Marine and Coastal

National Environmental Science Program

Legislative and permitting barriers to coastal restoration

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National Environmental Science Program

FINAL REPORT

Project 3.7

Identifying an
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**Legislative perr
for restoration**

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De-risking nature repair activities in Australian coastal and marine ecosystems

Project 4.10

Prior work in this field

The complexity of permitting pathways

- Gaps in the legislative framework – restoration
- Extensive permitting, no specific restoration codes
- Lack of prioritisation of restoration
- Regime focussed on harm, not benefit

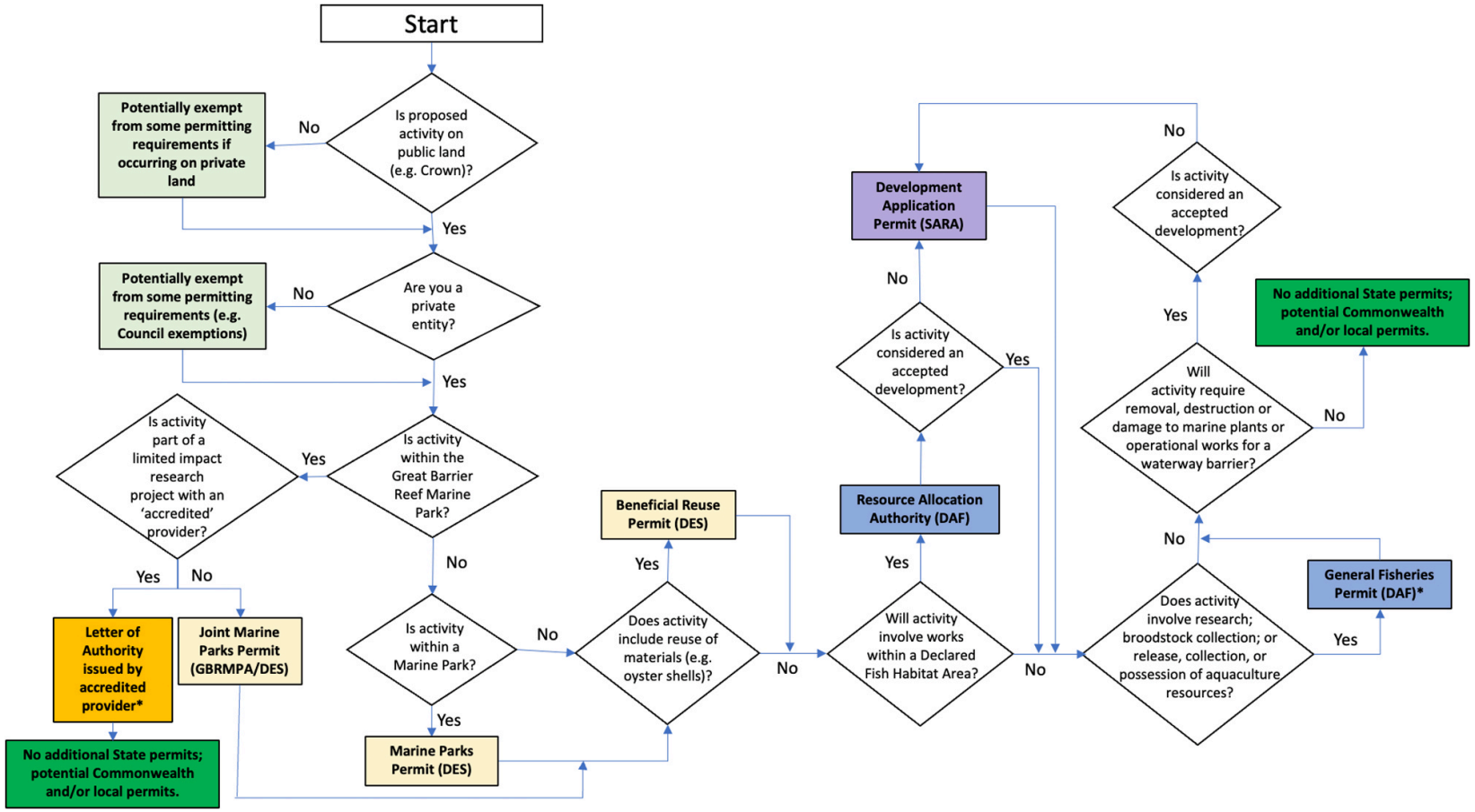
Justine Bell-James, Rose Foster, Catherine Lovelock, 'Identifying priorities for reform to integrate coastal wetland ecosystem services into law and policy' (2023) 142 *Environmental Science & Policy* 164-172.

The complexity of permitting pathways

- Roadmap to Restoration
  - Often financially prohibitive
  - Lack of an overarching national framework
  - But need to balance the need for oversight

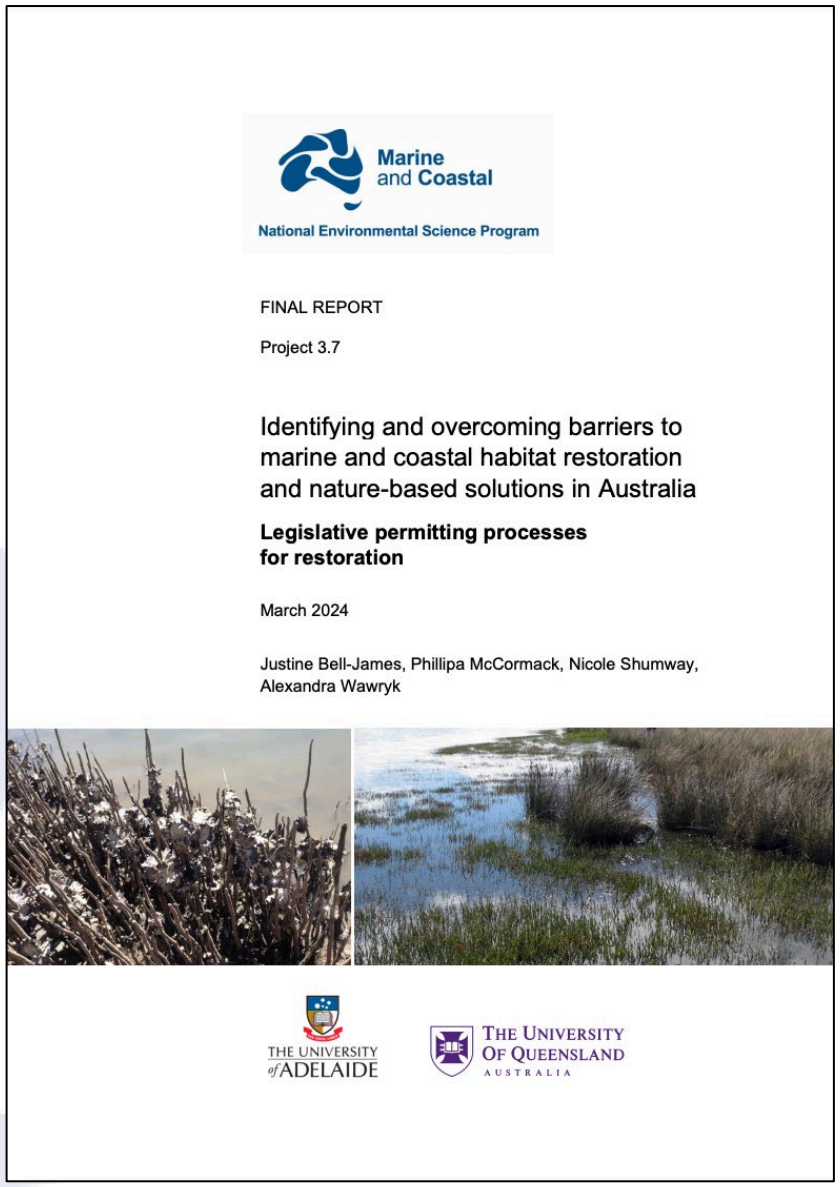
Megan Saunders et al, 'A roadmap for coordinated landscape-scale coastal and marine ecosystem restoration' (2022) Final Report, NESP Marine and Coastal Hub Project 1.6

The complexity of permitting pathways



Nicole Shumway, Justine Bell-James, James A Fitzsimons, Rose Foster, Chris Gillies and Catherine E Lovelock, 'Policy solutions to facilitate restoration in coastal marine environments' (2021) 134 *Marine Policy* 104789

Project 3.7 legislative analysis



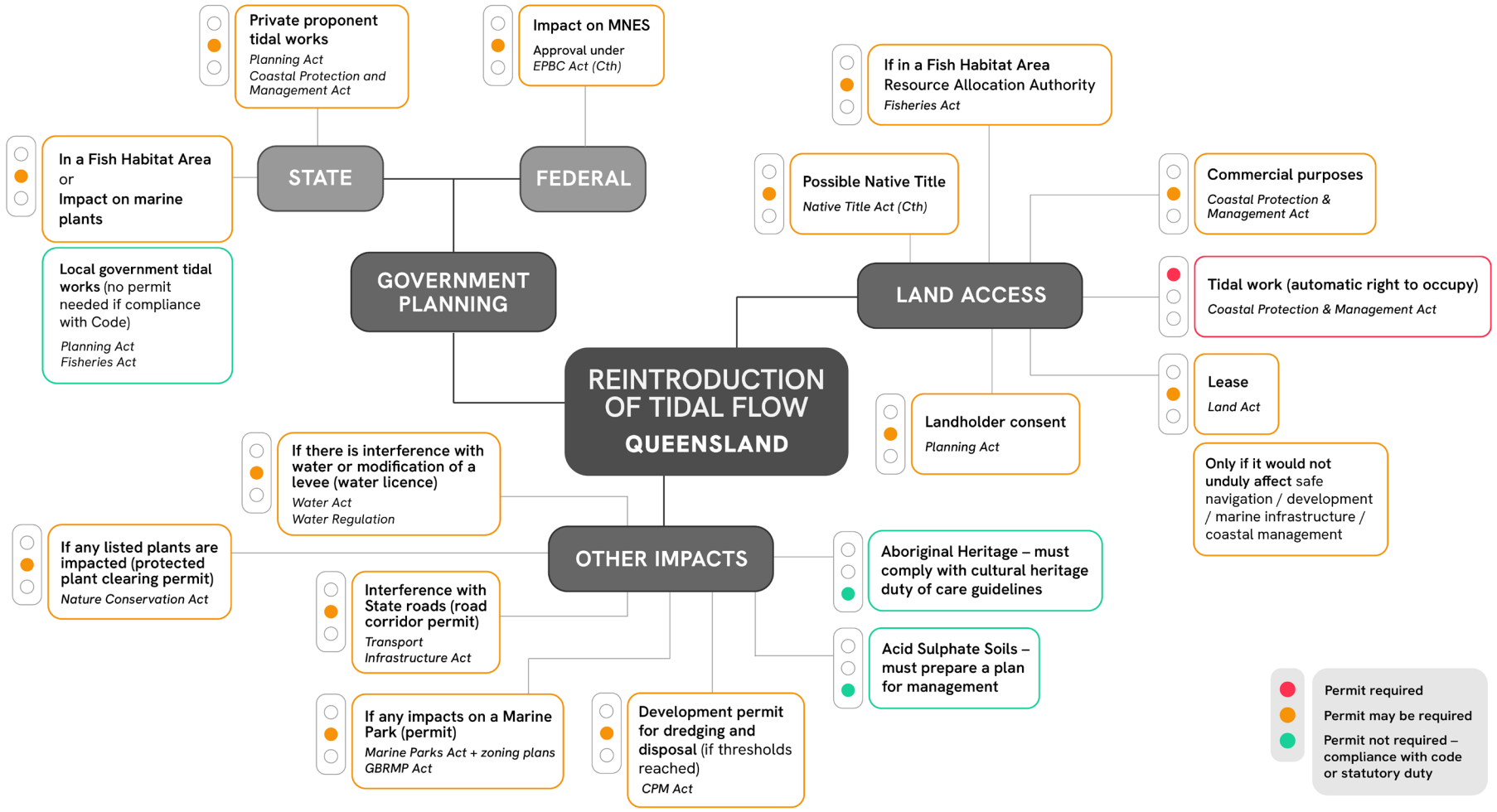
Two project types:

- Reintroduction of tidal flow
- Oyster reef restoration

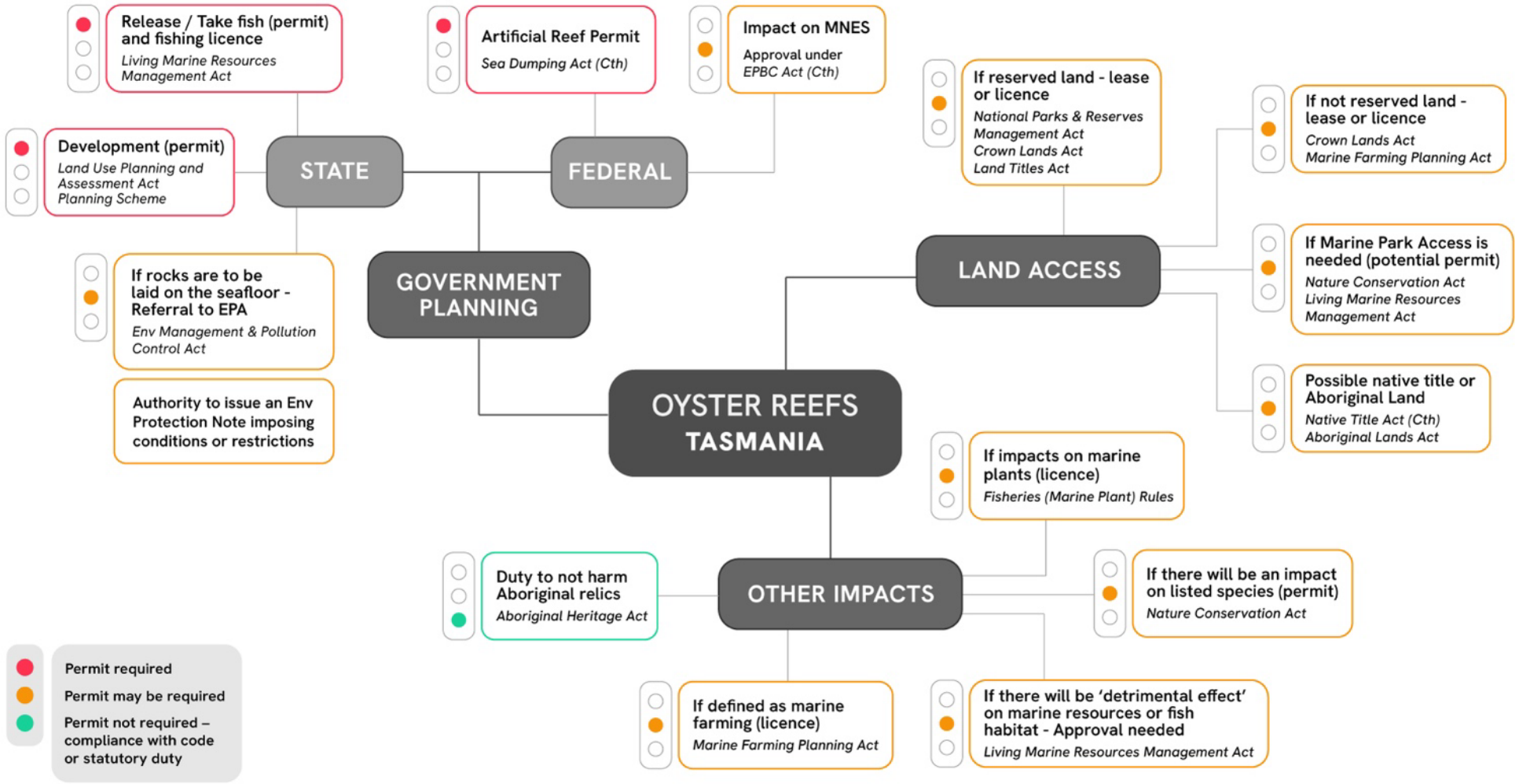
Four jurisdictions:

- Queensland
- New South Wales
- Tasmania
- South Australia

Example – reintroduction of tidal flow, Queensland



Example – oyster reefs, Tasmania



Engagement with government and stakeholders

- Government
  - Comparing desktop study with practice
  - Reform priorities

Conservation Science and Practice
Open Access
A journal of the Society for Conservation Biology

CONTRIBUTED PAPER | Open Access

The permitting process for marine and coastal restoration: A barrier to achieving global restoration targets?

Justine Bell-James, Rose Foster, Nicole Shumway

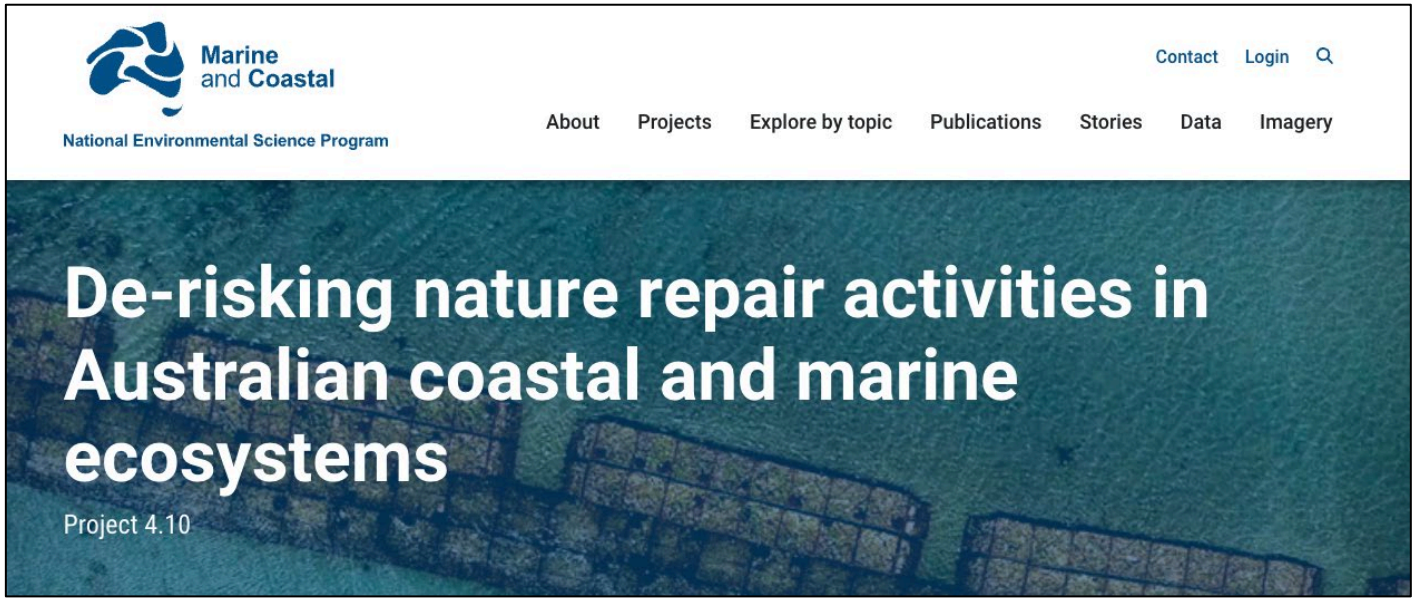
First published: 20 November 2023 | https://doi.org/10.1111/csp2.13050 | Citations: 4

Key findings

- Confirmation that the permitting process is complex, time-consuming, costly and difficult to navigate
- Governmental will is the critical factor in successful projects
- Disconnects between legislation/policy as drafted vs as applied
- The permitting process can stifle innovation and creativity and favours the status quo
- Ongoing liability and maintenance obligations – chilling effect *
- The complex permitting system can lead to compromise and sub-optimal outcomes

What’s next?

What’s next?



Understanding perspectives across government agencies on risks and benefits of restoration

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Thank you

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