

## 1.26 Environmental Policy

<b>Policy Owner</b>	Executive Director Infrastructure, Development & Environment
<b>Responsible Officer</b>	*Manager Governance & Risk Environmental Sustainability Officer
<b>Date of Approval</b>	17/08/2010
<b>Amended</b>	25/06/2024

### Objective

To ensure that the City of Albany commits to acting on climate change, recognising that while uncertainty is present in existing climate science, this does not present a reason for inaction or delay of action, and that the “precautionary principle” should be applied.

The key principles behind this objective include:

- Ensuring that an understanding is reached on the potential impacts of climate change in a local, regional and international context;
- The recognition of the City’s existing greenhouse gas footprint through its operational activities;
- A commitment to evaluating and reducing the City’s footprint and the provision of practical strategies for reduction, offsetting and / or sequestration; and
- A commitment to reducing the vulnerability of the City to climate change impacts through risk management and adaptation strategies.

### Scope

Refer to “Responsibility and Reporting” section of the policy position.

### Policy Statement

The City of Albany is committed to ensuring that appropriate responses are undertaken to mitigate the potential climate change impacts.

To achieve this, the City will:

- Acknowledge and recognise climate change as a factor in all City operations
- Be prepared and adaptable to future events, by applying the “precautionary principle” and conducting risk analysis. The resulting risk analysis will be used for informed decision-making;
- Develop and implement a measured greenhouse gas mitigation and adaptation strategy throughout Council to meet determined greenhouse gas reductions;
- Establish sufficient budget allocation to deliver mitigation and adaptation initiatives, as outlined in the strategy; and
- Build community understanding and awareness by promoting City actions and providing education programmes to address priority areas.

## Legislative and Strategic Context

### **Local Government Act 1995**

Section 1.3 (3) of the Local Government Act 1995 states... “In carrying out its functions, a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity”.

In order to ‘meet the needs of current and future generations’, Local Government must address climate change impacts on its community. A range of mitigation and adaptation strategies must be applied to ensure that economic, social, environmental and legal obligations are met.

### **Community Strategic Plan**

This policy continues to compliment and recognise the Community Strategic Plan 2032, being:

- **Pillar:** We are leaders in sustainability with a shared commitment to climate action and protecting our beautiful, natural environment.
- **Outcomes:**
  - 2.1 Sustainable management of natural areas; balancing conservation with responsible access and enjoyment.
  - 2.2 Shared responsibility for climate action.
  - 2.3 A resilient community that can withstand, adapt to, and recover from natural disasters
- **Objectives:**
  - 2.1.1 Conserve and enhance the region’s natural reserves.
  - 2.1.2 Provide sustainable protection, adaption and enhancement of the coastline, rivers, floodplains, wetlands and estuaries.
  - 2.2.1 Reduce water usage.
  - 2.2.2 Work towards net zero greenhouse gas emissions.
  - 2.2.3 Develop a sustainable, low waste, circular economy.
  - 2.3.1 Increase community readiness and resilience to bushfires and floods.
- **Overview:**
  - The City has nearly 19,000 hectares of open space that require responsible management for biodiversity, scenic beauty, local and visitor enjoyment, research, education and health.
  - Local risks and challenges include coastal erosion, extreme weather events, water supply, and increased pressure on natural assets from population and visitor growth.
  - Community members are concerned about impacts from 4WDs, trail bikes, mountain bikes, horse-riding and hikers on nature reserves. They would like greater focus on conservation and environmental management.
  - Climate action is the top priority for the community. They would like greater promotion and adoption of sustainable practices, such as eco-building, solar panels, rain tanks, wave energy, electric vehicles, e-bikes, reduction in single use plastics, and more.

### **National Greenhouse and Energy Reporting Act 2007 (NGER Act)**

The National Greenhouse and Energy Reporting Act 2007 (NGER Act) introduced a national framework for the reporting and dissemination of information about the greenhouse gas emissions, greenhouse gas projects, energy use and production of corporations.

The objectives of the NGER Act are:

- To underpin the introduction of an emissions trading scheme;
- To inform government policy formulation and the Australian public;
- To help meet Australia's international reporting obligations;
- To assist commonwealth, state and territory government programmes and activities; and
- Avoid the duplication of similar reporting requirements in the states and territories.

### **Carbon Pollution Reduction Scheme (CPRS)**

*Note: **Carbon Pollution Reduction Scheme (CPRS)** is no longer current.*

### **Environmental Protection and Biodiversity Conservation Act 1999**

The objectives of the Act are to:

- Provide for the protection of the environment, especially matters of national environmental significance;
- Conserve Australian biodiversity;
- Provide a streamlined national environmental assessment and approvals process;
- Enhance the protection and management of important natural and cultural places;
- Control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife; and
- Promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources.

### **State Coastal Planning Policy was updated.**

The policy addresses land use planning and development issues specifically as they relate to the protection and management of the coast.

The current version is [State Planning Policy No. 2.6](#) - State Coastal Planning Policy, which was last updated on December 14, 2022.

This policy provides guidance for land use and development decision-making within the coastal zone, ensuring sustainable use and protection of coastal resources.

### **Planning and Development Act, 2005**

This act brings together what were three separate planning Acts - the Western Australian *Planning Commission Act 1985*, the *Metropolitan Region Town Planning Scheme Act 1959* and the *Town Planning and Development Act 1928* into one consolidated Act, in a rewritten form.

It is promoted as more streamlined than previous planning procedures, has an emphasis on sustainable land use and provides greater opportunities for public consultation.

### **Western Australian Carbon Rights Act 2003**

The Western Australian Carbon Rights Act 2003 is still current.

This Act provides the framework for the legal recognition of a “carbon right,” which is created upon registration and can be transferred separately from the land to which it is registered.

The proprietor of a carbon right has the legal and commercial benefits and risks associated with changes to the atmosphere caused by carbon sequestration and carbon release occurring on the land.

Carbon rights can be protected by “carbon covenants,” which are agreements between the landholder, the owner of the carbon right, and any other parties whose cooperation is required to give effect to the agreement.

These covenants can be registered against the land.

### **Responsibility and Reporting**

Council is responsible for approving (including amendments to) the following documents:

- Environmental Policy;
- Climate Change Plans.

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

### **Chief Executive Officer (CEO):**

- Is responsible for ensuring that systems are in place to ensure that Council’s Environmental (CC) Policy, CC Environmental, CC Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council (at least annually) in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Climate Change.

### **Executive Management Team (EMT):**

- Is responsible for monitoring the implementation of the Environmental Strategy across the organisation. The EMT will ensure that strategies are put in place to remove barriers to the successful implementation of Climate Change mitigation and adaptation initiatives.

### **Executive Director Infrastructure, Development and Environment:**

Is responsible for providing the administration and technical support for implement policy and strategy.

### **Review Position and Date**

Policy Owner to review every two years.

### **Associated Documents**

- [The Community Strategic Plan](#)
- City of Albany Local Planning Scheme
- [Federal Register of Legislation - National Greenhouse and Energy Reporting Act 2007](#)
- [Federal Register of Legislation - Environment Protection and Biodiversity Conservation Act 1999](#)
- *Local Government Act 1995*
- *Planning and Development Act 2005*
- [Carbon Rights Act 2003](#)
- [WALGA – Climate Change Resources](#)
- Main Roads (WA): [Technical Library \(mainroads.wa.gov.au\)](http://mainroads.wa.gov.au)

## Definitions

- **Precautionary Principle** - “That lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage” (Source: Environmental Protection and Biodiversity *Conservation Act 1999* (Cth), section 391(2)).
- **“Greenhouse Gas Emissions”** -The release of greenhouse gases (as determined under the Kyoto Protocol as being carbon dioxide, methane, nitrous oxide, sulphur hexafluoride, hydro fluorocarbons and per fluorocarbons) into the atmosphere which are widely recognised to cause global warming and climate disruptions.
- **“Mitigation”** – Reducing greenhouse gas emissions through reducing the amount of greenhouse gases that are released, or by enhancing the sinks that sequester (absorb or contain) emissions. (Source: IPCC – Intergovernmental Panel on Climate Change)
- **“Adaptation”**- The adjustment in natural or human systems in response to actual or anticipated changes that reduces the harm or takes advantage of the opportunities presented by climate change. (Source: IPCC – Intergovernmental Panel on Climate Change)