



# ACS

Australian Coastal Society Ltd

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## **Australian Coastal Society Submission to EPBC Act Review.**

**16<sup>th</sup> April 2020.**

**To:**

**EPBC Act Review Secretariat**

**Department of the Environment and Energy**

**GPO Box 787**

**CANBERRA ACT 2601**

### **Introduction**

The Australian Coastal Society (ACS) was established in 2008 to become the peak body to represent and protect through advocacy the Australian coast. The ACS is dedicated to healthy coastal ecosystems, vibrant coastal communities and the sustainable use of coastal resources. The ACS has an active membership base nationwide, comprising academics, consultants, public sector professionals and experienced community volunteers, who work in partnership with coastal stakeholders (including NRM organisations, research institutes and the public sector) to deliver positive outcomes for the Australian coastline.

The ACS was established to:

- promote knowledge and understanding of the environmental, social and economic value of the Australian coast,
- provide a forum for the exchange of ideas and knowledge among people involved in the management, planning and development of the Australian coast,
- contribute to international, national, state and local debates on coastal issues so as to foster rational, open decision-making in order to achieve sustainable use of coastal resources and responsible stewardship of coastal assets,
- improve public, government and industry understanding of the value of the Australian coast for individual and social well being, the need to maintain and improve coastal ecosystems, and to ensure the use of ecologically sustainable development practices,
- promote the protection and conservation of sites of environmental and cultural significance on the coast and in coastal waters,
- facilitate increased knowledge and skills of people working and studying in coastal natural resource management, planning, development and other relevant industries along the Australian coast,
- serve as a link between various Australian organisations and individuals with interests in the Australian coast,
- support national, state and local coastal conferences, and

- do all things necessary for and incidental to the advancement of those objects.

Further details on the Society and its activities are available at <http://australiancoastalsociety.org/>

We welcome the opportunity to provide a submission to the EPBC Act Review.

Members of the ACS sit on a range of committees and boards, and through these roles have contributed to a number of submissions to this review of the EPBC Act: for example, members have been involved in submissions by the *Wentworth Group of Scientists* and the *Western Australian Landcare Network (WALN)*. The ACS is fully supportive of these submissions, and we do not wish to repeat the points raised in those submissions here. Rather, we focus this short submission on one important and overarching recommendation: **the recognition and designation of the Australian Coastal Environment as being of National Environmental Significance (NES)**.

To set the context, we draw on a submission prepared by the ACS in 2011 to the *Inquiry into Australia's Biodiversity in a Changing Climate*. That submission first raised the importance of, and need for the Australian Coastal Environment to be recognised as of National Environmental Significance. The current EPBC review provides an important opportunity to return to the points first raised by the ACS in 2011, whilst providing further examples that demonstrate the importance and feasibility of this recommendation.

### **Australia's coastal environment**

The Australian coastal margin, and the species that depend on an intact, functioning coastal ecosystem are now in a worse condition than they were just a decade ago – there are fewer species, the species that are present show lower abundances, and a greater spectrum of threats of greater intensity and frequency are operating (Clarke and Johnson 2016). There has been a rapid and accelerating fragmentation of coastal ecosystems around much of Australia, particularly in the most populous southeast

The ever-increasing proportion of Australia's human population living in close proximity to the coast is the major contemporary contributor to these long-term, widespread decreases in Australia's coastal biodiversity (Creswell and Murphy 2016). The greater number of people, resulting in more vehicles, more predatory and disruptive domestic animals (e.g. dogs and cats), increased clearing of native vegetation for housing, associated infrastructure and aesthetics all result in a severely impacted, highly fragmented and diminished coastal margin, with many areas beyond rehabilitation and restoration.

The predicted impacts of climate change in particular sea level rise and resulting loss of coastal margins, especially sandy beaches, initially over the next 50 to 100 years and continuing beyond then, will compound existing conservation issues, and almost certainly result in the loss of numerous coastal species, many of which are coastal-obligate species that can only survive in coastal habitats. With no alternative habitats available, these species will be rapidly extirpated and pushed towards extinction.

A recent study in Tasmania highlighted the potential loss of coastal habitats and dependent species<sup>1</sup> that mirrored similar studies in the USA<sup>2</sup> and elsewhere in Australia (Clarke and Johnson 2016).

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<sup>1</sup> <https://coastadapt.com.au/case-studies/impact-sea-level-rise-coastal-natural-values-tasmania>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4435450/>

## Recommendation to the review

The ACS believes that the Australian coast must be formally recognised and designated as an ecosystem of national significance under the EPBC Act - a recommendation also put forward by the ACS in 2011 to the *Inquiry into Australia's Biodiversity in a Changing Climate*. The ACS believes that the recognition and designation are critical to ensure the survival of Australia's remarkable coastal habitats and the species dependent upon them.

This recognition and designation will improve our capacity to deal effectively with the threats to the coast and associated values, the potential loss of biodiversity, and work to conserve the ecosystem services and functions provided by Australia's coastal ecosystems. Formal recognition and designation will not in itself solve the problems associated with coastal management and conservation, but will ensure greater recognition of the critical habitats present on the coast, the species that are dependent upon these habitats and ecosystems, and the critical needs to ensuring that the coasts remain intact and fully functional for future generations of Australians

The Australian coast as a vital resource for economic and social prosperity has been a dominant focus guiding its management by State and local governments nationally since Federation. Its role as an ecotone (a transition zone between terrestrial and marine environments that provides critical ecological habitat for a broad spectrum of biota) has been largely forgotten. The coastal zone contributes to a wide range of ecosystem services such as nutrient cycling, species' nurseries, refugia for species and food production. Ecosystem services from coasts and wetlands have been valued amongst the highest economic values per unit area in global assessments of ecosystem services from natural systems (e.g. Costanza et al. 1997)

By formally identifying coastal areas as being of National Environmental Significance under Federal legislation, the Australian community can be in no doubt as to the multitude of values associated with the Australian coast and for the need to protect those values for future generations. Just as inclusion of the Australian marine environment as an NES has delivered positive environmental outcomes through the development of Marine Parks<sup>3</sup>, so too there is the urgent need to recognise the value of the Australian coastal environment.

Australia's terrestrial habitats meet and interact with Australia's marine habitats along the approximate 60,000 km of coastline. Australia's coast is under ever-increasing threat, as noted above, and there is a real and immediate risk that damage to the coast will result in damage to both terrestrial and marine habitats and species. The ACS has endorsed the guiding principles for marine and coastal management in Australia (Rodrigue 2018) – an evolving and rapidly maturing suite of principles that balance social, economic and environmental needs. We reproduce the Preamble to these guidelines here:

**Preamble:** *As marine and coastal practitioners we recognise Australia's diverse marine and coastal environments as ecosystems with intrinsic values that need to be cared for, wisely used, and effectively managed, to ensure these are sustained now and into the future.*

*These 10 guiding principles, intentionally broad, reflect current best practice in marine and coastal management. They provide guideposts for marine and coastal practitioners in the development of comprehensive, inclusive, and sustainable responses to the challenges of*

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<sup>3</sup> <https://parksaustralia.gov.au/marine/>

*managing Australia's coasts and seas, and offer points of reflection in the review of policies, plans, and programs.*

The ACS believes that Australia's coasts, and our society, would benefit from their widespread adoption and implementation at all levels of government and community.

In some Australian States, recent changes to State legislations have sought to strengthen the protection and enhancement of the natural coastal environment. In New South Wales, the *Coastal Management Act 2016* is supported by the State's *Environmental Planning and Assessment Act 2018* and State Environmental Planning Policy (SEPP) (2018) to formally recognise the values and uses of the coast. The approach adopted in NSW includes categorising the coastal environment into four areas: (i) wetlands and literal forests; (ii) coastal hazard areas; (iii) coastal environment areas; and (iv) coastal use areas. Ramsar wetlands are captured within the wetlands and literal forests area. The designation of the coast into areas, which are mapped by the State (and can be updated based on detailed investigation) provide a framework for setting objectives and controls for the coastal margin. The hierarchy of objectives and controls sees the natural environment (wetlands and literal forests) receive highest priority in NSW.

Similarly in South Australia, the *Planning Development and Infrastructure Act 2016*, supported by the State Planning Policies (SPP) identifies the Coastal environment as one of 16 priorities (along with other priorities relevant to the coastal zone, including Biodiversity). The Coastal environment is then considered as a priority in the development of Regional Plans, and the Planning and Design Codes provide specific controls for developments with the Coastal area overlay.

While these two examples demonstrate the valuable and important changes to coastal governance, such changes have not had the benefit of time to confirm their efficacy in achieving positive outcomes for coastal environments. They also demonstrate the variable approaches to coastal governance nationally, with some States having far less legislative control over the protection and enhancement of the coastal environment. Incorporating the Australian Coastal Environment as an NES would provide national baseline, from which to support a consistent approach to protecting and enhancing the coastal environment in all states and territories of the Commonwealth. Frameworks in States such as NSW and SA provide examples from which to draw protocols, procedures and policies, emphasising the importance of mapping the contemporary coastal environment and associated values, and developing evidence-based management and conservation objectives and controls specific to its use and condition.

In terms of operation, a number of points relating to Questions 8 to 11 from the discussion paper are relevant here. They include:

- Question 8: The EPBC Act should regulate outcomes for the environment instead of managing prescriptive processes. For example, by recognising the Australian Coastal Environment as a NES, elements within the Coastal Environment can be mapped (e.g. following the NSW approach) and expected outcomes (and targets – see Question 10) can be set for these elements of the coastal environment. Such efforts would align with current State of the Environment Reporting requirements, ensuring greater integration in assessing environmental conditions.
- Question 9: The Commonwealth should play a stronger role in articulating the nationally agreed outcomes that States will achieve. Committees could be established for each NES within each State. The Committees would be responsible for ensuring alignment to the Nationally agreed outcomes

for the NES and for the ongoing monitoring and annual reporting on outcomes.

- Question 10: Targeted standards should be prescribed per NES, similar to the water quality standards in the Great Barrier Reef.
- Question 11: There is the need for a greater focus on coastal restoration, as opposed solely to protection, and incentives for proactive environmental protection would be valuable. Further, it is well recognised that proactive efforts to minimise environmental degradation and loss are always far cheaper than reactive efforts to repair and restore environmental values.

## Summary

This submission by the Australian Coastal Society has focussed on providing a response to Question 4 raised in the Discussion Paper: *Should the matters of national environmental significance within the EPBC Act be changed?*

We strongly emphasise the importance of including the Australian Coastal Environment as being of National Environmental Significance within the EPBC Act – something we have advocated since 2011. The guiding principles adopted by the ACS provide guidance to the best-practice management of coastal values in economic, social and environmental frameworks.

The Australian Coastal Society can draw on the expertise of its national membership base to provide further input into the review process as it progresses – in particular, for example, in providing recommendations on the operational aspects and benefits of inclusion of the Australian Coastal Environment as a NES.

We look forward to the opportunity to continue to contribute to this vitally important review.

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