

LOCAL GOVERNMENT AMENDMENT (ECOLOGICALLY SUSTAINABLE DEVELOPMENT) BILL

Schedule of the amendments referred to in the Legislative Council's Message of 21 October 1997.

- No. 1 Page 3, Schedule 1 [1], line 5. Insert “, councillors and council employees” after “councils”.
- No. 2 Page 3, Schedule 1 [2], line 13. Insert “develop,” after “manage”.
- No. 3 Page 3. Insert after line 22:
- [4] Section 89 (2)**
Omit the subsection. Insert instead:
- (2) If no requirements are prescribed for the purposes of subsection (1) (a), and no criteria are adopted for the purposes of subsection (1) (b), the council in determining an application:
- (a) is to take into consideration, in addition to the principles of ecologically sustainable development, all matters relevant to the application, and
- (b) is to seek to give effect to the applicant's objectives to the extent to which they are compatible with the public interest.
- No. 4 Page 3, Schedule 1 [4], lines 23 and 24. Omit all words on those lines.
- No. 5 Page 4, Schedule 1 [5], line 7. Insert “develop,” after “manage,”.
- No. 6 Page 4, Schedule 1 [5], lines 12 and 13. Omit “report or reports as to the state of the environment”.
Insert instead “comprehensive report as to the state of the environment and any other relevant reports”.
- No. 7 Pages 5 and 6, Schedule 1 [9], line 14 on page 5 to line 8 on page 6. Omit all words on those lines. Insert instead:

principles of ecologically sustainable development means the following statements of principle: Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- (a) the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
In the application of the precautionary principle, public and private decisions should be guided by:
- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
- (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity - namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity - namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms - namely, that environmental factors should be included in the valuation of assets and services, such as:
- (i) polluter pays - that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
- (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources

- (ii) and assets and the ultimate disposal of any waste, environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.