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Chapter 7

Disintegration or disinterest? Coastal and marine policy in Australia

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Introduction

Australia is a coastal maritime nation. It has almost 70,000 kilometres of coastline, one of the largest Exclusive Economic Zones (EEZs) in the world, and 85 per cent of its people living in coastal towns and cities. The nation’s economy and culture is dominated by the coastal and marine environments. It might, then, be expected that the environmental policies concerned with planning and managing this vital coastal/marine region would be well formed, sophisticated and clear.

A further expectation might be that Australia would be an exemplar in the field of integrated oceans and coastal management – the dominant global concept for guiding marine and coastal policy (Cicin-Sain & Knecht 1998) – and that adherence to this concept could hence be used as a measure of the effectiveness of marine and coastal policy in Australia. Integrated ocean and coastal management is based on integrating, rather than simply coordinating, policy, planning and management across the coastal/marine interface. This area is often called the coastal zone when dealing with coastal land and coastal (near-shore) waters in recognition that no rigid land/sea boundary exists in the natural biophysical environment; rather, there is a transition zone between purely marine and purely terrestrial environments.

In fact, in the more refined and highly developed global concept of integrated coastal zone management (ICZM) Australia has been seen in the past as a world leader (Sorenson 1997). ICZM is internationally usually referred to as Integrated Coastal Management (ICM), but in the Australian context this can be confused with the more common use of ICM – Integrated Catchment Management. As Harvey and Caton (2003) quote from the Intergovernmental Panel on Climate Change (IPCC): 'Integrated coastal zone management involves the comprehensive
assessments, setting of objectives, planning and management of coastal systems and resources, taking into account traditional, cultural and historical perspectives and conflicting interests and uses; it is a continuous and evolutionary process for achieving sustainable development’ (1994, p.40).

More recently ICZM has been recognised as having five key operating principles (Cicin-Sain & Belifiore 2005):

- intergovernmental (vertical) integration - between the tiers of government: federal, state and local in Australia;
- inter-sectoral (horizontal) integration - between the various sectors operating at the same level of government, for example between fisheries, conservation and oil exploration and extraction;
- spatial integration - between catchment, coasts and marine environments;
- science-management integration - management responses and directions should be based on the best available scientific information at the time; and
- international integration - co-operation and integration between and across national boundaries and systems.

Hence ‘policy success’ in the coastal and marine domain could be defined as consistency with internationally recognised ICZM, by implementation of the five contributing principles above.

Yet, as the second decade of the twenty-first century begins, despite four major national coastal inquiries since 1980 (Harvey & Caton 2003), the most recent reporting in 2009, the Australian Government lacks a coastal policy or any integrating coastal governance bodies, operating only a loose ‘framework’ developed in 2006 (NRMMC 2006). The same government possesses a dormant Australian Oceans Policy (Commonwealth of Australia, 1998 a and b), and has split its marine and coastal policy areas into separate government departments.

In effect, current national arrangements are not integrated either horizontally (that is, between sectors/agencies or across the catchment-coastal-ocean environments) or vertically (integration between federal, state and local government).

How has this environmental policy failure developed? What is the immediate future for marine and coastal policy in Australia? Are there any initiatives or positive signs for enhancing this critically important policy domain? The approach adopted below is to briefly describe the origins and background to the current policy status of these two areas (coastal and marine), to analyse the failures in these areas, and then propose a way forward to address these policy failures.

This chapter can be only a brief overview of marine and coastal policy and should not be regarded as a comprehensive review of all policy failings in the marine and
coastal domains, for example, in fisheries policy, protected area policy, oil and gas exploration and resource allocation policies. These cannot be included due to space limitations.

Background to current coastal and marine policy in Australia

Under the Australian Constitution and the later Offshore Constitutional Settlement agreement (1979) between federal, state and territory governments, Australian coastal land and Australian coastal waters out to three nautical miles (approximately five kilometres) offshore (the coastal zone) fall under the jurisdiction of state and territory governments. This is consistent with the overall constitutional position in Australia, where land planning and management of nature and natural resources is a state/territory rather than a federal responsibility.

Yet, under the United Nations Convention on the Law of the Sea 1973-1982, Australia now also claims a marine territory (or Exclusive Economic Zone) that goes out to at least 200 nautical miles offshore (not only from the main continent but also from offshore islands such as the Heard McDonald Islands near Antarctica and Macquarie Island to the far south of Tasmania). The resulting Australian EEZ is twice the area of the Australian land mass – one of the largest in the world.

Under the UN Convention on the Law of the Sea (signed by Australia in 1994), Australia has first use of the resources in this vast EEZ (although if Australia is not going to use these resources they are to be licensed, up to sustainable limits, to other nations). As well, Australia takes on the role of protecting this massive marine environment, which stretches from deep into the tropics to Antarctic waters (see Haward & Vince 2008 and Wescott 2000 for more details).

The Australian EEZ, or Commonwealth marine waters, is solely a federal government responsibility and falls under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act). Australian policy concerning these environmentally continuous coastal and marine domains – one dominated by the states (coastal zone) and the other exclusively a federal government responsibility – has developed in distinctly different ways and at quite different rates. The development of the two areas will be described briefly in order to elucidate some of the ongoing constraints on policy development in these important domains.

Coastal policy in Australia

Australian coastal policy development

Thom and Harvey (2000) identified four key factors that they believed had been influencing Australian coastal reform at the turn of the century:

1. global environmental change;
2. support for sustainable development;
3. adoption of integrated resource management; and
4. greater community-based management and participation.

That paper was written against the background of coastal policy reform, which was occurring predominantly at the state level through the 1990s and early 2000s but has since stalled. In the federal sphere, the Resources Assessment Commissions’ (RAC) Coastal Zone Inquiry (RAC 1993) was a benchmark for coastal policy development, but its major recommendations for a more substantial federal government role, and institutional arrangements to ensure this occurred, were never fully adopted.

In the mid 1990s, a Commonwealth (as distinct from national) Coastal Policy resulted from the RAC inquiry, and funding arrangements under the Coasts and Clean Seas Initiative did see significant coastal works occur across the country, particularly through matching state funding arrangements called ‘Coastcare’.

Thom and Harvey’s four factors provide a means of analysing coastal policy reform, and can be compared to what have been reported as the more recent ‘drivers’ of current Australian coastal policy by Wescott (2009).

- **Global environmental change** has narrowed over the last decade to focus on the impacts of climate change on humans, and this is quite possibly the primary driver of current federal government action on coastal policy.
- **Sustainable development** (or ecologically sustainable development in Australia) has certainly not maintained its momentum over the past decade. The more obscure concept of sustainability – mainly taken as ‘triple bottom line’ outcomes – has not played a significant role in coastal reform at the national level.
- **Integrated resource management**: in contrast to sustainable development, integrated coastal zone management (ICZM) both forms the basis of the current major national coastal policy framework (NRMMC 2006) and is specifically mentioned in state strategic planning documents as a core theme, for example in the Victorian Coastal Strategy (VCC 2008).
- **Community participation and input** has been substantially maintained as a driving force in coastal reform, but this may have become more of a political (electoral) concern than a community-based, management-driven demand.

In the early part of the 2000s there was little new national activity on coastal policy (Harvey & Caton 2003). But by mid-decade two major community-led forces were becoming more active: the ‘seachange’ phenomenon and the potential impacts of climate change on coastal communities (Wescott 2009). Nevertheless, in 2006 a national framework for integrated coastal zone management was approved by the Natural Resources Management Ministerial Council (NRMMC 2006): not quite the national coastal policy promised by the Coalition government before the 2004 election, but nevertheless an acknowledgement that there was still
residual community interest in the federal government playing some role in coastal management in Australia.

The ‘framework’ identified the key issues confronting coastal environments and communities in Australia on which it suggested there should be ‘national collaboration’: land- and marine-based sources of pollution, managing climate change, introduced pest plants and animals, the allocation and use of coastal resources (taken to include the vexed question of coastal planning), and capacity building. The ‘framework’, though, did not suggest a mechanism (that is, any institutional arrangements) for the implementation of ICZM to address these issues, nor did it provide any increased funding to stimulate implementation. It was, in effect, ‘policy without implementation’.

The community pressure, that had finally led the federal government to at least produce a national ‘framework’ in 2006, was particularly active in two specific areas: the ‘seachange’ (population movement) phenomenon, and the potentially devastating effects of climate change on the coast (Wescott 2009).

The first was stimulated by the increasing profile of the National Sea Change Task Force (NSTF) - a coalition of local government councils in essence lobbying for increased federal financial assistance to fund the increasing number of people moving to regional coastal areas, particularly in south-eastern and south-western Australia. The arrival of these people in small coastal communities, when combined with the servicing of increased tourism visitation, was severely straining councils’ resources which were largely drawn from their local ratepayers. Federal government financial involvement, in particular, was seen as a solution to the plight of local governments. Not only did the NSTF act as a lobbyist, it also organised forums and stimulated discussion on a range of potential policy solutions; the various arguments presented for various national coastal policy outcomes and the institutional arrangements proposed are comprehensively described in the book edited by Lazarow et al. (2006) based on reports commissioned by the task force.

Meanwhile, despite a federal government (Howard Coalition government) that was not convinced about the reality of human induced climate change, a number of non-government organisations (NGOs), such as the Australian Conservation Foundation (ACF), were gaining substantial community support for action on reducing carbon emissions in Australia and the actions required to rapidly adapt to the impacts of climate change. These impacts on the marine and coastal environments include rising sea temperatures, rising sea level, ocean acidification, and increased storm and cyclone intensity and activity. This was a second major factor in stimulating reform.

A third factor that was building momentum for national coastal policy reform was a change in the electoral dynamics in regional Australia. This change was highlighted by the comments of the incoming treasurer after the 2007 federal election victory of the Australian Labor Party, who remarked that Labor had won office on the back of winning the ‘sunbelt seats’. These seats are in fact the
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regional (non-capital city) seats that abut the coastline from Cape York to the Victorian-South Australian border.

Closer analysis of the final voting distribution did highlight (Wescott 2009) that in 2007 Labor gained seven of these 33 seats, so that the Rudd government now held 48 per cent of these seats (the Liberals held 33 per cent, the Nationals five per cent, and there was one independent). More pointedly, after the 2007 election sixteen of these 33 seats were now marginal and hence their electors were of great interest to the major parties. In the 2010 election, 28 seats returned their sitting member (including Labor holding on to three of the seven marginal seats they won in 2007), but with Labor losing four to the Coalition, and the Nationals one to an independent. Clearly, these regional coastal seats are now more dynamic than in the past, and this can only lead to a closer focus by the major parties on regional coastal issues – such as climate change impacts and coastal development.

Therefore it is not surprising, with the benefit of hindsight, that Labor had gone into the 2007 election with quite a comprehensive coastal policy platform. They duly implemented most of the major actions in this platform in their first term, including establishing a House of Representatives inquiry into the impacts of climate change on coastal communities – hence neatly addressing all three of the drivers of coastal policy described above (climate change, coastal development and electoral politics).

In March 2008, the Minister for Environment Protection, Heritage and the Arts (Peter Garrett) and the Minster for Climate Change (Senator Penny Wong) referred to the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts (HORSCCWEA) a brief to investigate the potential impacts of climate change on Australia’s coastal communities. Whilst the committee’s terms of reference focused on climate change impacts, there was also a reference to having regard to ‘governance and institutional arrangements for the coastal zone’, and hence it had the licence to comment on how the Australian coast should be planned and managed. In effect, this was another federal coastal zone inquiry. The committee received 128 submissions, held 28 public hearings from July 2008 to August 2009, and engaged in nine site inspections. Their final report, tabled in parliament in October 2009, contained 47 specific recommendations and included 350-plus pages of information (HORSCCWEA 2009).

The majority of recommendations were concerned with climate change, but there were also recommendations on coastal databases, emerging issues and insurance proposals. There were ten recommendations concerning coastal governance arrangements, which in essence proposed establishing an intergovernmental agreement on the coastal zone, which would form the basis for a national coastal zone policy and strategy, with a supporting management unit and a national coastal advisory council. They left open for further development the proposals put to them for a national oceans and coast act and a statutory coastal council.

In effect the report recommended a much more significant federal government role in coastal policy, and a clear and detailed national coastal policy/strategy
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with strong institutional arrangements - although it stopped short of recommending federal coastal legislation.

Current state of Australian coastal policy

In early 2011, Australian national coastal policy is linked by a framework for cooperation as part of a weak agreement between the Commonwealth and states and territories developed as part of the natural resource management processes in the early twenty-first century (NRMMC 2006). As already noted, this is ‘policy without implementation’, that is, it is the bare bones of key management challenges for coastal policy in Australia linked by the theme of integrated coastal zone management, but lacking the institutional framework for implementation and put forward without any new funds to implement the proposed integration. Given these implementation flaws, it is not surprising that it has progressed little since the policy was published.

In the context of the litany of policy failures in the national coastal domain over many decades, the Federal Government’s response to the House of Representatives’ report was always going to be crucial to determining the immediate future of coastal policy in Australia. The Federal Government’s response in November 2010 was disappointing. The Government will reconsider the ‘framework’ and work towards an Intergovernmental Agreement on the Coast, but it rejected any proposal for legislation. As well, the Government seems to believe that the pre-existing Coasts and Climate Change Council was adequate to cover coastal matters at the federal level. It appears that it will continue to view coastal matters as an extension of climate change issues, and, with the Council and the coastal bureaucracy inside the Department of Climate Change and Energy Efficiency whilst marine matters are tackled in a different department, the possibility for an integrated marine and coastal policy now seem as remote as at any time in the past decade.

In conclusion, Australian coastal policy is still struggling to reconcile what the Federal Government’s role should be in the domain of coastal planning and management almost twenty years after the landmark RAC Coastal Zone Inquiry. The main motivation for any continuing changes will be the Gillard government’s political necessity to convincingly respond to climate change in its first electoral term; if ongoing coastal policy is closely tied to the climate change response, it is possible that a clear federal government role in coastal planning and management in Australia could still finally emerge.

Marine policy in Australia

Australian marine policy development

In 1994, Australia ratified the United Nations Law of the Sea Convention, which extended Australia’s Exclusive Economic Zone, or Commonwealth marine waters, to at least 200 nautical miles offshore. Prior to this ratification, Australia had planned and managed its offshore resources in a straightforward sector-based
approach; that is, the federal fishing agency managed fisheries, oil and gas exploration was handled by another division, marine protected areas (marine parks) were run out of an agency responsible to a different minister, foreign affairs and defence were managed by their own departments, and so on. Hence there was no coordinated marine policy as such, simply a series of agencies with policies covering their specific sector. But the claiming of a large EEZ requires a government to demonstrate that it is managing its newly-acquired areas responsibly. Some nations, for example Canada, have demonstrated this by passing legislation (an Oceans Act) whilst Australia decided to prepare an 'integrated and comprehensive' Oceans Policy.

Preparation of the Ocean Policy began in March 1997 and, after a series of discussion papers and consultations (Wescott 2000), the final document – Australia's Ocean Policy (AOP) – was released in December 1998 (Commonwealth of Australia 1998a and b). This was a remarkably quick development for a policy, and highlighted the importance placed on the newly acquired EEZ by the Australian Government – and in particular by the sponsoring minister, Senator Robert Hill. The AOP included a suite of institutional arrangements which included an overriding National Oceans Ministerial Board (NOMB – containing Ministers with marine portfolio responsibility) and a National Oceans Advisory Group (NOAG), where over twenty stakeholder groups were represented (see Wescott and Fitzsimons 2011 for full descriptions). These bodies were supported by a National Oceans Office (NOO) reporting to the Chair of the Board (Senator Robert Hill). NOO was located in Hobart alongside other marine research institutes under a complicated deal which was linked to the independent Senator Harradine voting in favour of the Goods and Service Tax in the Senate in the late 1990s.

The Oceans Policy was to be delivered through existing agencies and through the preparation of Regional Marine Plans (RMPs) covering major offshore regional ecosystems (Haward & Vince 2008). The first plan was commenced in 1999-2000 to cover the south east region and, despite it abutting the coastal waters of four states (Victoria, NSW, South Australia and Tasmania), none of the state governments co-operated with the Commonwealth in developing the plan. None of these arrangements for developing and implementing the Oceans Policy were supported by legislation.

Wescott (2000) pointed out that there was an inherent contradiction in the AOP, in that it was written with an emphasis on integration of the management of the EEZ, but it also stated that the sectors need not be concerned because they would be continuing their normal pre-existing arrangements. In reality, this contradiction was confronted in the preparation of the first Regional Marine Plan (NOO 2004), which took five years to complete – that is, three times longer than had the preparation of the entire AOP. The result of such slow progress was a change in the institutional arrangements in 2005-2006 in which the NOMB was dissolved and the NOO incorporated into a division within the environment department in Canberra. This was subsequently followed by a change in the method of development of the RMPs, with section 176 of the Environmental
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Protection and Biodiversity Conservation Act 1999 (concerning the production of Bioregional Plans) used to prepare what were now to be Marine Bioregional Plans. This did give the plans themselves a statutory basis. NOAG continued but it was now responsible to a single minister (of environment).

The perception resulting from these changes was that this was a downgrading of the importance of the AOP, and that it had become an environmental policy run out of a division of the environment department rather than a comprehensive and integrated policy covering all sectors responsible to a ministerial board. This was always going to lead to perceptions of (environmental) bias, particularly in the area of Marine Protected Area (MPA) development, although conservation groups had not requested these new arrangements and were overall very disappointed with the MPAs resulting from the South East Regional Marine Plan (see Wescott & Fitzsimons 2011).

Finally, under the Rudd Labor government, the NOAG was officially dissolved in early 2009, having not met since mid-2007. This completed the almost entire dismantling of the institutional arrangements introduced to implement the AOP in 1999-2000. As a footnote, the Marine and Coastal Community Network (MCCN) - an information broker with 10,000 participants established by the Hawke government in 1993, which had played a key role in stimulating community participation in marine policy - had its funding removed by the Labor government in 2008. It also has not been replaced.

Current state of Australian marine policy

The Labor governments of Rudd and Gillard have not introduced any new arrangements to replace the previous ones described above, and have made no suggestion that they will in the near future. This current state of Australian marine policy was highlighted by a bizarre series of events during the 2010 federal election campaign. The opposition leader, whilst in Townsville courting votes in a fish market, accused Labor of running a regional marine planning process that seriously disadvantaged fishers (commercial and recreational) and stated that the Labor government had not consulted user groups. He claimed that there were plans for massive ‘no take’ marine parks and that the Labor government had ‘locked up’ large areas in MPAs since being elected. The reality was quite different. Labor, since being elected, had continued the bioregional planning process designed and introduced by the Howard Coalition government under legislation developed by and implemented by the Howard government. As well, the Rudd Labor government had added no new MPAs in its first term of office.

This election farce highlighted the policy failures of the previous five years in marine policy: a return to sectoral management, a drawn-out regional planning process which had produced one Regional Marine Plan in a decade, a loss of community input into marine policy, and a vacuum in terms of institutional arrangements for implementing a now twelve-year-old oceans policy. Clearly the Rudd government had not seen marine policy as a priority, despite the size and
importance of the Australian EEZ. Marine policy had been left meandering along inside a government department, the remaining external bodies with an interest in the area (NOAG and MCCN) having been dissolved. This had followed the Howard government’s dismantling of the original institutional arrangements it had introduced earlier to implement an integrated and comprehensive oceans (marine) policy.

An unanswered (and possibly unanswerable) question was whether this downgrading of marine policy by successive governments of different persuasions was a case of neglect or a planned deliberate unravelling of arrangements (disintegration) that, without doubt, favoured the dominant sectoral interests (oil and gas mining, commercial and recreational fishing) over those arguing for integrated planning and management (predominantly scientists and conservationists).

Overview of current coastal and marine policy in Australia

The Gillard government’s November 2010 response to the recommendations in the latest coastal zone inquiry in Australia (HORSWCCWEA 2009) is consistent with previous federal governments’ responses to the past three major national coastal inquiries over the last 30 years. At the establishment of the inquiry, expectations are raised that the federal government would become involved in coastal planning and management. The submissions to the inquiry, in general, recognised the policy failings associated with a minor federal government role, and these submissions are acknowledged in the recommendations of the inquiry, which always proposes a greater federal role and several new agencies to assist in implementation.

The federal government’s response, though, when confronted by the reality of this greater role, has been to propose a more modest approach.

This time the coastal policy development process is to be couched in terms of a response to the impacts of climate change on the coast and possibly – with the balance of power in federal parliament held by four independents and one Green (three from coastal seats) – rural development (which could include ‘seachange’ elements).

Given the potentially very substantial financial costs that will be involved in preparing Australia’s coastal infrastructure for the impacts of climate change and the need for a coordinated national response (in terms of planning in particular), it is difficult to see that the primary taxing (revenue-raising) government can avoid a continuing and more direct involvement in implementing coastal policy in the next decade and beyond. Yet to achieve this outcome will mean that this particular government will need a policy intervention that no other federal government has achieved.

The picture for marine policy development and implementation in Australia is an even more tragic one. From the great hopes and expectations that surrounded Australia’s ratification of the UN: Law of the Sea Convention, and the
extraordinary speed with which Australia developed the world’s first Oceans Policy that promised a comprehensive and integrated implementation of ocean policy, this area has descended into a sectorally-dominated approach with little interest shown in it by the level of government with sole responsibility – the federal government.

There had been a suggestion that the independent review of the EPBC Act 1999 (Hawke 2009) might have revitalised consideration of marine policy, given the Act’s coverage of Commonwealth marine waters as an area of national significance. But whilst marine policy was mentioned in the review, it was as an aside and there was no suggestion of greater action in this area in a revised Act.

The future for Australian coastal and marine policy

Overall, Australia seems to have adopted a position where successive federal governments are not able ‘to walk and chew gum at the same time’ in terms of marine and coastal policy in Australia; that is, governments of both persuasions have only been able to focus on one area – marine or coastal policy development and implementation – at one time.

The Rudd government (2007-2010) seemed to be only able to focus on coastal policy to the exclusion of marine policy, whilst its predecessor Coalition government seemed to be able to focus on marine policy and ignore, for most of its term in government, coastal policy. By the time the Howard government finally turned its mind to coastal policy with the 2006 framework of ICZM, it had begun to lose interest in its own oceans (marine) policy. The Gillard government appears likely to focus on climate change impacts on coastal communities as its contribution to coastal policy development, and has said nothing on marine policy at all.

What is clear over this extended period of almost one quarter of a century is that neither major party in government has embraced integration of marine and coastal policy. So what does the future hold? Is there any way out of the current chaotic policy picture? There were some NGO proposals presented at the last federal election which may influence the new government and help address these policy failings. These are introduced below, incorporated into a brief summary of the separate current challenges facing marine and coastal policy domains.

Australian marine policy

The major environmental policy failure has been a return to the pre-Oceans Policy framework of sectoral control over the policy and processes operating in determining resource allocation in the marine environment. This has led to a resumption of business as usual, based on the mid 1990s model of the power and control over the marine public domain lying squarely with the major corporate stakeholders – for example oil, gas, fishing, shipping – to the almost total exclusion of the larger community. This has been reinforced by the tendency of the Federal Government – removed as it is physically from day-to-day operations
in the marine environment - to view stakeholder engagement in terms of engagement with designated sectoral stakeholder lobby groups as described by Wescott and Fitzsimons (2011), rather than with individual members of the wider community. This has been reinforced by the loss of conduits to the wider community (such as the 10,000 registered participants in the defunct Marine and Coastal Community Network), and the splitting of marine policy administration from the coastal policy administration within the federal bureaucracy.

The ACF has offered an alternative approach to this - the implementation of an Oceans Act. The ACF’s Act would cover all aspects of the current non-statutory Oceans Policy, including institutional arrangements and regional marine planning. With the assistance of the National Environmental Law Association (NELA), the ACF has actually prepared draft legislation (Smyth, pers. comm.) and is engaged in lobbying the Gillard government to adopt this approach. Whilst these efforts continue, the solution to the current governmental lack of interest (and hence failure) in marine policy in Australia may lie instead in raising the public profile of marine policy. To do this, marine policy will probably have to ‘piggy-back’ on the much greater public interest in ‘the beach’, that is, coastal policy. In turn, further development of coastal policy (see below) will probably ‘piggy-back’ on the Gillard government’s commitment to climate change action and possibly the government’s (electorally-based) interest in regional affairs.

In the meantime, there is an urgent need for a re-examination of Australia’s marine governance arrangements. Possibly an immediate way forward would be for the Greens to instigate a Senate inquiry into marine governance in Australia now that they hold the balance of power in the Senate (from 1 July 2011).

**Australian coastal policy**

Prior to the last election the Australian Coastal Society (ACS) presented both parties with a three-point plan for coastal policy reform in Australia. They recommended (ACS 2010):

- the development of a national coastal policy by all three tiers of government under an intergovernmental agreement on coasts;
- the establishment of a national coastal information system to ensure a strong data base across environmental, social and economic areas on which to base the policy; and
- the instigation of a national coastal commission under a federal coastal commission act, to drive development of the policy and its implementation.

The government’s response to the House of Representatives’ report and recommendations proposes using the existing Coasts and Climate Change Council to aid in the development of an intergovernmental agreement on coasts. Hence the most optimistic slant that can be placed on revitalising coastal policy in Australia towards the ACS proposal is the use of this council as the first step towards the progressive adoption of the three points above.
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Any resurgence in national coastal policy in Australia appears to be now firmly tied to two major political issues:

1. The impacts of climate change; and
2. The revived dominance of regional and rural politics.

This is, in part, evidenced by the current sole national coastal policy body - the advisory Coasts and Climate Change Council - being as much about climate change as coastal governance and being responsible to the Minster for Climate Change and Energy Efficiency (not the minister covering wider environmental matters).

As well, the rise in importance of marginal regional coastal electorates (approximately half of these 33 seats are still marginal) appears to be significant, with four of the five non-major party members of the House of Representatives from coastal seats (two urban, two regional).

Integrated coastal and marine policy

This chapter began by suggesting that a commitment to integrated ocean and coastal management (including integrated coastal zone management) could be used as a measure of marine and coastal policy success. Clearly, if integration is the aim, then tackling environmental policy failures in the marine and coastal domain requires treating the two domains as inter-linked (and connected completely to catchment management practices as well in a catchment-coast-oceans continuum).

The above analysis shows that there is a continuing lack of integration between national marine and coastal policy, and that this continues to be the major environmental policy failure in this domain. Hence, it is somewhat surprising, and a little disappointing, that even some NGO bodies in the marine and coastal fields do not appear to be recommending integration of marine and coastal policy whilst, to their credit, certainly suggesting ways of addressing policy failures within the coastal and marine policy domains.

But if the core elements are extracted from the NGOs' proposals and combined with those enunciated for an integrated approach in Wescott (2009), there are a series of common elements which might address most of the national marine and coastal policy failures when fully implemented. These proposals are:

1. A national ocean and coastal act;
2. A statutory national marine and coastal strategy;
3. A statutory national marine and coastal council; and
4. A clear marine and coastal resourcing program based on a 'matching fund' formula from federal and state governments. The resourcing program would be based on the strategy above as well as on the principles of integrated ocean and coastal management. The council above would oversee the program.
Conclusion

National marine and coastal policy in Australia appears to be a classic ‘victim’ of Australia’s federated system. Here is an area which splits planning and management of the environment between the jurisdictions of federal and state governments and hence has always lacked a cohesive holistic policy response. The states and territories control the coastal zone out to three nautical miles offshore, and the Federal Government from there out to 200-plus nautical miles offshore.

But an observer might suggest that the challenge to governance emanating from the twin threats of climate change and coastal development should, indeed almost certainly will, require a uniform national response. It is indeed difficult to envisage how state and local governments are going to cope with the financial challenges of adapting to climate change and how Australians will cope with a different planning approach in each state and territory.

What appears to be necessary to address these challenges is the emergence of a political champion, or champions, to both drive coastal policy reform based on the government’s response to the 2009 House of Representatives report and to re-energise and completely review Australia’s Oceans Policy.

History suggests that a ministerial champion is the key factor in initiating and driving federal government marine and coastal policy reform. Senator Robert Hill ensured an Oceans Policy was developed within two years in the late 1990s, and David Kemp pushed through a sixfold increase in ‘no-take’ marine zones in the Great Barrier Reef Marine Park in the early years of this century.

The lingering question now is – does such a ministerial champion currently exist, and if one doesn’t, will one emerge in the near future?