As we head into the 21st session of the Conference of the Parties to the United Nations Convention on Climate Change in Paris this December, the 2014 Intergovernmental Panel on Climate Change in Paris determined that there is a 95% probability that global mean sea level to rise. Justine notes that, as of June 2014, no council in Australia had implemented a planning scheme that prohibited development in an area projected to be impacted by sea-level rise.

Justine delves into the thorny questions of compensation, liability and litigation. Although noting that planning legislation generally does not give rise to compensation, she makes the point that if local councils don’t take action to avoid future property damage the losses may be enormous, and will affect every person associated with the impacted properties. Justine points out that while many see insurance as the solution, the book, co-authored by Hugh Dillon and Marie Hadley, provides a practical guide to coroners and legal practitioners who appear in the jurisdiction.

Marie Hadley is an admitted lawyer and PhD candidate who has completed her Practical Legal Training at the New South Wales Coroner’s Court. Hugh Dillon is a Deputy State Coroner and Magistrate in New South Wales. The authors deal with most facets of the coronial process including the management strategy, particularly if the damage occurs over a long period of time.

Justine’s review and analysis of the wide range of legislative and policy responses to this issue presents a comprehensive picture. Justine also offers examples of a number of alternative approaches to this problem (from jurisdictions such as the United States) and proposes a number of innovative concepts (such as transferable development rights). Her aim is to examine the range of legal approaches that may be called upon to reduce the likely economic impacts of sea-level rise. The book admirably meets that aim, and should inform all councils and other relevant policy makers in their response to this challenge.

As the title of this book suggests, the publication is principally aimed at Coroners but will appeal to all those working and appearing in the jurisdiction. The Coroner’s Court is a specialist jurisdiction which presents its own unique challenges and calls upon lawyers to exercise skills which those only familiar with the adversarial system may find perplexing. This book, designed to assist coroners, namely:

Appendix A: A Glossary of Terms Commonly Used in Post Mortem Reports.

Appendix B: Sample of Coroner’s Introductory Remarks at Inquest.

Appendix C: Sample of Coroner’s Warning to a “Person of Interest” Concerning Privilege against Self-Incrimination.

As Justine points out, climate change adaptation has become a priority – and the law will play a major role in that exercise. However, Justine concludes that although all Australian states have and continue to take limited steps to address the issue, existing planning and regulatory frameworks could be significantly strengthened. Standards are inconsistent and national co-ordination non-existent. Councils, land-owners, developers and insurers will be left with the result (which may have to be resolved through the courts).

One of the major difficulties in providing an appropriate legislative and policy framework is fundamental disagreement over the actual adaptation required. When local governments in NSW tried to restrict development near the coast due to the projected implications of sea level increases, controversy erupted. Obtaining accurate data on sea-level rise is expensive and suffers from many layers of scientific uncertainty. In short, sea-level rise remains controversial and to restrict development of a person’s property based on an un-Yet realised projection presents clear challenges.

In chapters 3 and 4, Justine explores the advantages and disadvantages of a number of potential responses that may be implemented by local councils (as in most cases this issue has been left to the local government to solve). These responses range from avoidance (for example, through appropriate development control), to accommodation (building control) to retreat (time limited development approval, compulsory acquisition, etc). Justine notes that, as of June 2014, no council in Australia had implemented a planning scheme that prohibited development in an area projected to be impacted by sea-level rise.

Surface temperature is projected to rise over the 21st century under all assessed emission scenarios. It is very likely that heat waves will occur more often and last longer, and that extreme precipitation events will become more intense and frequent in many regions. The ocean will continue to warm and acidify, and global mean sea level to rise.

In her book Climate Change & Coastal Development Law in Australia, Justine Bell notes that over 711,000 Australian residential addresses are located within 3kms of the coast, and less than 6 metres residential addresses are located within 3kms of the coast, and less than 6metres. The book admirably presents a comprehensive picture. Justine also offers examples of a number of alternative approaches to this problem (from jurisdictions such as the United States) and proposes a number of innovative concepts (such as transferable development rights). Her aim is to examine the range of legal approaches that may be called upon to reduce the likely economic impacts of sea-level rise. The book admirably meets that aim, and should inform all councils and other relevant policy makers in their response to this challenge.

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