that you are concerned about we would be very happy to come back to the committee with some more information.

**CHAIR**—It is in Nola's territory.

**Ms MARINO**—It is in Port Geographe in Western Australia. It is a canal development.

**Ms Middleton**—I will follow up on that.

**CHAIR**—Could you provide a response as to what the processes were that approved that development?

**Ms Middleton**—I am not familiar with that one, as to whether or not it has even been considered under the EPBC Act, so we will go and have a look.

**CHAIR**—That is what worries me. I got the impression that no-one in the community had triggered a process of appeal against the development.

**Mr Forbes**—I do not know how old the development is but the EPBC Act came into force in July 2000, from recollection, so developments prior to that would have been under state approval and would not have been subject to the EPBC Act. Depending on the time frame of when this development was approved, it might not have intersected with the EPBC Act, so we would need to look at that as well.

**CHAIR**—That is probably the case. When did you say that the trigger applied federally?

**Mr Forbes**—The act was proclaimed, as I recollect, in July 2000.

**CHAIR**—It would have been before that. It is adjacent to the Vasse-Wonnerup Ramsar listed site.

**Dr WASHER**—Stage 1 would have been approved before, because that is the marina complex there. Then they went broke. This was after July 2000. The state government that was responsible for planning then allowed more land to be developed by the developer who took over from the bankrupt company at that time and that went into the wetlands. So that would be a more recent development. It was a trade-off: 'You pick this up and we'll give you that patch of land.'

**Mr Forbes**—It sounds rather complicated.

**Dr WASHER**—And the local government is not happy because the maintenance of this is horrific, as you can imagine. It is a big problem.

**Ms MARINO**—There are some ongoing issues here as a result.

**Dr WASHER**—This is not exactly coastal but can I give a quick example from WA of the workings of the CMAs and the relationship with the state government. We have a CMA in WA called the Swan catchment area and we have the Gngangara Mound. This will give you an example of the kinds of problems faced. There was horrific eutrophication with rising nitrate levels in the aquifer, and yours truly beat the drum on this. Waterwise is part of the catchment management authority and is federally funded, but the state government has then got their water commission or authority.

Waterwise have done a lot of very good work. They have done some good work on the Gngangara Mound and this problem. The state government rang up Waterwise to communicate with them about what work they had done. The state government just do their own work independently when we already have that information federally. So there is no cross-fertilisation of knowledge between these groups. I will just give that to you. I think it is an issue on which either COAG or the department should ask, ‘Hang on, what is the communication between these bodies that overlap on a lot of issues?’ That is a classic example.

**Mr Forbes**—We know the Gngangara Mound is a complicated issue because there are a number of different bodies involved in that. The extraction of water is a critical issue for Perth so we are conscious of its importance.

**Dr WASHER**—I thought you were. I just wanted to use that as an example. I know that there has been very little communication—at least until a week ago; maybe they have communicated in the last week or something. Sorry, I just wanted to use an example of a problem.

**CHAIR**—You are all right.

**Mr Forbes**—There was a significant investment, as I recollect, around Wellington Dam and things associated with that, to try and limit the nitrites and the like coming up, but I might be mistaken because those investments go back a few years.

**Dr WASHER**—They pump water all the time so when they do not need it in the wetter period, out of either the desal or the aquifer, that puts it in the dam storage units. So that creates a problem.

**Mr Forbes**—I think the other part of your question was about the *Ramsar snapshot study* report. The government funded that report and we are now going through a rolling review of all the Ramsar sites to look at their management requirements. We have a review underway at present and they are reporting by May next year on 20 of those sites, as a pilot for how we can move forward on the rest of the listed Ramsar sites. That has been the response to that report, because we are quite conscious that it did raise some significant issues in terms of the management of the Ramsar sites.

**CHAIR**—In terms of the stock take, at the November hearing the department indicated that it was undertaking a two-year stock take of the implementation of the cooperative approach to integrated coastal zone management. What is the current status of that review?

**Mr Forbes**—That review is still ongoing. There was a report recently—I think it was in June—to the ministerial council, with the objective that the stock take should be finished by the end of the this calendar year. That is my understanding.

**Ms MARINO**—I have a further question on that. I hate to take you back to the issue of Busselton-Wonnerup. My question goes back to a similar issue to that of liability and another. We have a local council effectively now, that has to try to manage some of the issues that have evolved out of this, without the capacity, essentially, to do so. I would ask, when you look at this, to remember that there are a range of issues that are inherent—those that are current and, I suggest, some that will be a future challenge. So I would be very interested in that side of this issue. I suspect that, as the chair says, some of the matters are historic. We have some issues that are current and, I would suggest, there will be some future issues, with what we saw.

**CHAIR**—Ms Middleton, you have undertaken to do a little bit of work—

**Ms Middleton**—We will find out about Port Geographe for you to get some context.

**CHAIR**—If you could advise us, that would be very useful. Mr Forbes, I do not know whether we picked this up, but the secretariat has brought to my attention that a new conservation theme, ‘terrestrial, estuarine and near-shore environments of Australia’s coasts’, could be established for listing key threatened species, ecological communities under the EPBC Act, we thought, from October 2009. Could you shed any light on this?

**Ms Middleton**—The actual theme—I will just go back to my notes here—is ‘terrestrial, estuarine and near-shore environments of Australia’s coasts’. That is a theme that is established by the minister to provide guidance, if you like, to people who are making nominations to put it forward for the minister’s consideration that a particular area or species get listed for protection under the EPBC Act. So, as part of the listing process, the minister can actually establish a theme each year to provide that focus to nominees, and for this year that theme is ‘terrestrial, estuarine and near-shore environments’. While that does not mean something that is in an arid area could not be nominated for listing, it does provide some guidance as to trying to funnel things into a particular area. The minister will make a decision on what is the final priority list that will then go to the Threatened Species Scientific Committee to provide him with specific advice as to what could become new listings. The listing of the priority items that will be assessed will be available in August this year.

**CHAIR**—That clarifies the wording, yes. We had come across this, but we were not quite sure where it fitted in.

**Ms Middleton**—The theme actually does not have particular status under the legislation; it is a theme to provide guidance to nominees.

**CHAIR**—Mr Forbes, where are we with the department’s ocean policy? Are there any recent developments that might be of use to the committee?

**Mr Forbes**—The concentration at present is on the development of marine protected areas. We have recently released profiles for the south-west, the north and the east, as I recollect, so the priority for us is to look at the development of marine protected areas in those areas. The minister also recently created a conservation zone in the Coral Sea, but that is getting out into deep ocean; it is not necessarily coastal, although of course there are some islands out there. In that sense, that is where our concentration is in terms of oceans policy. Ms Rishniw may wish to expand on the marine planning component to that.

**Ms Rishniw**—As Mr Forbes indicated, the focus is really on marine bioregional planning, a program that was initiated in 2006. Marine bioregional plans for four regions around Australia's waters, from the three-nautical-mile zone to the 200-nautical-mile zone, are due to be developed by the end of 2010. The East Bioregional Profile, which really collects all the information about the marine environment in that region, was released in May by the minister. The profiles for the north and north-west regions were released in November last year, and the south-west one before that. So the focus is on bioregional planning.

**Mr MURPHY**—I have one question for Mr Taylor. Can you give the committee an update on the health of the Great Barrier Reef? What is the latest from the department?

**CHAIR**—Just a small question!

**Mr MURPHY**—I know! I ask you to be succinct.

**Mr Taylor**—I am not sure I am the most well-qualified person to respond to that. However, I think the best way to respond to that is to say that there is an outlook paper that is being drafted.

**Mr Forbes**—And is due to be provided to the minister by 30 June this year.

**Mr Taylor**—That paper—actually, it is quite a weighty document—looks at the current state of the reef and the future outlook for it, so I think that is probably the best reference point for that at the moment.

**Mr Forbes**—That will become a public document. Once the minister receives it, there is a statutory time period in which he has to table the document in parliament, so I think we would be looking towards some tabling period in September.

**Mr MURPHY**—I know that the chair and I have a special interest in the reef; we visited it as part of another committee a few years ago, and we were quite concerned at the impact of coral bleaching and a whole range of issues when we were up there. It does not seem, from what I can see from the media reports, to have improved, and we should be doing everything to preserve it.

**CHAIR**—Mr Dreyfus, is there anything that you would like to ask? We have talked about the issue of Ramsar wetlands at some length and also about the role of catchment management authorities and how they interface with local government authorities.

**Mr DREYFUS**—I am interested, as you know, in the possible use of the EPBC Act, and that has been dealt with.

**CHAIR**—Only to the extent that we understand that the proactive strategic application of the act is probably best advanced to date in the Kimberley region. We are going to get some further details; we might even do a site visit there. And we are waiting for the Hawke report.

**Mr DREYFUS**—It might be pre-emptive—and you should say so, because we are waiting for the Hawke report—but are there any general comments that you are able to advance about the possible use of the Environment Protection and Biodiversity Conservation Act for coastal management?

**Mr Forbes**—We mentioned before that the whole issue of the strategic assessments and the use of landscape scale assessments to try to overcome some of the problems of cumulative impact. It is a clear area where we are anticipating Allan Hawke will concentrate on. Our understanding is that his initial views on that will come out by the end of this month, and his final report will come out in October. I think you will get an indication of his thinking by the end of this month.

**Mr DREYFUS**—That is helpful for us to know in the context of report writing for this inquiry. At the most general level, at the moment the EPBC Act focuses on species rather than areas.

**Mr Forbes**—It does have provisions, though, in its statute for strategic assessments. The issue is: is it sufficient to address some of these broader issues about cumulative impact and the like. I think that is the issue which makes it difficult to address, although there are some examples, as we talked about, in terms of the Kimberley. There is one commencing in the grasslands in Victoria, I think west of Melbourne—

**Ms Middleton**—And the ACT.

**Mr Forbes**—Under the current statute there is potential and the question is whether it could be improved further. I think you could look at in a more strategic way than what is currently provided in the statute.

**CHAIR**—Just before we formally conclude: Mr Forbes, I would like, if possible, a written response to question 14 about the natural resource management—the structural arrangements and the level of funding. And, Ms Middleton, you have undertaken Port Geographic development and you will also liaise with the secretariat about the strategic assessment in the Kimberley region. We might make that a site visit so we understand how the process works on the ground—the pluses and the minuses.

I would like to thank you all for coming along today. I know it is the second time you have been before the committee. This is our last public hearing, so over the winter break we will commence the challenge of writing the report and thinking about the recommendations. We thank you very much for the assistance you have provided. The secretariat will send you a copy of the transcript for any corrections that need to be made, and we would be grateful if you could also forward on to us any additional material that we discussed today.

Resolved (on motion by **Ms Marino**, seconded by **Mr Dreyfus**):

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

**Committee adjourned at 12.18 pm**