

Governance arrangements and the coastal zone

we have reached a stage when Commonwealth leadership in CZM is vital. Coastal problems are national, not just state or local. They do have, of course, state, regional and local manifestations. However, the implications of climate change, population growth and demographic change, and infrastructure needs do require, in my view, national direction and technical and financial support. I will argue that sustainable solutions for many of these problems risk being limited in time and location unless the Commonwealth can offer leadership in the form of consistent guidance and support to achieve sustainable outcomes of benefit to local economies, environments and social interests.¹

Introduction

- 6.1 Chapter 6 focuses on the Committee's terms of reference with regard to governance and institutional arrangements in the coastal zone.
- 6.2 Major issues covered in the chapter include existing governance arrangements in the coastal zone and perceived concerns with these arrangements, and the roles played by state, territory and local governments in coastal zone management. The chapter then looks at calls for national leadership to improve the cooperative approach to coastal zone management and suggested new models for coastal governance.
- 6.3 Ultimately, the Committee proposes an Intergovernmental Agreement on the Coastal Zone to be endorsed through the Council of Australian Governments (COAG), as well as:

1 Professor Thom, *Submission 6*, pp. 1-2.

- a National Coastal Zone Policy
 - a National Catchment-Coast-Marine Management Program
 - a Coastal Sustainability Charter
 - a National Coastal Advisory Council
- 6.4 The Committee believes these recommendations will address current concerns in this area and provide the basis for a cooperative approach to coastal zone management. Such an approach is urgently required in the coastal zone due to the potentially severe impacts of climate change on the coast, the continuing environmental degradation of the coast, and the current complex and fragmented governance arrangements for the coastal zone.

Existing coastal governance arrangements

- 6.5 Coastal zone planning and management is largely a state/territory responsibility, with day-to-day decision making the responsibility of local governments. However, the Australian Government has an important influence on coastal environmental policy and planning through the *Environment Protection and Biodiversity Conservation Act 1999*. It can also play an important role in national policy making by setting policies both directly and through national government councils, such as COAG, the Natural Resource Management Ministerial Council (NRMMC) and the Local Government and Planning Minister's Council (LGPMC).
- 6.6 The major coordinating processes for coastal zone management at a national level are:
- COAG, through the COAG Working Group on Climate Change and Water
 - the NRMMC and its Marine and Coastal Committee (MACC), which administers the *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan*, and Intergovernmental Coastal Advisory Group (ICAG)
 - the NRMMC and its Natural Resources Policies and Programs Committee and Climate Change in Agriculture and Natural Resource Management Working Group, which covers coasts and some marine matters
 - the LGPMC and its Planning Officials Group

- 6.7 In their evidence to the Committee, representatives from the Department of Environment, Water, Heritage and the Arts (DEWHA) raised serious concerns about this structure:

To date, coordination between these processes has been ad hoc and there is a need to improve on communication and coordination of activities within and between governments, as well as with key stakeholders. Identifying the respective roles of each group will enable a clearer articulation of the roles of the NRMMC committees vis-a-vis the COAG process on climate change, and ensure that key NRM issues are adequately covered in coastal planning and adaptation.

As a first step, the NRMMC MACC agreed in July 2008 to a review of ICZM implementation, as well as reviewing the need and functioning of the Intergovernmental Coastal Advisory Group (ICAG), which manages the implementation of the ICZM for the MACC. This review should take into account where the ICZM fits in with the other processes currently underway and may provide an opportunity to better address some of the coordination issues above.²

- 6.8 The state and Northern Territory governments are primarily responsible for areas up to three nautical miles out from the territorial sea baseline. The Australian Government is responsible for all other waters within the outer limit of Australia's 200-nautical-mile exclusive economic zone (EEZ). In addition, agreements under the Offshore Constitutional Settlement delegate responsibility for some aquatic resource management between three nautical miles and the EEZ (generally) to either the state or joint authorities.

- 6.9 DEWHA explained that:

the Commonwealth's constitutional powers are constrained in terms of the reach of the Commonwealth's jurisdiction in the coastal zone. The offshore constitutional settlements that delineate the roles and responsibilities between the Commonwealth and the states and territories generally restrict what we can actually do. Generally, the states and the Northern Territory have primary responsibility over coastal waters – that is, from the territorial sea base line out to three nautical miles. This means that the states and territories have primary jurisdiction for what is often considered the coastal zone. And, of course, the states have primary

2 DEWHA, *Submission 103*, p. 10.

responsibility for land planning and management, including how local government operates in each jurisdiction.³

- 6.10 The Heads of Agreement on Commonwealth and State Roles and Responsibilities for the Environment, signed in 1997 by COAG and representatives of local governments, sets out Commonwealth and state responsibilities in the coastal zone as follows:

Commonwealth responsibility involves meeting obligations contained in international agreements and in Commonwealth legislation in relation to waters outside those waters under State control pursuant to the Offshore Constitutional Settlement, except where formal Commonwealth/State management arrangements are in place (e.g. specific fisheries) or where waters are under Commonwealth direct management (e.g. the Great Barrier Reef Marine Park). The Commonwealth has responsibility for control of sea dumping in Australian waters.

Commonwealth interest involves co-operation with the States to develop strategic approaches to ensure the management and protection of Australia's marine and coastal environment.⁴

- 6.11 As noted in Chapter 5, the existence of intergovernmental agreements on the environment and related issues such as water, as well as joint federal/state environment and natural resource management programs, suggests that, in recent times, many environmental policies and approaches have been developed nationally through cooperative federal-state processes.
- 6.12 Local government decision making on coastal planning and development is generally steered by policy and legislation at state/territory government level. However, in many instances local governments are at the forefront of coastal zone planning and management.
- 6.13 The role of local government in coastal zone management is therefore significant. As the Australian Local Government Association (ALGA) stated in its submission to the inquiry, local government is:
- the agency responsible for land use planning throughout much of the coastal zone
 - the agency commonly responsible for significant aspects of environmental management in the coastal zone, including the

3 Mr Forbes, DEWHA, *Transcript of Evidence*, 27 November 2008, pp. 1-2.

4 Heads of Agreement on Commonwealth and State Roles and Responsibilities for the Environment, COAG, November 1997, DEWHA website
<<http://www.environment.gov.au/epbc/publications/coag-agreement/attachment-1.html>>

provision of waste removal and treatment services, and the provision of water, drainage and sewerage services

- the land manager for many coastal reserves and other coastal buffer areas
- the agency commonly responsible for provision and management of public infrastructure such as roads, recreational areas and parks, in the coastal zone.⁵

6.14 The Committee also recognises the role that Indigenous Australians play in the management of Australia's coastal resources. As the Northern Territory Government emphasised in their submission:

Indigenous stakeholders as significant land managers (particularly in northern Australia), need to be included in all aspects of national coordination, development and implementation of coastal climate change policies, strategies and plans.⁶

6.15 The NT Government noted that Indigenous Territorians:

hold title to approximately 84 per cent of the NT's coastline; have strong cultural ties to the sea, a well developed system of traditional custodianship and spiritual connections with numerous sites and species of marine fauna and flora.⁷

Issues regarding coastal governance arrangements

6.16 The Committee heard from a full cross-section of stakeholders in coastal zone management, from state and local governments through to coastal experts and concerned community groups. Major challenges in current coastal zone governance arrangements identified by these groups included the need for:

- national leadership
- improved cooperation and coordination action across jurisdictions

The crucial challenge is how to improve coordination and consistency of implementation of the necessary mechanisms. While each local area will need tailored solutions, there is an urgent need for a federal framework, under which the implementation of the necessary mechanisms can be provided for

5 ALGA, *Submission 14*, p. 1.

6 NT Government, *Submission 106*, p. 26.

7 NT Government, *Submission 106*, p. 3.

and resourced. Enhanced cooperation between all levels of government is essential if integrated natural resource management and adaptation planning is to be realised and comprehensively implemented.⁸

- a regional strategic approach

Different standards cause community and developer frustration and a lack of certainty for planning. [An] example is the differing requirements in planning legislation to the incorporation of sea level rises and the timeframes and data used in the calculations of storm surge and sea level rises.

Regional planning processes provide an excellent opportunity to integrate social, economic and environmental issues and plan for future growth in a co-ordinated way.⁹

- better integration in environmental management of socioeconomic elements

A major contributor to this is the apparent failure of assessment mechanisms to adequately consider and compare the social, economic and environmental impacts of population growth. Resolution of sustainability issues in the context of population growth will not be achieved by constraining the development of approaches to environmental impacts alone. An holistic response is needed that recognises limits to growth, and the sustainable use of coastal resources must adequately consider economic and social values.¹⁰

- new governmental arrangements to encompass climate change impacts

Climate change will have an impact on coastal communities around the nation and will necessitate federal leadership with strong coordination amongst Federal, State and Local Governments.¹¹

- improved stakeholder involvement and community engagement, education and awareness

A Community education and engagement strategy for coastal communities should be a major priority of Coastal Policy. Such a

8 Australian Network of Environmental Defender's Offices, *Submission 73*, p. 47.

9 Planning Institute of Australia, *Submission 51*, p. 5.

10 Western Coastal Board, *Submission 34*, p. 2.

11 Sydney Coastal Councils Group, *Submission 77*, p. 12.

strategy should aim to increase understanding of the impacts of population increase, development and climate change on the coastal environment and on coastal communities and to gain support for and engagement in Government action to address the emerging problems and assist in reducing community conflict surrounding environment protection.¹²

- improved coastal zone land use planning and population planning

There is pressing need to reconsider how we plan for coastal development, the criteria we apply to approve or reject development applications and the building regulations imposed for new structures to safeguard against risks of sea effects on coastal assets. These revisions will not be simple recasting of existing instruments but will need to be dynamic in nature to take into account the fact that the points of reference for planning (e.g., height above sea level, frequency of extreme sea levels) are now constantly changing and will continue to change for the foreseeable future. It is likely that appropriate guidelines, approval criteria and building regulations will necessarily be more complex than the existing, familiar, standards.¹³

- improved capacity building and resources

not all local governments have the capacity, expertise and resources to adequately address the impacts of climate change through the planning process, management activities and capital works. In particular, there are likely to be significant financial costs associated with the need to undertake 'coastal hardening' (build or upgrade shoreline protective structures to protect infrastructure and other development from increased erosion as a result of climate change). This is an issue not just for local government but for all jurisdictions as well as private landowners.¹⁴

- improved communication and information

State, regional NRM entities, and especially local councils, do not have the resources to provide continuity of policy thinking, of technical and information back-up, and of funding to meet the challenges of population growth, infrastructure needs and how

12 Lake Wollumboola Protection Association, *Submission 84*, pp. 10-11.

13 Antarctic Climate and Ecosystems Cooperative Research Centre, *Submission 46*, p. 4.

14 Queensland Government, *Submission 91*, p. 9.

best their communities can adapt to climate change, especially the insidious effects of rising sea levels.¹⁵

- a reduction in institutional complexity across jurisdictions

For coastal management to be most effective it is increasingly necessary to ensure dialogue and cooperation between the technical, scientific and policy making bodies, as well as between governments at all levels and community groups that share responsibility for coastal management.¹⁶

- improved monitoring and reporting

Species and habitat mapping and coastal monitoring in Australia is currently undertaken by various Natural Resource Management ... government, and university groups. There are currently no nationally consistent reporting and monitoring standards or protocols and significantly, no national databases to assess the status and condition of coastal species or habitats in Australia.¹⁷

Current Australian Government role in coastal zone management

National Cooperative Approach to Integrated Coastal Zone Management

6.17 The Australian Government's current role in coastal zone management is primarily through the *National Cooperative Approach to Integrated Coastal Zone Management Framework and Implementation Plan*.

6.18 Dr Geoff Wescott, a coastal management expert at Deakin University, explained the principle behind the plan:

Integrated Coastal Zone Management (ICZM) has been the international conceptual basis for the coastal zone planning and management (CZM) for 15-25 years. The notion of 'vertical integration' of coastal zone planning and management highlights close cooperation and coordination of all three tiers of government: national, state and local.¹⁸

15 Professor Thom, *Submission 6*, p. 2.

16 NT Government, *Submission 106*, p. 21.

17 NT Government, *Submission 106*, p. 20.

18 Dr Wescott, *Submission 60*, p. 2.

- 6.19 The plan acknowledges the differences in governance arrangements across the jurisdictions, and the consequent benefit of having a national framework to provide a coordinating function:
- [the] jurisdictions have different legislative and administrative frameworks for managing the coastal zone, [so] adopting a national cooperative approach seeks to address cross border and sectoral issues, harmonise joint action towards management of common issues, and encourage investments from all jurisdictions.¹⁹
- 6.20 The plan also highlights climate change as a concern within coastal zone management, stating that climate change is one of the four key economic, social and environmental drivers that affect the sustainable use of coastal resources.²⁰
- 6.21 As discussed in the previous chapter, the National Sea Change Taskforce (NSCT) noted that the *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan* needed to take a much broader approach to ‘social and economic issues related to the coastal zone’.²¹
- 6.22 In the Committee’s view the framework and implementation plan, while commendable in content and principle, has failed to make inroads in improving Australia’s coastal management structures. The Committee heard unanimous evidence from stakeholders that problems in establishing responsibility for implementation of the plan, as well as a lack of funding, has meant that ICZM has never been fully implemented in Australia.
- 6.23 The *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan* identifies seven areas for national collaboration: integration across the catchment-coast-ocean continuum, land and marine based sources of pollution, climate change, introduced pest plants and animals, planning for population change, capacity building, and monitoring and evaluation. The Committee notes that implementation of each of the plan’s priority areas has specific timeframes and that the plan required an annual report on progress on these areas to be provided to the NRMCC:
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19 DEWHA website accessed 22 August 2009

<<http://www.environment.gov.au/coasts/iczm/index.html>>

20 NRMCC, *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan*, 2006, p. 9. Other pressures listed are population growth and demographic shifts, industry trends and protection of the coastal resource base.

21 NSCT, *Submission 79*, p. 3.

Australian, state and Northern Territory governments agree to task the MACC [Marine and Coastal Committee] with preparing an annual report to the NRMMC on progress in implementing the national approach to integrated coastal zone management.²²

6.24 The Committee believes it would have been helpful if these annual reports on the implementation of the plan, in terms of monitoring and evaluating progress towards improving sustainable coastal management, had been made publicly available.

6.25 The submission to the inquiry from Dr Wescott sums up the concerns that the Committee heard regarding the plan:

Whilst the framework established under the 'National Cooperative Approach to Integrated Coastal Zone Management' ... identified critical issues on the Australian coast it was very much a case of 'policy without implementation' – a good framework but no practical means of implementation was specified.²³

6.26 Professor Bruce Thom, a leading coastal management expert, elaborated on this concern:

there were no incentives or direct leadership from the Commonwealth to support state and local councils in ICZM by making the Framework and Implementation Plan operational. ... Furthermore, there is evidence that State governments have simply ignored the agreement on the document that was endorsed by the NRM Ministerial Council.²⁴

6.27 The Environment Institute of Australia and New Zealand (EIANZ) noted that the plan is 'limited in its scope and there is little awareness of its role and purpose, particularly in Local Government'.²⁵ As Dr Wescott explained, missing from the implementation of the plan is the vertical integration between levels of government called for by the principles of ICZM.²⁶ For the framework, and therefore ICZM, to be successful in Australia, cooperation between the Australian Government, the states and the NT was required. However, while support for cooperation is

22 NRMMC, *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan*, 2006, p. 49.

23 Dr Wescott, *Submission 60*, p. 1.

24 Professor Thom, *Submission 6*, p. 10.

25 EIANZ, *Submission 95*, p. 3.

26 G Wescott, 'Stimulating vertical integration in coastal management in a federated nation: the case of Australian coastal policy reform', *Coastal Management*, 37: 6, 2009, pp. 501-513 – *Exhibit 163*.

expressed, no specific federal funding was attached to its implementation. As the Victorian Government submission stated:

The Victorian Government acknowledges the work to date so far by the Federal Government in developing the National Cooperative Approach to Integrated Coastal Zone Management and supports the continuation of efforts to implement it across the states/territories. This could be strengthened with a definitive structure in place at a national level to support its delivery.²⁷

- 6.28 The federal department responsible for Australian Government interests in the coastal zone, DEWHA, noted that ‘an important shortcoming of the Framework is that it does not adequately address coastal development holistically’.²⁸
- 6.29 The Committee concludes that the implementation of the *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan* had clear problems, including:
- the lack of a definitive structure at a national level to support its delivery
 - the lack of funding attached to the framework
 - the lack of clarity regarding where responsibility lay for its implementation and lack of accountability in reporting and timeframes
- 6.30 The Committee fully endorses the concept of ICZM as central to best practice coastal zone management, and notes that the *National Cooperative Approach to Integrated Coastal Zone Management: Framework and Implementation Plan* was agreed to by Natural Resource Ministers throughout Australia. The Committee recognises this as a sign of strong cooperation between governments in integrated coastal zone management. The Intergovernmental Agreement on the Coastal Zone, to be recommended by the Committee, could usefully draw on this document, and the existing cooperative links between state, territory and local governments it represents.

27 Victorian Government, *Submission 90*, p. 9.

28 DEWHA, *Submission 103*, p. 8.

State and territory role in coastal zone management

6.31 As noted earlier, state and territory governments are primarily responsible for planning and management of the coastal zone. The Committee acknowledges that coastal governance arrangements and coastal planning policies vary considerably in each state and the NT. Not all jurisdictions have a coastal act and dedicated coastal governance body and not all have comprehensively updated their coastal planning policies to address the projected impacts of climate change on the coastal zone. As the Australian Network of Environmental Defender's Offices (ANEDO) commented:

Common themes can be observed from the overview of state and territory approaches:

- not all states have a key coastal protection Act, and in many states planning and resource legislation regulate the most significant impacts on the coast
- detail is mostly delegated to policies, manuals and guidelines (subordinate to legislation);
- multiple layers of policies exist, and the status of some initiatives is unclear;
- while policies may be sound, implementation may be poor, or policy considerations can be easily discounted by other considerations (for example a decision maker may need only "have regard to" a policy rather than actually implement it). Aspirational principles in guidelines may be difficult to enforce;
- local implementation may be hindered by limited resources, and lack of appropriate data; and
- many different coastal management/advisory bodies exist with varied effectiveness.²⁹

6.32 Over the course of the inquiry, many states were actively reviewing their coastal zone management policy frameworks to incorporate revised planning arrangements for coastal climate change impacts and adaptation.

6.33 While not having scope to comment on each state's coastal governance structure, the Committee conveys concerns about two aspects of state coastal policy that were drawn to its attention during the inquiry process. Firstly, there was concern about Queensland's injurious affection provision:

there is a peculiarity in Queensland planning legislation known as injurious affection, whereby in simple terms if a local government seeks to change the designation or the zoning, as it used to be

referred to, in relation to a particular block of land then the owners of that block of land have an avenue to compensation.³⁰

- 6.34 Secondly, there was also concern, particularly from environmental and community groups, about the NSW planning minister's call-in powers for major projects under part 3A of the *Environmental Planning and Assessment Act 1979* (NSW). As ANEDO commented:

A consequence of the listing of developments in the coastal zone as Part 3A projects ... is that developments that are likely to have the greatest impact on the coastal environment in NSW will be decided by the Planning Minister who determines the scope of any environmental assessment. This would be appropriate, provided that there is a clear process in place to ensure that environmental impacts are adequately considered, that the public is involved in the process and that concurrence is obtained from Minister for Climate Change, Environment and Water. This is not currently the case.³¹

- 6.35 This issue was of particular concern to the Catherine Hill Bay Progress Association and Gwandalan/Summerland Point Action Group.³²
- 6.36 The Committee received comprehensive descriptions of coastal governance arrangements across jurisdictions from each of the states and the NT,³³ as well as a useful summary of these arrangements in the submission from ANEDO, and in Ms Barbara Norman's recent international coastal governance comparison study.³⁴ This information is set out in Appendix F of this report. The Committee noted the strengths of South Australia's coastal governance model.³⁵ Another example of best practice ICZM frequently drawn to the Committee's attention was the Victorian Coastal Strategy.

30 Dr Skull, Sunshine Coast Regional Council, *Transcript of Evidence*, 28 April 2009, p. 51.

31 ANEDO, *Submission 73*, pp. 15-16.

32 See Catherine Hill Bay Association and Dune Care, *Submission 75* and Gwandalan/Summerland Point Action Group, *Submission 66*.

33 For more information see submissions from state and NT governments.

34 B Norman, *Planning for Coastal Climate Change: an Insight into International and National Approaches*, Victorian Department of Sustainability and Environment and Department of Planning and Community Development, 2009 – *Exhibit 176*.

35 SA Government, *Submissions 88 and 88a*.

Victorian Coastal Strategy

- 6.37 Several stakeholders pointed to the model of coastal governance in Victoria under the Victorian Coastal Strategy 2008, as developed by the Victorian Department of Sustainability and Environment and the Victorian Coastal Council:

What works ... is that it is an integrated strategy. It looks at social impacts as well as environmental impacts. One of the overriding objectives of the coastal strategy in previous iterations has been restriction of further development to within existing settlement boundaries. I think that is a very good principle where possible. Establish boundaries where settlement can occur and maybe move towards an increased density or allow increased densities within those existing settlement boundaries, because this helps to protect the areas of natural coastline in between the settlements. I see this as being effective in the long term.³⁶

- 6.38 The Committee commends the Victorian model and believes that the integrated nature of the strategy is of major importance in establishing best practice coastal management. The Committee further believes that this model could be effectively implemented across Australia's coastal zone. Figure 6.1 provides an outline of the key aspects of the Victorian Coastal Strategy 2008.
- 6.39 The Committee was also impressed by the coastal governance structures in Victoria. Under the *Victorian Coastal Management Act 1995*, the Victorian Coastal Council is appointed as the peak body for the strategic planning and management of the Victorian coast, and provides advice to the Victorian Minister for Environment and Climate Change. The council also has three regional boards: the Western Coastal Board, the Central Coastal Board and the Gippsland Coastal Board. These boards work to ensure coordination, planning and management of the coast and marine environment for long term sustainability along Victoria's coastal zone region. The boards are responsible for developing Coastal Action Plans that guide the implementation of the Victorian Coastal Strategy and approved coastal policy in the regions. The boards do not have core works budgets but seek funding for specific projects and research. The boards

36 Mr Stokes, NSCT, *Transcript of Evidence*, 26 March 2009, p. 9.

also seek partnerships with organisations in order to maximise resources.³⁷

Figure 6.1 Victorian Coastal Strategy 2008

The Victorian Coastal Strategy 2008 provides an integrated management framework for the coast of Victoria. It is established under the Coastal Management Act 1995. The Act directs the Victorian Coastal Strategy to provide for long-term planning of the Victorian coast for the next 100 years and beyond.

The purpose of the strategy is to provide:

1. a vision for the planning, management and use of coastal, estuarine and marine environments
2. the government's policy commitment for coastal, estuarine and marine environments
3. a framework for the development and implementation of other specific strategies and plans such as Coastal Action Plans, management plans and planning schemes
4. a guide for exercising discretion by decision-makers, where appropriate.

Structure

A hierarchy of principles sets the foundation of the strategy. The hierarchy of principles provides the basis for a series of policies and actions to guide planning, management and decision-making on coastal private and Crown land, as well as in coastal catchments, estuarine and marine waters.

Hierarchy of principles for coastal, estuarine and marine environment planning and management:

1. Provide for the protection of significant cultural and environmental values.
2. Undertake integrated planning and provide clear direction for the future.
3. Ensure the sustainable use of natural coastal resources.
4. Ensure suitable development on the coast.

Scope

This strategy applies to all Victorian coastal waters (i.e. the sea and seabed to the state limit—three nautical miles or 5.5 kilometres off shore) and all private and coastal Crown land directly influenced by the sea or directly influencing the coastline.

This strategy is a policy document intended for use by coastal, estuarine and marine planners, and managers. As the government's framework for the long-term stewardship of the Victorian coast, the application of this strategy relies on effective partnerships between stakeholders.

This strategy gives direction for planning and managing the impacts of activities on and in the:

- marine environment—includes the near shore marine environment, the seabed and waters out to the state limit or 5.5 kilometres.
- foreshore—on coastal Crown land 200 metres from the high water mark
- coastal hinterland—on private and Crown land directly influenced by the sea or directly influencing the coastline and land within critical views of the foreshore and near shore environment
- catchments—feeding rivers and drainage systems and including estuaries

The strategy addresses all activities or processes that may impact on coastal and marine areas.

Ecologically sustainable development

Also underpinning this strategy is the Victorian Coastal Council's commitment to ecologically sustainable development which is influenced through integrated coastal zone management, ecosystem-based management and adaptive management.

37 Victorian Coastal Council website accessed 15 September 2009
<<http://www.vcc.vic.gov.au/index.htm>> Central Coastal Board website accessed
15 September 2009 <<http://www.ccb.vic.gov.au/about.html>>

The key concepts are:

- Ecologically sustainable development (ESD) which incorporates caring for the environment, economic performance and social responsibility, often called the triple bottom line.
- Integrated coastal zone management (ICZM) which integrates coastal planning and management across the land and sea and the private and Crown land interfaces. It also integrates the activities of:
 - various government agencies, industry, non-government organisations and communities along the coastal zone (horizontal integration)
 - Commonwealth, state and local government and the community (vertical integration).

The Australian Government's framework for a national cooperative approach to integrated coastal zone management (2006) outlines national priorities and sets the scene for an agreed approach on ICZM in each state.

- Ecosystem-based management (EBM) which protects and manages the environment, recognising that humans and human needs are an integral part of the system.
- Adaptive management which learns from the current management activities to inform and improve the next phase of management. It is systematic and means continuously improving our planning and management approaches.

The Victorian Government is also undertaking a 'Future Coasts' project, working towards preparing Victorian coasts for the impacts of climate change. The 'Future Coasts' project involves significant vulnerability assessment of the coastline in that state and will provide information that will support the Victorian Coastal Strategy.

Source Victorian Coastal Council website <<http://www.vcc.vic.gov.au/2008vcs/purpose.htm>>

Local government role in coastal zone management

6.40 Local government is often referred to as being the front line in coastal zone management. The Committee heard throughout the inquiry that capacity building, as well as increased resourcing, is urgently required to improve local government's ability to manage the coastal zone effectively. It was noted that 'many councils are struggling to attract and retain staff that have enough knowledge and experience to manage their coasts. Without technical support at the state level for these council officers many poor decisions can be made'.³⁸ As the Local Government Association of Tasmania (LGAT) stated in its submission to the inquiry:

Professional support and training for Local Government to build capacity to address as well as financial assistance is required. Such assistance across all of Local Government would enable a consistent approach to the delivery of Federal and State climate change agendas.³⁹

6.41 Similarly, ALGA stated:

38 DHI, *Submission 101*, p. 1.

39 LGAT, *Submission 86*, p. 9.

The effective management of anticipated climate change impacts in the coastal zone will require significant additional capability and resources. Local government, as the key planning and management agency over much of the coastal zone, must be adequately equipped to ensure effective responses to these difficult challenges.⁴⁰

6.42 The Queensland Government drew out the issues in its submission:

not all local governments have the capacity, expertise and resources to adequately address the impacts of climate change through the planning process, management activities and capital works. In particular, there are likely to be significant financial costs associated with the need to undertake 'coastal hardening' (build or upgrade shoreline protective structures to protect infrastructure and other development from increased erosion as a result of climate change).⁴¹

6.43 The pressures on coastal councils due to 'sea change' population growth were outlined to the Committee by the NSCT:

Coastal communities are attempting to deal with extraordinary growth pressures but research conducted for the Taskforce has shown that coastal councils do not have the resources necessary to keep pace with this demand.⁴²

6.44 In particular, as the Committee heard from a number of local councils, the provision of infrastructure to meet demand associated with growth pressures is an issue facing coastal councils throughout Australia. ALGA noted that local government requires 'increased capability and resources for planning and design of new infrastructure, and hardening of existing infrastructure'.⁴³

6.45 In its submission, the NSCT proposed a Community Infrastructure Fund be established to assist local government authorities in rapid growth coastal areas in meeting infrastructure demands:

The primary purpose of the new Fund would be to ensure that rapid-growth LGAs are able to meet increasing demand for community infrastructure generated by population and tourism growth. Projects undertaken with Community Infrastructure

40 ALGA, *Submission 14*, pp. 5-6.

41 Queensland Government, *Submission 91*, p. 9.

42 NSCT, *Submission 79*, p. 8.

43 ALGA, *Submission 14*, p. 5.

Funding would publicly highlight the Australian Government's role in supporting rapidly-growing coastal communities.⁴⁴

- 6.46 The Committee was pleased to note that, during the course of the inquiry, additional funding had been provided to local councils experiencing high population growth through a series of new funding programs.
- 6.47 The Regional and Local Community Infrastructure Program delivers major investments in regional and local community, recreational and environmental infrastructure initiatives.⁴⁵ In June 2008, the Australian Government also announced a \$220 million injection into the Regional and Local Community Infrastructure Program, with \$100 million being allocated to all 566 of Australia's councils on a formula basis and \$120 million for larger Strategic Projects being available on a competitive basis. Under this funding formula, all councils received a base grant of \$30,000, and the 105 councils classified as urban fringe or urban regional and that have at least 30,000 residents received an additional growth component of \$150,000.⁴⁶
- 6.48 The Committee notes the recommendation from Professor Thom to:
- examine the diversity of funding mechanisms available to coastal local councils in the different Australian states to determine if there is need for a COAG agreement or some grant mechanism to ensure councils have a stronger and consistent capacity to manage the challenges of population growth and demographic change as well as other challenges.⁴⁷
- 6.49 The issue of local government capacity building and resourcing is much broader than this inquiry's terms of reference. The Committee believes, however, that further capacity building in coastal local councils will be significant in achieving effective coastal zone management.
- 6.50 As discussed in Chapter 5, the Committee recommends better monitoring of coastal demographic and population growth and for this to be taken into account in local government funding arrangements and provision of services.
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44 NSCT, *Submission 79*, p. 27.

45 Media release, the Hon Anthony Albanese MP, Minister for Infrastructure, Transport, Regional Development and Local Government and The Hon Gary Gray AO MP, Parliamentary Secretary for Regional Development and Northern Australia, 13 May 2008, 'New direction for regional Australia'.

46 Media release, the Hon Anthony Albanese MP, Minister for Infrastructure, Transport, Regional Development and Local Government, 24 June 2008, 'Councils receive \$441 million from the Rudd Labor Government'.

47 Professor Thom, *Submission 6*, p. 16.

Recommendation 38

6.51 The Committee recommends that the Australian Government request that the Centre for Excellence for Local Government ensure a particular focus on capacity building for coastal local councils. Capacity building should focus on addressing issues relating to:

- population growth pressure
- planning and design of new infrastructure
- integrated coastal zone management
- climate change impacts and adaptation

Recommendation 39

6.52 The Committee recommends that the Australian Government give consideration to establishing a separate funding program for infrastructure enhancement in coastal areas vulnerable to climate change. Such funding should be provided according to a formula requiring contributions, either financial or in-kind, from state governments and relevant local government authorities.

Call for national leadership in coastal zone management

State and territory perspectives

6.53 A successful national approach to coastal zone management will require the agreement of the states and NT. The Committee noted a significant consensus among the states and the NT calling for a collaborative approach to coastal zone management. The Committee sees this as an important starting point for establishing more cooperative arrangements in coastal zone management.

6.54 The Northern Territory notes in its submission that:

National governance frameworks are essential to implementing a cross jurisdictional and national approach to coastal management and particularly, climate change. Across jurisdictional boundaries it is an ongoing challenge to ensure that conservation objectives

are complementary and that planning and management activities are coordinated. Inter governmental relationships need to be communicative and proactive in ensuring complementary 'on ground' actions. Government, industry and non government organisations (NGOs) need to be working together to make the most of common coastal climate change interests and requirements.⁴⁸

6.55 The South Australian Government, in evidence to the Committee, suggested:

there is a role [for the federal government], in having that conversation with the community, in having levels of conversation through different governments, with industry, and with the broader general public. So, for example, when the findings of the sea level rise advisory committee are available in South Australia, in all likelihood there will be some public meetings around what has been found, how the government plans to use that information, and how it will come about that the South Australian public will benefit from it.⁴⁹

6.56 The South Australian Government also pointed out, however, that while there may be some value from a 'toolbox' and some consistency of approach, regional variations in coastal and meteorological conditions would present challenges for implementation on a national basis.⁵⁰

6.57 The submission from Western Australia recognised a cooperative and collaborative approach as being:

essential to achieve timely understanding of the high-magnitude impacts of climate change on the coastal zone and coastal communities. A cooperative approach will require leadership and an appropriate structural arrangement such as is provided through the Council of Australian Governments (COAG) with input through Ministerial Councils and subcommittees such as the long-standing Intergovernmental Coastal Advisory Group (ICAG). The National Cooperative Approach to Integrated Coastal Zone Management (2006), prepared by ICAG on behalf of the Natural Resource Management Ministerial Council, is a good example of

48 NT Government, *Submission 106*, p. 26.

49 Ms Burch, SA Department of Environment and Heritage, *Transcript of Evidence*, 8 October 2008, p. 18.

50 Dr Townsend, SA Department of Environment and Heritage, *Transcript of Evidence*, 8 October 2008, p. 17.

what can be achieved in identifying priority actions across jurisdictions.

Such cooperation in identifying actions must be matched with an availability of funding and a transparent process by which all contributions are recognised and funds distributed. Tripartite agreements between the Commonwealth, the States and local governments are a strong means of achieving synergy in actions and an efficient use of resources. Only through a long-term inter-jurisdictional framework designed and implemented through cooperation, can effective actions, structural efficiency and accountability be achieved.⁵¹

6.58 Officials from the NSW Government expressed the view that:

There is an opportunity and a danger [in Commonwealth leadership]. The opportunity is some of those things I mentioned, the information base and how the Commonwealth can help to bring us to common understanding ... The Commonwealth could lead on developing the tools and approaches that we need. This is not a minor undertaking. The Commonwealth should not seek to impose a duplicate regulatory scheme on land use planning in the states. We already have an example under the EPBC Act of where we have got gross duplication of regulatory effort happening.⁵²

6.59 Representatives from the Tasmanian Government outlined three areas in which all three levels of government should work collaboratively:

The first is clarifying who is responsible for what in this space. ... each level of government [currently] seems to have a slightly different interpretation of who is responsible for what in the climate change space.

The second area is collecting the information that we need to make decisions. That requires a substantial investment across the country, and I know that some work is happening under COAG on adaptation which is suggesting that you could quite easily spend, in a very short period of time, upwards of a quarter of a billion dollars on better information and data collection to inform decision making in this space. That is an area we are passionately interested in.

51 WA Department of Planning and Infrastructure, *Submission 89*, pp. 20-21.

52 Mr Smith, NSW Department of Environment and Climate Change, *Transcript of Evidence*, 25 March 2009, p. 10.

The third area – which I believe in very strongly – is where the three levels of government have collectively failed to engage communities effectively. When we try to engage local communities on issues like adapting to the impact of climate change on coastlines, we tend to say, ‘Well, of course, you would be aware that model X from the IPCC projections say that, within this degree of likelihood, over this time period, there might be a rise by this many millimetres, plus or minus this percentage, and you must certainly be concerned about that.’ Of course, the response of coastal communities is: ‘We have no idea what that means for us. You have given us no information on which we can base decisions.’⁵³

6.60 The Queensland Government stated that it:

recognises the risks faced by coastal communities as a result of continued population growth coupled with the impacts of climate change. The Queensland Government is therefore progressing its own responses to address these risks but strongly supports collaboration of further actions that are mutually beneficial to both the Queensland and Australian Government.⁵⁴

6.61 The submission from the Queensland Government also suggested that nationally consistent coastal terminology would be of benefit to a more coordinated coastal management approach in Australia:

the Queensland Government supports a national approach towards creating an agreed set of definitions for the marine cadastre. A nationally consistent set of definitions for key coastal/marine terms will:

- reduce confusion across jurisdictions and policy/legislative instruments;
- facilitate a common/shared understanding;
- promote easier communication; and
- enable more effective and consistent legislation, particularly in relation to the definition and determination of legislative boundaries.⁵⁵

6.62 The Committee received evidence from the Victorian Government and the Victorian Coastal Council (the peak independent advisory body on coastal

53 Mr Johannes, Tasmanian Department of Premier and Cabinet, *Transcript of Evidence*, 28 January 2009, p. 38.

54 Queensland Government, *Submission 91*, p. 11.

55 Queensland Government, *Submission 91*, p. 9.

issues to the Victorian Government) and its three boards. The Victorian Coastal Council stated that:

Australians identify so clearly with the coast. I think because of that sense of connection to the coast there must be a sense of a tripartite approach. I do not think that the role of managing the coast sits clearly within any one level of government. There is a very clear need for a tripartite approach involving local, state and federal governments. The challenge is understanding and articulating what those roles are and which space we all work in.

I see this inquiry as an opportunity to progress an intergovernmental agreement, possibly through a COAG agreement, where we work to understand the responsibility of each jurisdiction and articulate within an agreement a commitment to working in each of those areas. By teasing through the roles and opportunities that each level of government has we then, by nature, start to strengthen the partnership between the three levels of government. ... When people talk about leadership from the federal government I really think it is about leadership in helping to drive a clear partnership approach between the three levels of government.⁵⁶

6.63 The submission from the Victorian Government outlined its view of the federal role in coastal zone management:

The Federal Government has a key role in facilitating relationships across jurisdictions and with major industry. It also has a key role in funding, research, monitoring and in providing benchmarks and consistency nationally.

The basic principle in determining the division between Federal and State responsibilities should be 'subsidiarity', that is that a function should be performed by the lowest level of government that can do it well.⁵⁷

6.64 The Committee notes the call for national leadership and a cooperative approach to coastal zone management arrangements from states and the NT. It was suggested that national leadership is required to build better relationships between the states and other non-government sectors, encourage community engagement, reduce complexity and fragmentation of governance arrangements around the country, and address the challenges of climate change in coastal communities. The Committee

56 Ms Mears, Victorian Coastal Council, *Transcript of Evidence*, 20 May 2009, p. 3.

57 Victorian Government, *Submission 90*, p. 5.

recognises the concerns of states and the NT about the need for a cooperative national approach to reduce rather than increase the complexity of current coastal governance arrangements and for such an approach to take into account the diversity across Australia's vast coastal zone.



Committee members meet with Northern Territory coastal stakeholders, following a public hearing in Darwin in August 2008

6.65 For example, as inquiry participants pointed out to the Committee, there is 'a very big difference about how we should manage a coastal zone in our heavily populated urban areas in capital cities and the less populated sea change communities, the unpopulated areas and those of high conservation value'.⁵⁸ Similarly, the NT Government emphasised the unique challenges facing northern Australia and also the relatively undisturbed nature of the Territory's coastline – much of the coastline is 'largely unpopulated, and remains remote and often inaccessible during the wet season':

Ninety percent of coastal waterways in the Northern Territory ... were classified as near pristine during the National Land and

58 Professor McDonald, *Transcript of Evidence*, 28 April 2009, p. 102.

Water Resources Audit ... This is a far higher percentage than any other state or territory, and much higher than the national percentage (of 50 percent).⁵⁹

- 6.66 The Committee further notes that, while the states and the NT have called for national leadership, they have expressed the desire for the Australian Government to lead the process of collaboration between the jurisdictions and introduce new consistency into coastal zone management rather than calling for a prescriptive top-down arrangement that would hand coastal zone management responsibilities to the Australian Government.

Local government perspectives

- 6.67 Views of local government largely echoed the states and NT in calling for national leadership and a cooperative and coordinated approach in coastal zone management. The submission from ALGA noted that:

climate change impacts will increase significantly over time, requiring altered governance and institutional arrangements. ALGA considers that immediate investigation of new nationally consistent governance and institutional options is required, in order to protect local governments, communities and developers. These options should include indemnification for planning decisions influenced by climate change considerations.⁶⁰

- 6.68 The submission from the Local Government Association of Tasmania (LGAT) stated that:

LGAT recommends strong cooperative partnerships between Local Government and Federal and State Governments on the provision that financial support to councils is provided and no further cost shifting to local government occurs ...

Local Government as the closest sphere of government to the community works on the front line for delivery of local, state and federal climate change agendas. They have a major leadership role to play in the delivery of programs and as such need to work closely on cooperative and collaborative programs with the Federal and State Government.⁶¹

- 6.69 Pittwater Council recommended that:

59 NT Government, *Submission 106*, p. 3, p. 11.

60 ALGA, *Submission 14*, p. 5.

61 LGAT, *Submission 86*, p. 8.

federal, state and local government tripartite agreements [be reintroduced] that include local government as an equal partner in the determination of planning, management and funding arrangements to sustainably manage coastal zone resources.⁶²

- 6.70 Mr Beresford-Wylie, Chief Executive of ALGA, while expressing desire for greater collaboration, stressed that:

From our perspective, local councils are very well placed to deal with the issue. Elevating it to a national level when there is a national entity involved in determining coastal development and management is probably not the direction to go in. We would seek greater clarity and a greater degree of collaboration between the three tiers of government in terms of the planning processes and the interaction between the EPBC and state legislation. Putting in place a national institution to look at coastal management is not something we think is necessary.⁶³

- 6.71 The Committee notes these comments from local government groups and acknowledges the importance of full involvement of local government on this issue, as the closest level of government to the community. The Committee considers that, without local government involvement, no cooperative coastal management strategy could succeed.

Stakeholder involvement and community skills, knowledge and engagement

- 6.72 Australians have a strong connection with the coast, and the engagement of stakeholders and the wider community in coastal zone management is essential. The preservation of the coast is to a large extent reliant on the understanding and commitment of the Australian community in terms of protecting the fragile ecosystems of the coastal zone.
- 6.73 Key coastal stakeholders include Indigenous communities, research bodies, industry, volunteer groups and the wider community.
- 6.74 The Northern Territory Government pointed to initiatives in integrated coastal zone management being undertaken by Indigenous communities:

Indigenous communities such as Yolngu and Yanuywar have recently undertaken 'Sea Country' planning to identify

62 Pittwater Council, *Submission 10*, p. 5.

63 Mr Beresford-Wylie, ALGA, *Transcript of Evidence*, 16 October 2008, p. 3.

management issues and strategies to support land and sea conservation and sustainable use, and to identify regional economic development and employment opportunities. These 'Sea Country' plans include coastal environments and estuaries. These plans, if adequately resourced, supported and integrated with government programmes, provide an avenue and exciting opportunity to implement integrated coastal management on indigenous land, and in the remote regions of the NT.⁶⁴

- 6.75 The Northern Land Council's Caring for Sea Country Program also aims to 'increase the capacity of local Indigenous communities to be involved in coastal and marine natural resource management'. The program involves assisting communities with planning and managing their sea country through workshops, ranger programs and research projects:

Ranger programs with sea management capacity have been created around the coast (including in Tiwi Islands, Wadeye, Borroloola and Maningrida) and there is high demand amongst Indigenous people for more of these programs. There are also now over 30 Indigenous community based land and sea management agencies in the NT.⁶⁵

- 6.76 Cooperation between all stakeholders in the coastal zone is required for effective management. The Northern Agricultural Catchments Council (NACC) noted that 'good inter-disciplinary coordination and diversification of economic activities (including better public consultation)' is required, and that 'partnerships with the private sector (coastal developers)' should be improved.⁶⁶

- 6.77 Research bodies also play a significant role in ensuring best practice coastal zone management in Australia, through high level research to provide the best possible information to decision makers. For example, the Reef and Rainforest Research Centre (RRRC) commented that:

In order to maintain the economic, social, cultural and environmental values of this region despite the rapidly increasing twin pressures of population growth and climate change, sound science must underpin effective management that achieves sustainable used of natural resources.⁶⁷

64 NT Government, *Submission 106*, p. 9.

65 NT Government, *Submission 106*, p. 10.

66 NACC, *Submission 25*, p. 5.

67 RRRC, *Submission 30*, p. 4.

6.78 Volunteer groups are also vital to the successful management of the coastal zone. As Dr Woehler of Birds Australia commented, volunteers carry out vital work that would otherwise represent a cost to government:

The people who go out and count [shorebirds] are volunteers, as are the people who go out and train other counters, other community groups, to get involved. There is an incredible network of volunteers that state, local and federal governments rely on in a de facto sense to collect the information that is then used to feed back into management and conservation measures.⁶⁸

6.79 The Committee commends the work undertaken by the Roebuck Bay Working Group, a locally-based organisation involved in the management of the bay on which Broome is located. The Committee was advised that the group, formed in 2004:

is made up of volunteers from the community, non-government organisations, government agencies, industry and business. The aims are to protect Roebuck Bay through a community based management planning process ...

... it does have penetration into the community. I have not had a member say that they want to leave. That was an indication of something quite fundamental about the group: they get the sense of managing a wetland, a sense of ownership and a sense of community. I think that is very unique to the Roebuck Bay Working Group.⁶⁹

6.80 The Committee was advised that the group has recently published Interim Management Guidelines, which will 'form the basis for a community based management plan for Roebuck Bay'.⁷⁰ The Committee notes that, without the interest and commitment of dedicated volunteers, there would be a vacuum in terms of a management plan in Roebuck Bay, and recognises that this community-based approach is vital to ensuring ongoing involvement and awareness of the public.

6.81 The Committee commends the work of coastal community volunteer groups around Australia's coast and notes the significant role they play in the management of the coastal zone.

6.82 In its submission to the inquiry, the Gippsland Coastal Board stated that '[c]ommunity understanding can ... be a critical driver in planning and

68 Dr Woehler, Birds Australia, *Transcript of Evidence*, 18 August 2008, p. 10.

69 Ms Curran, Roebuck Bay Working Group, *Transcript of Evidence*, 27 August 2009, p. 31, p. 32.

70 Roebuck Bay Working Group, *Interim Management Guidelines – Exhibit 178*.

management' in the coastal zone.⁷¹ The Committee agrees, and believes that community participation in coastal planning, management and monitoring is of particular importance. In order to utilise community skills and knowledge, volunteer groups and community based initiatives must be supported.



Committee members, invited panel members and audience at a public hearing for the coastal zone inquiry, held as part of the Coast to Coast Conference 2008 in Darwin, NT

6.83 Building community understanding, awareness and appreciation of coastal values and issues is essential to encouraging wider community engagement in coastal zone management. This is particularly important given the projected impacts of climate change that are likely to pose significant new challenges to coastal communities.

6.84 As the Lake Wollumboola Protection Association recommended:

A community education and engagement strategy for coastal communities should be a major priority of Coastal Policy. Such a strategy should aim to increase understanding of the impacts of population increase, development and climate change on the coastal environment and on coastal communities and to gain

71 Gippsland Coastal Board, *Submission 38*, p. 2.

support for and engagement in Government action to address the emerging problems and assist in reducing community conflict surrounding environment protection.⁷²

6.85 This point was reiterated by a representative of the South Australian Department of Environment and Heritage:

if the community were engaged across the nation it would help there to be greater recognition of the issues that we face. Then there would be more acceptance of the changes that need to happen to the planning system and in other places.⁷³

Recommendation 40

6.86 **The Committee recommends that the Australian Government undertake an awareness campaign to alert coastal communities to the key challenges facing the coastal zone and the value of community engagement in addressing these challenges. The campaign should aim to build understanding and awareness of coastal management issues to encourage the continued membership and support of volunteer networks in the coastal zone.**

Recommendation 41

6.87 **The Committee recommends that the Australian Government nominate 2012 as the Year of the Coast, to further build community awareness about the issues facing the coastal zone. The Australian Government should work with coastal stakeholders, volunteer groups and the general community in determining key activities as part of this initiative.**

Communication and information sharing

6.88 Collecting information, undertaking research and monitoring results is essential to best practice coastal zone management. Information should be

72 Lake Wollumboola Protection Association, *Submission 84*, pp. 10-11.

73 Mr Huppatz, SA Department of Environment and Heritage, *Transcript of Evidence*, 8 October 2008, p. 18.

collected across disciplines, across a wide range of areas, to enhance decision making and planning.

6.89 As the NT Government noted to the Committee:

effective management of the coastal zone requires that those developing or making policy decisions in coastal areas have access to diverse types of information including social, cultural, economic, ecological, biophysical and geophysical information and data.⁷⁴

6.90 Professor Thom noted 'the urgency to establish a comprehensive coastal information centre which can offer both technical and funding support to local authorities and others managing the coast'.⁷⁵ Professor Thom further commented that:

State, regional NRM entities, and especially local councils, do not have the resources to provide continuity of policy thinking, of technical and information back-up, and of funding to meet the challenges of population growth, infrastructure needs and how best their communities can adapt to climate change, especially the insidious effects of rising sea levels. To this end, coordinated use of national R&D facilities such as CSIRO, AIMS, and Geoscience Australia, will be vital in providing information and decision-support tools for application at local and regional levels ...

Technical expertise must be available at a national centre to assist decision makers with modelling and collection of field data relevant to ICZM, including modelling probabilities of inundation and shoreline change for different sections of the Australian coast.⁷⁶

6.91 Similarly, the Commonwealth Scientific and Industrial Research Organisation (CSIRO) noted that:

A nationally consistent coastal information system is required to support planning and management decisions and policy development by providing scenarios which incorporate the potential impacts of different population growth projections, climate change and changes to economic conditions.⁷⁷

74 NT Government, *Submission 106*, p. 27.

75 Professor Thom, *Submission 6*, 18.

76 Professor Thom, *Submission 6*, p. 2, p. 18.

77 CSIRO, *Submission 49*, p. 34.

- 6.92 Information relevant to coastal zone governance spans environmental research, climate change science and adaptation, and management and planning information. Scientific and technical information can determine the potential environmental and economic impacts of proposed development within the coastal zone. However, broader information is required to determine its appropriateness. As such, social and cultural dimensions must also be considered.⁷⁸
- 6.93 The Committee believes that all of this information should be publicly available to coastal stakeholders and the wider community through the proposed National Coastal Zone Database, as discussed in Chapter 3 of this report.

Recommendation 42

- 6.94 **The Committee recommends that the National Coastal Zone Database be expanded over time to include information on environmental data and management and planning information relevant to the coastal zone.**
- 6.95 The Committee was also interested in the concept of an Australian Coastal Alliance, as proposed by the National Sea Change Taskforce (NSCT), to provide a national information and communication interface between coastal planners and managers and research organisations such as CSIRO and the universities:

The Taskforce ... proposes that an effective interface between key stakeholder groups with a role in coastal planning and management be created through the establishment of an [Australian] Coastal Alliance. This concept has been explored by a working group representing the National Sea Change Taskforce, NRM groups, CSIRO and the Centre for Resource and Environmental Studies at the Australian National University. Such a body would provide a much-needed interface between key stakeholder groups such as coastal councils, NRM groups, research organisations and others with a role in coastal planning and management. It could also provide informed input into Australian, State and Territory coastal policy development. It is proposed that the [Australian] Coastal Alliance be supported by the Australian Government.⁷⁹

78 Victorian Coastal Council, *Victorian Coastal Strategy 2008*, Victorian Government, 2008, p. 41.

79 NSCT, *Submission 79*, p. 6.

- 6.96 The Committee understands that the initial phase of the Australian Coastal Alliance was launched in March 2009, as part of the 2009 Australian Coastal Councils Conference. The draft vision and mission statement for the Australian Coastal Alliance are as follows:

The vision is –

To be the national information and communication interface between local government authorities, NRM groups and research organisations.

The draft mission statement indicates that –

The Australian Coastal Alliance will bring together stakeholders with a common interest in achieving sustainability of Australia's coastal zone through:

- acquisition of information and dissemination of knowledge required to achieve the sustainable use and management of coastal Australia;
- advising on the research needs of end-users, including communities, decision-makers and policy-makers responsible for coastal planning and management⁸⁰

- 6.97 A steering committee for the alliance has also been established to further develop the alliance's role and mode of operation. The Australian Coastal Alliance seeks to 'focus future research efforts on the priority information needs of coastal councils and other government agencies involved in coastal planning and management' and 'reduce the amount of duplication in research effort and gain the most value from research expenditure'.⁸¹
- 6.98 The Committee supports the establishment of the Australian Coastal Alliance and commends the NSCT and other stakeholders for progressing this initiative. The Committee believes that such a body will play a valuable role in encouraging information exchange between the research community and coastal stakeholders and agrees that the Australian Coastal Alliance merits funding support from the Australian Government.

80 NSCT website accessed 20 August 2009
<<http://www.seachangetaskforce.org.au/Conference2009/ReportCoastalCouncilsConference%202009.pdf>>

81 NSCT website accessed 20 August 2009
<<http://www.seachangetaskforce.org.au/Conference2009/ReportCoastalCouncilsConference%202009.pdf>>

Recommendation 43

- 6.99 **The Committee recommends that the Australian Government provide funding support for the ongoing activities of the Australian Coastal Alliance in providing a national information and communication interface between research organisations and local government authorities and other coastal stakeholders.**

Other models for coastal zone management

- 6.100 The Committee received evidence from a number of coastal management experts as well as other stakeholders suggesting alternative models for coastal zone governance arrangements in Australia.
- 6.101 There is a broad consensus amongst this group that many of the challenges of the coastal zone, not least the particular challenges posed by climate change, will only be met by national leadership in coastal zone management.

Dr Wescott: national coastal policy

- 6.102 In his submission to the inquiry, Dr Wescott put forward a proposal for a national coastal policy, incorporating four key elements:
- a National Ocean and Coasts Act;
 - a statutory Australian Coastal Strategy;
 - a statutory Australian Coastal Council;
 - a Coastal Resourcing Policy which provides at least matching national funds for infrastructure and community projects that is consistent with the Australian Coastal Strategy (which in turn would be based on ICZM and Ecologically Sustainable Development, ESD, principles).⁸²
- 6.103 Dr Wescott went on to define the need for each of the proposed four elements of this national coastal policy:

This Act would clearly establish and codify the national governments role in CZM ...

national legislation [would] ... link coastal zone policy (a predominantly State level responsibility) with oceans planning

82 Dr Wescott, *Submission 60*, p. 2.

and management policy (a national level responsibility) - an element of 'horizontal integration' in the language of ICZM - through integrated oceans and coastal management ...

Australia needs a distinctive and separate piece of legislation if it is to achieve both the integration of coastal zone and oceans management and to adequately plan and manage the coast in a time of intensive pressure on the coastal environment through increased coastal development and potential impacts of human - induced climate change.⁸³

- 6.104 Dr Wescott drew on a previous research paper to outline the need for a national coastal council:

The Council would recommend the appropriate (most effective and efficient) level of government to deal with these major issues and solutions and to propose mechanisms for the federal funding of these solutions. Hence a diverse, community-focussed, well respected group of individuals with well recognised long-term experience in coastal affairs would lead a discussion on the future of Australia's coast. The strong emphasis in these discussions would be on identifying solutions and how to implement and fund these solutions.⁸⁴

- 6.105 Dr Wescott noted that there is little likelihood of established sector-based agencies implementing a national coastal strategy unless it is written with considerable direct public input. This input would give the community some 'ownership' and encourage a sense of stewardship of the coast by the community. The resultant strategy would establish the basis for uniform standards and delivery of coastal planning approaches nationally.⁸⁵

- 6.106 His submission further suggested that:

the national government needs to provide funds (possibly matching funds) on a long term secure basis to ensure there is adequate resources and infrastructure to meet the two great coastal challenges of the next decade: coastal development and potential impacts of climate change (sea-level rise, increased storm surge and cyclone activity).⁸⁶

83 Dr Wescott, *Submission 60*, p. 3.

84 Dr Wescott, *Submission 60*, Appendix A, p. 8.

85 Dr Wescott, *Submission 60*, p. 3.

86 Dr Wescott, *Submission 60*, p. 4.

6.107 In evidence to the Committee, Dr Wescott explained that:

I think there is a very strong federal role to be played there. What might it entail? ... I think it is important that it is not perceived or seen in any way as some kind of federal takeover. As I said in my submission and in several of my papers we really want the decisions made at the lowest possible level of government which still protects the wider public interest. That is the interplay between the various issues that come up.⁸⁷

Professor Thom's five-step model

6.108 Professor Thom emphasised his view that national leadership is required in coastal zone management:

we have reached a stage when Commonwealth leadership in CZM is vital. Coastal problems are national, not just state or local. They do have, of course, state, regional and local manifestations. However, the implications of climate change, population growth and demographic change, and infrastructure needs do require, in my view, national direction and technical and financial support. I will argue that sustainable solutions for many of these problems risk being limited in time and location unless the Commonwealth can offer leadership in the form of consistent guidance and support to achieve sustainable outcomes of benefit to local economies, environments and social interests.⁸⁸

6.109 His submission proposed for a five-step model for national leadership in coastal zone management, drawing particular attention to the need for national coastal zone management legislation and policy. The proposed five steps are:

- A Commonwealth National Coastal Policy, to be developed in consultation with the states and local government through COAG, that defines the national need for direction and sets out the principles, objectives and actions that a federal government must undertake to address the challenges of ICZM for Australia.
- ... enacting a CZM Act which establishes its interest in the coastal zone across all areas of national interest (not exclusively environmental) ... to include indemnification provisions for actions taken in good faith by public authorities that have followed agreed national guidelines and criteria similar to

87 Dr Wescott, *Transcript of Evidence*, 20 May 2009, p. 62.

88 Professor Thom, *Submission 6*, pp. 1-2.

provisions in s 733 of the NSW Local Government Act 1993 (as upheld by the High Court in 2005).

- Establish within an existing federal agency a Coastal Division ... responsible for coordination of federal interests including the monitoring of environmental conditions using a scheme of Environmental Accounts; recei[pt] and evaluat[ion of] requests for financial and other assistance to assist states, regional entities and local government in CZM following agreed national guidelines and criteria including those linked to potential impacts of climate change; and following consultation with other federal agencies as appropriate, recommend to a designated Minister grants for approval.
- ... enable a federal science agency to serve as the manager of a National Coastal Information System (NCIS) ... to fund new science on coastal physical, economic and social systems.
- Establish an external Coastal Advisory Council consisting of various stakeholder interests, to review and to offer technical advice on all activities under the Policy and the CZM Act, and the effectiveness of the NCIS and monitoring; ... report[ing] to COAG through a designated Federal Minister.⁸⁹

6.110 Professor Thom noted that introduction of these five steps would enable a national approach to ICZM that goes beyond the framework document agreed by NRM Ministers in 2006. He also noted that if legislation were to be enacted, it should be *new* legislation, as the scope of the EPBC Act limits the ability of the Australian Government to directly support coastal programs across the range of coastal zone management interests.⁹⁰

6.111 In evidence to the Committee, Professor Thom suggested that a COAG agreement on coastal zone management was required:

I think there needs to be a national approach. I think first of all you do need a COAG agreement and you need some form of agreement that brings together the issues that you are considering.⁹¹

6.112 The Committee also notes recommendations put forward at the 17th NSW Coastal Conference in 2008 and provided to the Committee by Professor Thom – see Figure 6.2.

89 Professor Thom, *Submission 6*, pp. 19-20.

90 Professor Thom, *Submission 6*, pp. 19-20.

91 Professor Thom, *Transcript of Evidence*, 26 March 2009, p. 52.

Figure 6.2 Recommendations 1-6 of the 17th NSW Coastal Conference 2008

1. Federal and state governments work together to provide strong leadership on climate change in relation to coastal environments and communities with the intent to develop consistent intergovernmental coastal legislation on adapting to climate change.
2. Federal and state governments to develop together on-going support programs for observations, research and education at all scales (including local) to facilitate and assist communities to understand coastal decision making.
3. Federal government through its involvement with IPCC and other mechanisms benchmark what other countries are doing in relation to adapting to climate change in coastal areas and to communicate that information through COAG to ensure adoption of management and planning practices most appropriate to particular areas.
4. Short, medium and long-term coastal planning goals and management systems be determined through the COAG framework and backed by policy, legislation and investment involving all levels of government.
5. National leadership is required for consistent and relevant monitoring, evaluation, reporting and perpetual storage of data relevant to coastal planning and management and where possible incorporated into a centralised portal; this recommendation should be driven through COAG with agreements on resourcing between all levels of government and involving CMA's.
6. A national integrated coastal policy be developed by a National Coastal Commission (to include representatives of all levels of government and other independent experts) that would provide consistent planning standards to take account of climate change impacts on ecosystems of high conservation value and areas of vulnerability to erosion, inundation and other forms of damage to private and public assets.

Source Professor Thom, 'Responses from 2007 resolutions and recommendations from the 17th NSW Coastal Conference 2008', p. 2—Exhibit 76

Australian Network of Environmental Defender's Offices

6.113 The submission from the Australian Network of Environmental Defender's Offices (ANEDO) recommended framework legislation for coastal zone management that could then be applied in the jurisdictions:

ANEDO recommends the development of a federal coastal framework, established by a COAG agreement and legislation.

Elements to be addressed in the framework include:

- improved cohesion and consistency of approach across jurisdictions, driven by an enhanced federal role;
- an integrated management approach taking into account all activities and impacts (and management) within the coastal zone;
- clarification of roles, responsibilities and resourcing of different agencies involved at different levels in coastal management;

- additional guidance and resources for local councils at the front line of implementing measures to address population increase and climate change;
- application of EIA [environmental impact assessment] and the principles of ESD;
- comprehensive vulnerability and risk assessment;
- Audit and proper valuation of environment and community assets in the coastal zone; and
- Collation of baseline data and modelling.⁹²

6.114 In evidence to the Committee, Mr Smith of ANEDO further elaborated on the need for framework legislation:

[Framework legislation] ... would set out who was responsible for what and what the rules were at the strategic planning stage and also at the development control stage. The details would be embedded further down in regulations and perhaps even guidelines ... You could use those more flexible instruments such as guidelines to set your lines in the sand, so to speak, as appropriate. What is an appropriate line for Western Australia is not going to be the same for New South Wales. At least you have that overarching legislation that holds the whole scheme together in that you do know what the general rules are in each of those areas.⁹³

Regional planning

6.115 Some inquiry participants pointed to regional planning as a useful model to draw upon in achieving best practice coastal zone management. Regional planning aims to provide an overarching framework for management of development at a regional level, taking in the catchment-coast-marine continuum and addressing the full extent of management concerns in coastal regions. An integrated approach, incorporating socioeconomic, infrastructure, planning and environmental concerns, is seen as essential to addressing the many challenges of coastal zone management. The South East Queensland Regional Plan, released in 2005, was seen as representing a useful model in this regard:

What distinguishes the SE Queensland Regional Plan from most other regional planning schemes is an accompanying infrastructure plan, which allocated \$55 billion to meet the cost of

92 ANEDO, *Submission 73*, p. 55.

93 Mr Smith, ANEDO, *Transcript of Evidence*, 26 March 2009, pp. 29-30.

infrastructure and services that would be required by the expanded population in the region. The plan included funding for infrastructure and services such as roads and public transport, social and community infrastructure, energy networks, water infrastructure and health facilities.⁹⁴

6.116 The Planning Institute of Australia (PIA) also highlighted the inclusion of socioeconomic as well as environmental considerations in the SEQ Regional Plan, noting that the plan ‘guides long term development for the region, co-ordinates infrastructure and addresses environmental impacts of growth.’⁹⁵ Ms Norman, from RMIT University, recommended ‘that “sustainable regional plans” for managing urban growth and infrastructure be recognised as a key policy instrument in implementing integrated coastal management.’⁹⁶

6.117 Professor Thom also recommended that the SEQ regional planning model be examined by the Committee:

with a view to determining the effectiveness at a national level of a regional model that integrates land use planning, natural resource and conservation planning and management, monitoring, and infrastructure planning.⁹⁷

6.118 The Committee believes that a regional planning approach to coastal zone management will be of significant importance in dealing with the particular challenges of climate change. Many of the impacts of climate change will be specific to the geographic and economic conditions of a region. An approach that addresses these impacts holistically across a region will be more successful due to its level of integration

6.119 The submission from the NT Government outlined the work that coastal Indigenous communities are undertaking in producing coastal regional plans:

While there are no coastal management bodies or authorities in the NT, Indigenous communities such as Yolngu and Yanuywar have recently undertaken ‘Sea Country’ planning to identify management issues and strategies to support land and sea conservation and sustainable use, and to identify regional economic development and employment opportunities. These ‘Sea Country’ plans include coastal environments and estuaries. These

94 NSCT, *Submission 79*, p. 9.

95 PIA, *Submission 51*, p. 5.

96 Ms Norman, *Submission 20a*, p. 2.

97 Professor Thom, *Submission 6*, p. 23.

plans, if adequately resourced, supported and integrated with government programmes, provide an avenue and exciting opportunity to implement integrated coastal management on indigenous land, and in the remote regions of the NT.⁹⁸

6.120 The NT Government further noted that:

The Caring for Sea Country Program developed by the Northern Land Council aims to increase the capacity of local Indigenous communities to be involved in coastal and marine natural resource management ... The program involves assisting communities with planning and managing their sea country through workshops, ranger programs, research projects, and assisting with accessing funding. Ranger programs with sea management capacity have been created around the coast (including in Tiwi Islands, Wadeye, Borroloola and Maningrida) and there is high demand amongst Indigenous people for more of these programs. There are also now over 30 Indigenous community based land and sea management agencies in the NT.⁹⁹

6.121 The NSCT identified five key challenges facing coastal communities in Australia, all of which they believe should be addressed in coastal regional planning to ensure ICZM – see Figure 6.3.

98 NT Government, *Submission 106*, p. 9.

99 NT Government, *Submission 106*, p. 10.

Figure 6.3 Key challenges facing coastal communities**Infrastructure**

All coastal councils report a shortfall in infrastructure and lack the capacity to finance these shortfalls through existing sources, such as grants, rates and developer contributions. There is a clear need to expand and upgrade services and infrastructure so that they are comparable to those in metropolitan areas. Gaps include insufficient physical infrastructure for existing and future population and visitor needs, including roads, sewer, water services and public transport.

Environment and heritage

Coastal environments are under significant pressure. Major environmental problems include habitat loss and fragmentation due to urban development and tourism, loss and degradation of coastal wetlands, change in hydrological systems and marine habitats, the introduction of exotic species, and erosion. Global climate change, particularly sea level rise, is likely to impact coastal environments in the near future.

Community wellbeing

Many non-metropolitan coastal communities are characterised by high levels of unemployment, lower than average household incomes, greater levels of socioeconomic disadvantage and higher numbers of seniors than other parts of Australia. Demand for new housing and holiday accommodation reduces affordable housing opportunities. There is a risk of social polarisation within many sea change communities.

Economy/Tourism

Increasing population growth and development activity in coastal areas is not translating to long term economic gains usually associated with population expansion. Many coastal communities are experiencing a decline in traditional resourced-based industries such as agriculture, fisheries and forestry. Coastal councils require assistance to manage this process of transition and its impact on environmental quality and character of their communities.

Governance

Sea change localities are subject to complicated, cross jurisdictional planning and management processes relating to coastal management and protection, natural resource management and heritage conservation, in addition to core land use planning and development responsibilities.

The research report reviewed Australian and State government policies, strategies and legislation relating to the planning and management of Australia's coastal areas and found that:

Commonwealth, State and local policy and planning instruments addressing the sea change phenomenon focus on biophysical aspects, particularly environmental protection and to a lesser degree, settlement structure and urban design. Social issues, such as building community cohesion, catering to the needs of aging populations, or housing affordability, are not well addressed within the scope of current policy or planning instruments.

Similarly, although some planning instruments aim to preserve agricultural land or to provide for tourism development, economic goals are not well-articulated or integrated within coastal policy and planning frameworks (though some of the local plans examined do contain economic objectives and strategies).

This failure to integrate social and economic objectives and strategies within coastal policies and the land use plans applying to coastal areas reflects broader difficulties associated with achieving the spectrum of sustainability goals. Given the evidence of social and economic disadvantage in sea change localities, and the likelihood that such disadvantage will continue without effective interventions, broadening coastal policy and planning processes to properly include social and economic dimensions is a priority.

Effective regional planning is widely regarded by representatives of sea change communities to be critical to the management of growth and change in these areas. Many sea change communities report that existing regional plans lack weight, are not consistently applied, or are out of date.

Source NSCT, Submission 79, pp.9-11

A new model for coastal zone management

- 6.122 As discussed in the previous chapter, major reviews of Australia's national environmental policies and legislation were underway at the same time as this inquiry, including a review of the EPBC Act, the Australian Government's central piece of environmental legislation, and the National Strategy for the Conservation of Australia's Biological Diversity, Australia's premier biodiversity conservation policy statement. These policies and legislation form the national framework for environmental governance in Australia.
- 6.123 The Committee expects that the revised policy and legislative framework arising from these major reviews will result in new approaches to managing the environment and promoting the concept of ecologically sustainable development. This should then flow through to new approaches to integrated coastal zone management. However, possible future changes to Australia's sustainability and environmental policy frameworks do not mean that action on the coastal zone can wait. The Committee believes that the time to act is now.
- 6.124 Given the projected severe impacts on the coastal zone from climate change as described in this report, and the urgent need for adaptation strategies and resilience building, any hesitation in addressing the issues concerning governance arrangements for the coastal zone could have severe consequences. As discussed in Chapter 2 of this report, the coastal zone, with the majority of Australia's population and infrastructure, is

projected to face the most severe impacts from climate change. A robust and cooperative governance structure covering the coast is therefore required to help the coastal zone adequately withstand these impacts. The Committee considers that the consequences of inaction are likely to be grave.

- 6.125 With the cooperation of all levels of government and in consultation with other stakeholders and the general community, we can develop a national coastal policy that works for all Australians.

Intergovernmental Agreement on the Coastal Zone

- 6.126 From the evidence it received throughout this inquiry, the Committee has identified 12 key challenges for improved coastal zone governance in Australia:

- involvement by the national government
- definition of roles and responsibilities for each different level of government
- improved cooperation and coordination action across jurisdictions
- need for a regional strategic approach
- better integration in environmental management of socioeconomic elements
- new governmental arrangements to encompass climate change impacts
- stakeholder involvement and community engagement, education and awareness
- improved coastal zone land use planning and population planning
- improved capacity building and resources
- improved communication and information
- a reduction in institutional complexity across jurisdictions
- improved monitoring and reporting

- 6.127 The Committee notes the overwhelming call from state, territory and local governments and other coastal stakeholders for the Australian Government to have a more clearly defined role in coastal zone management and to provide national leadership in this area through a cooperative approach.

6.128 As discussed, many inquiry participants pointed to the fragmentation, overlaps, complexity and lack of coordination in existing coastal zone policy and management in Australia. As the National Sea Change Taskforce summed up this matter:

there needs to be a review of the current institutional arrangements as they affect the coast because all levels of government, at this stage, have a finger in the governance pie. The existing institutional arrangements are confusing. There is a lot of duplication. Sometimes it is unclear who is responsible for what in terms of the planning and management along the coast.¹⁰⁰

6.129 The Queensland Government provided a useful outline of what the role of the Australian Government should be in providing national leadership in coastal zone management:

There is potentially a role for the Australian Government to:

- Lead the development of regional scale climate change projections in order to ensure consistency of approach and avoid duplication of effort;
- Lead the development of a set of nationally consistent default climate change scenarios for use in planning, particularly for sea-level rise;
- Coordinate and provide financial assistance for the development of a nationally consistent, high resolution merged topographic and bathymetric DEM for the coast and develop a set of nationally consistent definitions for coastal/marine terminology; and
- Lead the development of nationally consistent methodologies for assessing climate change risk and/or vulnerability;
- Collaborate and provide financial support for States and/or local government to undertake a suite of vulnerability assessments¹⁰¹

6.130 The Committee agrees that there is clearly a role for the Australian Government in providing national leadership in terms of coordinating accurate scientific information on climate change projections and impacts affecting the coastal zone and ensuring that everyone has access to the same information. The Australian Government also has a leadership role in establishing nationally consistent climate change benchmarks for coastal planning, particularly for sea level rise; coordinating national coastal vulnerability assessments to ensure consistency in coastal planning

100 Mr Stokes, NSCT, *Transcript of Evidence*, 26 March 2009, p. 2.

101 Queensland Government, *Submission 91*, pp. 3-4.

responses; developing appropriate information toolkits to assist in coastal climate change adaptation and integrated coastal zone management; and encouraging community input into national coastal zone policy, planning and management.

6.131 The Committee draws attention to the suggested delineation of responsibilities for state and local government in this area, as submitted by the Victorian Government. They suggest that:

Key roles for states include:

- Preparing land use planning systems for change
- Protecting public assets
- Building knowledge of climate change science and impacts and sharing information between stakeholders
- Identifying and managing risk
- Reducing risk taking
- Facilitating change on a large scale
- Providing emergency response and recovery arrangements
- Increasing local capacity to adapt to climate change

Key roles for local governments include:

- Understanding local vulnerabilities to climate change
- Informing the local community of the impacts of climate change
- Supporting local community groups
- Implementing statutory planning decisions
- Ensuring planning schemes take account of vulnerabilities¹⁰²

6.132 The Committee welcomes the cooperation of state and territory governments and support from local governments for a national cooperative approach to integrated coastal zone management, driven by national leadership. The Committee agrees that this is an issue of national importance and that the time to act is now.

6.133 The Committee has therefore concluded that an Intergovernmental Agreement on the Coastal Zone should be developed and agreed through COAG. This reflects the recommendation made by a number of inquiry participants, including the Victorian Coastal Council and Professor Thom, for a tripartite approach to the coastal zone, involving federal, state and local governments. As the Chair of the Victorian Coastal Council summed up:

I believe it is the essence of who we are. Australians identify so clearly with the coast. I think because of that sense of connection to

102 Victorian Government, *Submission 90*, pp. 5-6.

the coast there must be a sense of a tripartite approach. I do not think that the role of managing the coast sits clearly within any one level of government. There is a very clear need for a tripartite approach involving local, state and federal governments. The challenge is understanding and articulating what those roles are and which space we all work in.

I see this inquiry as an opportunity to progress an intergovernmental agreement, possibly through a COAG agreement, where we work to understand the responsibility of each jurisdiction and articulate within an agreement a commitment to working in each of those areas. By teasing through the roles and opportunities that each level of government has we then, by nature, start to strengthen the partnership between the three levels of government. That piece of work and that opportunity is quite a significant one. When people talk about leadership from the federal government I really think it is about leadership in helping to drive a clear partnership approach between the three levels of government.¹⁰³

- 6.134 The Committee further notes that the Intergovernmental Agreement on the Coastal Zone should address the key challenges for improved coastal governance in Australia outlined above and be supported by:
- a National Coastal Zone Policy and Strategy
 - a National Catchment-Coast-Marine Management Program
 - a Coastal Sustainability Charter
 - a National Coastal Advisory Council
- 6.135 The Committee notes the recommendations from a number of inquiry participants, as also reflected in past coastal inquiry reports, for a coastal act and statutory coastal council. The Committee believes that a National Oceans and Coast Act and a statutory coastal council should be the subject of ongoing consideration once the COAG Intergovernmental Coastal Zone Agreement is determined.

103 Ms Mears, Victorian Coastal Council, *Transcript of Evidence*, 20 May 2009, p. 3.

Recommendation 44

6.136 The Committee recommends that the Australian Government, in cooperation with state, territory and local governments, and in consultation with coastal stakeholders, develop an Intergovernmental Agreement on the Coastal Zone to be endorsed by the Council of Australian Governments. The intergovernmental agreement should:

- define the roles and responsibilities of the three tiers of government – federal, state and local – involved in coastal zone management
- include a formal mechanism for community consultation
- incorporate principles based on strategic regional coastal planning and landscape scale/ecosystem based coastal zone management
- include an effective implementation plan with resources allocated to ensure that objectives are realised
- be overseen by a new Coastal Zone Ministerial Council
- be made public

Recommendation 45

6.137 The Committee recommends that the Australian Government:

- ensure that the Intergovernmental Agreement on the Coastal Zone forms the basis for a National Coastal Zone Policy and Strategy, which should set out the principles, objectives and actions that must be undertaken to address the challenges of integrated coastal zone management for Australia
- establish a broad based National Catchment-Coast-Marine Management program to provide funding for initiatives relating to:
 - ⇒ sustainable coastal communities
 - ⇒ climate change and biodiversity
 - ⇒ implementation of projects to progress integrated coastal zone management
- establish a National Coastal Zone Management Unit within the

Department of Environment, Water, Heritage and the Arts to support the implementation of these national initiatives

- **develop a Coastal Sustainability Charter based on the Victorian Government model**

Recommendation 46

6.138 **The Committee recommends that the Australian Government establish a National Coastal Advisory Council to:**

- **provide independent advice to government**
- **advise the new coastal unit within the Department of the Environment, Water, Heritage and the Arts**
- **ensure community input into national coastal zone policy, planning and management**

Recommendation 47

6.139 **The Committee recommends that proposals for a National Oceans and Coast Act and a statutory Coastal Council be the subject of ongoing consideration once the Intergovernmental Coastal Zone Agreement is determined.**

