

A big step towards certainty about climate change risk for Queensland councils and developers

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The Queensland Government made changes this week to the State's coastal hazard area mapping which have positive implications for developers and landholders in the State's coastal areas. In this article we will provide details of this change, highlight what the impacts might be, and what this means for your business.

John Lane, Director of the Environmental Planning with the Queensland State Department of Environment and Heritage Protection confirms,

Apart from implementing the government's election commitment consideration of long term sea level rise, the revised coastal hazard mapping enhances the capacity of councils to confidently make planning and development decisions. It provides certainty to councils and others involved in land use planning and development.

The changes, which took effect from 8 July 2015, re-introduce factors to accommodate the projected effects of climate change in declared 'erosion prone areas' across all coastal local government areas. The declared areas are those considered to be vulnerable to coastal erosion and tidal inundation as a result of climate change to 2100.

The changes reflect measures controversially introduced in the 2012 *Queensland Coastal Plan* but later abandoned by the Newman LNP Government. The changes are the first stage of reinstating climate change measures into the planning and development assessment process, with further changes anticipated later in the year.

The risk posed by climate change to coastal areas

One of the predicted impacts of climate change is sea-level rise. Projections about the rate of the rise have been subject to revision in the last several years. Although the rate is dependent on what measures are taken to reduce emissions and decrease concentrations of CO₂ in the atmosphere, there is a general consensus that the sea-level rise may be of a greater magnitude than initially expected with an upper range of 1 metre.

Consequently, coastal areas are likely to become vulnerable to risks associated with rising sea levels such as erosion, more frequent and severe storm tide events and more frequent or even permanent tidal inundation. With those risks, come direct impacts on development, buildings and infrastructure in those areas and flow on effects through indirect impacts, such as insurance or legal risk, on the economic, social and environmental wellbeing of the State.

A cavalcade of regulation

The last several years have seen a cavalcade of governmental responses to the threats climate change presents to development in the coastal areas of Queensland.

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In 2011, the Bligh Labor Government released a draft coastal plan imposing stringent restrictions on development in coastal areas which attracted extensive criticism from the development industry. Some aspects of the plan were revised after stakeholder consultation, however, when it took effect in February 2012, the *Queensland Coastal Plan (QCP)* imposed controls to ensure that development in coastal zones was planned, located, designed, constructed and operated taking into account the projected effects of climate change. The QCP adopted a sea-level rise factor of 0.8 metres and a 10% increase in cyclone intensity by 2100.

Following the March 2012 State election, the Newman LNP government sought to 'roll back' the regulatory scheme expressed in the QCP. In October 2012, the QCP was suspended and was at first replaced by Draft Coastal Protection State Planning Regulatory Provision (the **regulatory provision**). The regulatory provision retained some aspects of the QCP for example the mapping based on the 0.8 metre sea-level rise to identify coastal hazard areas, but considerably weakened restrictions on development in those areas.

Ultimately in December 2013, the Government released the State Planning Policy (the **SPP**), further amending it in July 2014 (particularly in relation to coastal hazards). The SPP omitted reference to climate change and sea-level rise and in essence left local governments somewhat in limbo, requiring councils themselves to identify natural hazard areas and make provisions to achieve an acceptable or tolerable level of risk to through their planning schemes.

New line in the sand for coastal hazard mapping

It would, however, be wrong to think the changes to the coastal hazard mapping adopted by the Palaszczuk Labor government this week represent a return to the pre-SPP days. They are not. Instead, they are a step forward towards providing much needed certainty for the development industry and land use planners.

The declared erosion prone areas and storm tide inundation affected areas are based on a sea-level rise factor of 0.8 metres and incorporate the area of the coast considered to be vulnerable to coastal erosion and tidal inundation based on:

- a short-term erosion component from extreme storm events
- a long-term erosion component where gradual erosion is occurring commonly from channel migration or a sediment supply deficit
- a dune scarp component, where slumping of the scarp face occurs following erosion
- erosion risk due to future sea level rise from climate change both by permanent inundation of land by tidal water and the morphological response of the coast to elevated water level
- a 40% safety factor.

The revised mapping applies to all coastal local government areas.

The mapping will be used in the development assessment process and to inform decision-making and the preparation of planning schemes and regional plans which regulate land use.

What the changes mean for you

The changes to the coastal hazard area mapping have the potential to better inform those with interests in coastal areas, including local governments and developers, about which of those areas are most vulnerable to the climate change risks presented by sea-level rises. As a consequence, interested parties have the opportunity to better plan the distribution, intensification and, in some cases, relocation of future development and infrastructure to avoid those risks and their potential economic, legal and social ramifications.

The impact of these changes on particular land owners within the declared erosion prone areas will vary according to the current or planned future use of the land holding. It will also depend upon the current Government's intention regarding future revisions to the regulation of development in coastal areas, as this week's changes are just the first stage in a proposed overhaul of the applicable laws.

Further details can be accessed from the Department's website [here](#). Professional advice should be obtained as to how developers, landholders, councils and other stakeholders are affected by the changes.