

[Act 1997 No 94]



New South Wales

# Local Government Amendment (Ecologically Sustainable Development) Bill 1997

## Explanatory note

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

### Overview of Bill

The object of this Bill is to amend the *Local Government Act 1993*:

- (a) to require councils to take into consideration the principles of ecologically sustainable development, and
- (b) to enhance requirements as to state of the environment reporting by councils.

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\* Amended in committee—see table at end of volume.

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## Outline of provisions

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

**Clause 2** provides for the proposed Act to commence on a day or days to be proclaimed.

**Clause 3** is a formal provision giving effect to the Schedule of amendments to the *Local Government Act 1993*.

**Schedule 1 [1]** amends section 7 to include a reference in the list of purposes of the Act to the requirement for councils to have regard to the principles of ecologically sustainable development in carrying out their responsibilities.

**Schedule 1 [2]** amends section 8 to include a reference in the charter of councils to the principles of ecologically sustainable development.

**Schedule 1 [3]** amends section 89 to require councils to have regard to the principles of ecologically sustainable development when determining applications for approval under the Act.

**Schedule 1 [4]** omits section 89 (3) (a), as this paragraph is superseded by the amendment proposed to be made by Schedule 1 [3].

**Schedule 1 [5]** amends section 403 to require council management plans to include material about council activities to promote the environment consistently with the principles of ecologically sustainable development, and material responding to and addressing priorities identified in current state of the environment reports.

**Schedule 1 [6]** amends section 428 to revise the matters that are to be included in annual state of the environment reports of councils.

**Schedule 1 [7]** omits section 428 (2) (i), as this paragraph is superseded by the amendment proposed to be made by Schedule 1 [6].

**Schedule 1 [8]** amends Schedule 8 to insert a reference to the proposed Act into clause 1, thereby enabling regulations of a savings or transitional nature to be made in relation to the enactment of the proposed Act.

**Schedule 1 [9]** amends the Dictionary at the end of the Act to insert a definition of *principles of ecologically sustainable development*. The definition refers to the principles described in the *Protection of the Environment Administration Act 1991*.