



New South Wales

Local Government Amendment (Climate Change) Bill 2017

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

This Bill is cognate with the *Environmental Planning and Assessment Amendment (Addressing Climate Change) Bill 2017*.

Overview of Bill

The objects of this Bill are as follows:

- (a) to require local councils to exercise their functions in a manner that furthers the State's ability to meet its targets to reduce greenhouse gas emissions and adapt to the implications of climate change for people, communities and ecosystems in the State,
- (b) to require councils to prepare and implement 5-year climate change action plans detailing their policies and programs to reduce greenhouse gas emissions and adapt to climate change, and to report annually to the Minister on the implementation of those action plans,
- (c) to authorise councils to make emission reduction pledges,
- (d) to allow councils to enter into environmental upgrade agreements relating to works that will reduce the hazard impact of floods or sea level rise on buildings and nearby land, or environmental processes, or both.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Local Government Act 1993 No 30

Schedule 1 [1] includes in the guiding principles that councils are required to observe the additional principle that they should exercise their functions in a manner that, as far as possible, furthers the State's ability to meet its targets to reduce greenhouse gas emissions and adapt to the implications of climate change for people, communities and ecosystems in the State.

Schedule 1 [2] extends provisions about environmental upgrade works to include works that will reduce the hazard impact of floods or sea level rise on the building and nearby land, or environmental processes, or both. This will mean that, if flood or sea level rise are found to have an impact on a building, or to be exacerbated by a building, this may prompt the negotiation of an environmental improvement agreement.

Schedule 1 [3] requires councils to prepare a climate change action plan every 5 years (whether or not they have also made an emission reduction pledge) in which they outline their planned contributions to climate change mitigation, and adaptation to the implications of climate change, and their strategy to achieve the priorities of the State and Commonwealth governments. The first plan will be due by the end of 2018.

Schedule 1 [3] also enables councils to take an emission reduction pledge about their proposals in relation to its greenhouse gas emission reductions over a 5-year period.

Schedule 1 [4] inserts definitions of terms used in the proposed provisions.