



## Managing Residential Development in Coastal Areas

This policy neither supports nor contests the existence of rising sea levels caused by climate change, global warming or any other phenomena, of natural or human causation.

### Policy Background

- Some scientists are predicting that Australia will be seriously affected by changes in climatic conditions into the future.
- The impact of man-made influences on climate change will continue to be researched and debated by advocates and sceptics.
- Authorities have been developing and implementing policy and regulation based on a range of measures and evidence, which has been a source of confusion and cost to the housing and residential development industry.
- HIA has called for a consistent approach to sea level rise adaptation by all authorities.
- HIA has also called for authorities to be flexible and allow for individuals to acknowledge the predicted risk on existing residential land, yet proceed with a planned development application to avoid a refusal on the grounds of sea level rise alone.

### Policy Issues

- HIA has previously called for the Federal Government to provide benchmarks on sea level rise. Rather than providing definitive advice or legislated responses, the response to date has involved provision of information on the potential impact of sea level rise and the likely progress into the future.
- This has included publishing of maps to show predicted low, medium and high sea level rise scenarios. A separate report provides an assessment of the effects of sea level rise on existing and coastal communities and their assets. Both are predicated on a sea level rise of around 1.1 metres by 2100.
- In the absence of a defined national response to sea level rise, state and local governments are applying individual planning policy approaches to the development industry with a view to eliminating any possible litigation due to property damage or losses into the future.
- These responses have the potential to adversely impact new housing and residential development through:
  - increased cost of construction;
  - changed construction methods;
  - change in current housing designs and products;
  - greater setbacks from foreshore areas;
  - increased costs associated with consultant studies;
  - increased refusals of development applications; and

- loss of developable land as there is an increase in the amount of land zoned vulnerable to coastal hazards.
- Any increased burden on the residential development industry through a myriad of responses to climate change, and sea level rise benchmarks will have a long term effect on residential subdivisions, housing design and the approval process.
- While the debate on climate change has extremely broad social, economic and policy implications, the impact of sea level rise policy and regulation on land use planning and building regulations, is more direct and blunt.
- At its most extreme, it is possible that development will be prohibited, or at best highly regulated in designated sea level rise affected areas.

### **HIA's Policy Position on Managing Residential Development in Coastal Areas**

- All levels of Government have a responsibility to monitor and manage future impacts of sea level rise.
- All levels of Government should only pursue practical and sensible approaches to the issue of sea level rise using risk based approaches to ensure that the response is commensurate with the threat.
- Governments should consider taking reasonable steps to plan for the effects of sea level rise on existing areas by implementing public infrastructure works to protect potentially affected land.
- The Federal Government should:
  - ensure a range of consistent scientific information on any predicted or actual impact of sea level rise is available and directed to state and local governments for adoption in the relevant planning instruments;
  - continue to undertake coastal vulnerability mapping based on Australian research including carrying out additional monitoring and data collection; and
  - promote a coordinated and transparent whole of government approach to sea level rise with state based requirements as a minimum to address ad-hoc approaches being implemented.
- State and local governments should only implement sea level rise considerations into planning decisions based on national coastal hazard mapping.
- Local governments should adopt an approach that if an applicant or land owner indemnifies governments from future action on the grounds of sea level rise, residential development could then be formally considered. This avoids the need for authorities to refuse or delay an application on the grounds of sea level rise alone.
- Any agreement made should be binding to the land and the party transferring any part of the land must give notice of the correspondence related to the risk to subsequent purchasers.
- Any loss of developable land as a result of planning decisions made on the grounds of sea level rise should be a trigger for state/local governments to consider increasing the urban footprint elsewhere to provide an offset.