Cairns Local Marine Advisory Committee

A submission from the Cairns Local Marine Advisory Committee (30th May 2008) to:

House Standing Committee on Climate Change, Water, Environment and the Arts

Committee activities (inquiries and reports)

Inquiry into climate change and environmental impacts on coastal communities

The Cairns Local Marine Advisory Committee is a voluntary community-based committee. The committee was established to enable local communities to have effective input into the management of the Great Barrier Reef Marine Park.

Cairns resides within the Wet Tropics region, and in 2008 is estimated (by area) to be 82% Natural Vegetation, 6% Primary Production (Agriculture and grazing) and 12 % Urban. However, by 2025 the urban usage is expected to increase to 15% and Primary Production reduced to 3%. The Cairns LMAC highlights this shift towards increased urbanisation as an important environmental issue for the region.

We the Cairns Local Marine Advisory Committee choose to address each of the five (5) terms of reference:

1. Existing policies and programs related to coastal zone management, taking in the catchments-coast-ocean continuum

The regulatory apparatus would ideally be founded on catchment management principles (with management boundaries defined on a landscape level). This would negate the difficulties associated with the imposition of governance boundaries.

Currently, at least in Queensland, catchment management principles are delivered through good will rather than as a consequence of a regulatory framework. The CLMAC considers that the strength of the Queensland natural resource management bodies is that they are not a regulatory authority; however, a regulatory basis for the catchment management approach may be required to fully achieve NRM outcomes. The inability to secure a long-term revenue commitment, from whichever Government retains stewardship, remains a fundamental impost to progress. The form of commitment that is required is akin to that given to, for example, the revenue related departments (finance, taxation).

Landfill sites and polluting industries should be located away from sensitive and vulnerable sites such as wetlands and waterways.

State and Regional Coastal Management Plans have little teeth outside of Coastal Management districts and so in reality do little to deliver their intended outcomes.

Local Government Plans in coastal areas are for the most part non-binding and are often ignored in favour of inappropriate coastal development.

The Reef Plan to date has not delivered the outcomes sought to address water quality issues in the Great Barrier Reef, which reduces the reefs capacity to respond to climate change impacts.

2. The environmental impacts of coastal population growth and mechanisms to promote sustainable use of coastal resources

Population levels in the Wet Tropics region are expected to increase by around 100 000 people by 2025 (a 45% increase) – with over two thirds of this increase projected to occur in the Cairns region, primarily in the coastal lowlands. There are no plans in place as to how coastal communities might respond to inundation due to increases in both sea level and storm intensity.

We are still allowing people to build immediately adjacent to the beach and in areas prone to storm surge and inundation. We are still allowing the clearing of coastal vegetation. Coastal vegetation plays an important role by helping to protect the community from storm surge and increasing the capacity of natural systems to respond to climate change.

A tighter control over the clearing of coastal vegetation, and protection of wetlands and estuaries, is needed. Increasing population growth on the coast will further impact upon the connectivity of natural systems, reducing their ability to respond to climate change.

3. 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 Wet Tropics region is considered to be highly vulnerable to climate change impacts, in particular storm surge, sea-level rise, tropical vector-borne diseases, increased intensity of rainfall, extended dry seasons and cyclone activity. Sea-level rise will negatively impact coastal communities, lead to salt water intrusion in coastal aquifers and impact coastal environments. The Great Barrier Reef is also highly exposed to a range of climate change impacts including coral bleaching, ocean acidification, increased runoff and erosion and storm damage. As one of the main drivers of our regional economy, impacts on the Great Barrier Reef could have very significant impacts upon the environment, lifestyle and economy of this region.

It is important all efforts are made to reduce sediment, nutrients and pesticides running off into the Great Barrier Reef from agriculture and urban development.

Communities need to be properly informed about the local primary and flow-on impacts of climate change on their businesses, social dimensions and environment. Adaptation measures should include support for building resilient local economies including support for local produce, support for local clean energy supply options, support for more sustainable housing able to withstand category 5 cyclones and support for improved public transport.

Finally, there is a need to support the development of regional risk assessments of natural, cultural and built assets which will assist the community and government in making decisions as to where the best effort is placed to address climate change impacts.

4. Mechanisms to promote sustainable coastal communities

Each region should have a regional sustainability task force, which creates a vision and action plan for that community based upon the principles of sustainability. The process should get political and financial support from all levels of government, and should engage the community in a participatory manner to ensure it is a community plan. It should aim to integrate social, economic and environmental considerations, and should be holistic in design and implementation. It should use regionally appropriate indicators of social, economic and environmental well-being to measure progress. The Cairns region is an ideal location to run a pilot scheme.

Other specific actions include:

- The development and assessment of a regional ecological footprint; This should be based upon sound principle, with implementation targets and milestones directing the region to reduction in footprint size (with the ultimate goal being a sustainable footprint size – defined as worlds best practice). This sustainable ecological footprint should be targeted towards tangible reductions and not solely on offsetting;
- Government support for accredited local/regional carbon offset services. (Why should NSW have the only accredited offset services? Why shouldn't local industry invest in local industry for offsetting?);
- Continued and increased support for retro-fitting sustainable energy generation for households;
- Regulations that all new approved developments must achieve a five-star energy rating (including minimum solar panel requirements) and achieve sustainable use of water through increased efficiencies and re-use. Programmes must be implemented that provide this at minimum cost to the consumer;
- Support the development of regional clean energy initiatives. This could tie into the above point (e.g. where the bulk purchase of sustainable technologies may be of benefit);

- Shift subsidies away from polluting industries over to the renewable energy and energy efficiency sectors;
- Funding support for marine tourism and fishing operators to shift to more sustainable fuel sources (e.g. sustainable biofuel rebates);
- Allow the use of diesel –hydrogen hybrid technology to improve fuel use efficiency and reduce emissions.
- Better waste management arrangements are required to ensure:
  a) Waste holding or treatment sites are not located near rivers, wetlands or other sensitive environments
  b) Waste is sorted at source rather than end of chain sorting to separate recyclables and compostable materials. This will help reduce pollution and improve efficiency of recycling programs.
  c) Support is provided for regional capacity to handle and process recyclable materials.

5. Governance and institutional arrangements for the coastal zone

The Federal Government should provide local governments with a legally defensible threshold (meters above sea level) as to where future coastal development can and cannot occur based upon the worst-case scenarios of sea-level rise over the coming century. Currently local governments would have to argue their case in court if they tried to implement such thresholds, tying up much needed time and resources with potentially unsuccessful outcomes. Federal backing of such a threshold would draw a firm line in the sand and allow councils to plan accordingly.

All Queensland coastal wetlands should be protected from further development along with a directed wetland reinstatement programme. Currently the Queensland Government is failing to properly implement measures to ensure this outcome. Our wetlands play a key role in a range of ecosystem services, including supporting healthy fisheries and protecting water quality in the Great Barrier Reef. It is time to make it clear once and for all that wetlands are out of bounds for development. Wetlands are likely to play an increasingly important role as climate change impacts intensify.

There is a lack of government support at all levels for implementation, monitoring and assessment of measures to address sediment and erosion issues associated with developments in the Wet Tropics. Year in and year out developers get away with sub-standard measures to address this issue. These circumstances lead to an increase in sediment flowing into rivers, wetlands and out to the reef. Intensification of rainfall in the Wet Season due to Climate Change will only exacerbate this issue. For sites with a high risk of erosion, bulk earthworks should be prohibited during the wet season. Existing sediment and erosion control guidelines need to be enforced. Where developers fail to comply, the penalties or incentives (such as reduced time lines for approvals where performance is demonstrated) need to be of a type that act as a real deterrent/incentive for such actions.

Whilst there are a number of potentially useful laws in place, it is the application and enforcement of these laws that needs to be addressed in the first instance (rather than drafting more policy papers for the purpose of creating more laws).

The non-application of existing legislative mechanisms results in inequity in the market place and disenfranchisement of the community. Where current legislation exists, then the 'political will' is required to demand that regulatory officers apply the law and do not modify interpretation through consideration of the political consequences. It is our observation, made over a long period, that existing laws are not applied. Ministers need to direct the public service to act in the Public Interest, which invariably means apply the existing laws, leaving the political nature of any determinations to the exclusive domain of the elected representatives. This application needs to be unequivocal.

In terms of application of the existing laws, post-approval of a development, the relevant Federal Minister(s) could request an analysis of:

1. The number of approval decisions made under the EPBC Act relevant to coastal development plotted against the number of applications lodged (on an annual basis since 2000).
2. The number of regulatory inspections undertaken of each development approved (plotted since 2000).
3. The number of punitive actions taken under the EPBC Act for coastal developments failing to comply with the conditions of their approval (plotted since 2000).

This analysis may demonstrate the following:

1. More often than not development applications are successful
2. Limited field inspections are undertaken (fundamentally 'if it not monitored it is unlikely to be done')
3. Punitive actions are limited (sending the message there is no downside to non-performance).

In terms of a case study that demonstrates the failure of the regulatory system, the relevant Minister(s) need not look further than the Cairns region. This failure is perceived to be on account of an absence of will to apply the existing regulatory mechanisms.

This submission has been compiled by the Secretary and provides a consensus viewpoint. The Cairns Local Marine Advisory Committee endorses this submission.

Jason Reynolds
Secretary
Cairns Local Marine Advisory Committee