

FILE NO: PSC2022-02249

TITLE: ENVIRONMENT POLICY

OWNER: STRATEGY AND ENVIRONMENT SECTION MANAGER

1. PURPOSE:

- 1.1 Port Stephens Council (Council) is committed to achieving a great lifestyle in a treasured environment so that current and future generations can enjoy, and benefit from, a healthy natural environment.
- 1.2 This policy outlines Council's commitment to the environment by providing leadership and direction for improved environmental performance, sustainable outcomes, enhanced condition of the natural environment and acknowledges Council's legislative responsibilities towards Ecologically Sustainable Development (ESD) under the Local Government Act 1993.
- 1.3 This policy aligns with Council's Integrated Planning and Reporting Framework, acknowledging the connection between people, place and the environment. It also highlights Council's leadership role in ensuring the sustainable management, enhancement, protection and resilience of the Port Stephens environment for current and future generations.

2. CONTEXT/BACKGROUND:

- 2.1 Port Stephens is a diverse region, comprised of natural features including unique biodiversity, bushland, rivers, wetlands and coastal areas. A healthy natural environment is critical to the people of Port Stephens as it provides essential environmental services such as clean air, clean water and healthy soils. In turn this supports ecological, cultural, recreational, social, economic and aesthetic values. It is also recognised that growing evidence suggests that time spent in nature provides increased health benefits.
- 2.2 Local government plays an important role in protecting and enhancing the natural environment in order to achieve Ecologically Sustainable Development (ESD). Specifically, the charter for NSW Councils reinforces Council's role "to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development". the Local Government Act 1993 requires Council to consider the principles of ESD in carrying out their responsibilities to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible.

- 2.3 The natural environment is a complex and interdependent system, making it challenging to accurately quantify and **assess potential, long-term and cumulative** impacts. The principles of ESD are therefore embedded **within** the Local Government Act 1993 **guiding principles for councils** which states that “ecologically sustainable development requires the effective integration of economic and environmental considerations in decision making processes”. The principles are incorporated within local government decision making processes including planning, regulation, administration and operations **to guide councils towards sustainable outcomes.**
- 2.4 ~~The principles underpinning ESD as identified by NSW~~ Local Government Act 1993 **NSW identifies that ESD can be achieved through the implementation of the following principles and are programs:**
- a) **The Precautionary principle – to prevent, manage and mitigate environmental risk and degradation through protective measures, even in the absence of full scientific certainty manage and mitigate risk.**
 - b) **Intergenerational equity - today’s actions maintain or enhance health, diversity and productivity of the environment for future generations**
 - c) Conservation of biological diversity and ecological integrity
 - d) Improved valuation and pricing of environmental resources – recognising the value of the environment to the community
 - e) Commit to the principles of the circular economy and minimise the consumption of finite natural resources.
- 2.5 ~~Ecologically sustainable development~~ **ESD** requires the effective integration of economic, social and environmental considerations in decision-making processes. **ESD also requires consideration of the long-term and cumulative environmental impacts of decisions to ensure sustainable management of the natural environment.** The Integrated Planning and Reporting framework also requires councils to address social, environmental, economic and civic leadership (the quadruple bottom line) issues in an integrated way.
- 3. SCOPE:**
- 3.1 This policy provides direction for Council's approach to its application of ESD principles, **management of natural assets** and overall environmental performance.
- 3.2 Council's approach to maintaining and enhancing environmental values for intergenerational equity recognises human-induced climate change impacts on the conservation of biological diversity. Council recognises the need to manage the natural environment of Port Stephens **in accordance with the Local Government Act 1993**, to the standards of Council's resourcing and budgeting

capabilities, including of **habitat** quality and **biodiversity** connectivity, to build resilience and reduce the risk of species loss.

- 3.3 Whilst Council's approach to environmental risk is influenced by this policy, Council's Risk Management Policy provides the overall direction on Council's systematic management of risk. **Council's approach to managing climate risks and circular economy principles are managed through Council's Climate Resilience Policy.** Therefore, these 2-policies should be considered together.
- 3.4 Council has a dedicated environmental risk program, centered on the Environmental Management System (EMS). The EMS provides a set of tools to support risk-based decisions that appropriately consider Council's environmental, cultural and heritage objectives and operational threats. The program is designed to be compliant with relevant external obligations.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

Biological Diversity and Ecological Integrity	The variety of life forms, the different plants, animals and microorganisms, the genes they contain and the ecosystems they form.
Circular economy	A model enhancing the production, assemblage, selling and usage of products to minimise waste and reduce environmental impact.
Ecologically Sustainable Development (ESD)	Effective integration of economic, social and environmental considerations in decision-making processes.
Environmental Management System (EMS)	An integrated and structured framework to manage environmental risks, ensure compliance, and improve environmental performance across operations.
Intergenerational Equity	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.
Integrated Planning and Reporting (IP&R)	The Integrated Planning and Reporting framework is a NSW local government legislative requirement mandating that councils create long-term, community-focused strategic plans.
Precautionary Principle	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.

5. STATEMENT:

- 5.1 Council ensures the sustainable maintenance, management, enhancement, protection and resilience of a healthy natural environment is maintained for the wellbeing of current and future generations of the Port Stephens community.
- 5.2 Council is committed to empowering its employees to assume accountability and responsibility for the continuous improvement of its environmental performance by creating and promoting a culture of participation and by providing a robust process for monitoring and review.
- 5.3 Council is committed to the principles of ~~Ecologically Sustainable Development~~ ESD and its consistent application across Council's strategies, plans, programs and decisions, to ensure the Port Stephens environment is protected, enhanced, sustainable and resilient.
- 5.4 Council meets all its statutory responsibilities under environmental legislation.
- 5.5 Council is committed to achieving environmental results through a sustainable approach to the planning, procurement and delivery of its services and assets. Across its organisational business units and functions, Council seeks to maximise energy and resource efficiency, reduce waste and transport, and minimize or negate adverse and cumulative impacts on the natural environment.
- 5.6 Council is committed to maintaining and improving the natural environment of Port Stephens by the development and implementation of strategies to provide leadership, identify actions and provide direction for continuous improvement in environmental performance, management and sustainable outcomes.

6. RESPONSIBILITIES:

- 6.1 Strategy and Environment Section is responsible for monitoring, reviewing and providing advice on the policy.
- 6.2 Implementation of and compliance with the Environment Policy is the responsibility of all staff, with the Senior Leadership Team responsible for ensuring the policy is implemented throughout the organisation.
- 6.3 This policy applies to Council, councillors and council employees.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993
- 7.2 Protection of the Environment Operations Act 1997
- 7.3 Biodiversity Conservation Act 2016
- 7.4 Environmental Planning and Assessment Act 1979
- ~~Port Stephens Council Community Strategic Plan~~
- 7.5 Port Stephens Council Integrated Planning and Reporting Framework
- 7.6 Environmental Management System Framework Procedure
- 7.7 Port Stephens Local Strategic Planning Statement
- ~~Climate Change Adaptation Action Plan~~
- 7.8 Asset Management Policy
- 7.9 Climate Change Resilience Policy
- 7.10 Commercial Operators Policy and Guidelines
- 7.11 Compliance Policy
- 7.12 Tree Vandalism Policy
- 7.13 Economic Development Policy
- 7.14 Heritage Policy
- 7.15 Enterprise Risk Management Policy
- ~~7.16 On-Site Sewage Management Policy~~
- ~~7.17 Pricing Policy~~
- 7.18 Procurement Policy
- 7.19 Planning Proposal Policy
- 7.20 Management Directive for Biodiversity Offsets Fund – Part 5 Activities
- 7.21 Port Stephens Comprehensive Koala Plan of Management
- 7.22 Port Stephens Coastal Management Program
- 7.23 Biosecurity Management Plan
- 7.24 Raymond Terrace Flying Fox Camp Plan of Management
- 7.25 Biodiversity Corridors Planning Guideline
- 7.26 Port Stephens Council Emission Reduction Action Plan
- 7.27 Property Investment and Development Policy.
- ~~LGNSW Policy Platform: Environment~~
- ~~Sustainable Energy Planning and Design for Projects and Activities.~~

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2022-02249	EDRMS record No.	TBA
Audience	Councillors, staff and community		
Process owner	Strategy and Environment Section Manager		
Author	Environmental Officer Natural Systems Coordinator		
Review timeframe	3 4 years	Next review date	TBA
Adoption date	March 2016		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	8 March 2016	Environmental Strategist / Environmental Management System Officer	Original Policy.	051
2.0	26 June 2018	Environmental Strategist	Policy adapted to new Policy Template. No Amendments.	178
3.0	December 2020	Environmental Officer	1.1 – Deletion of the wording “its vision statement of” from the Purpose 2.5 – Deletion of LGNSW Interim Policy Statement and replacement with most current LGNSW Sustainability Position Statement 3.3 – Deletion of “Integrated” and replacement with “Enterprise” to reflect organisational changes	278

Version	Date	Author	Details	Minute No.
			5.5 – Inserted new paragraph: “Council is committed to achieving environmental results through a sustainable approach to the planning, procurement and delivery of its services and assets. Across its organisational business units and functions, Council seeks to maximise energy and resource efficiency, reduce waste and transport.” 7.1 – Added hyperlink to Local Government Act 1993 7.4 – Added Climate Change Policy 7.9 – Deletion of “Integrated” and replaced with “Enterprise” Risk Management Policy to reflect organisational changes 7.14 – Deleted Social Impact Policy as this policy has been revoked 7.14 – Inclusion of LGNSW Policy Platform 7.15 – Inclusion of Sustainable Energy Planning and Design for Projects and Activities Controlled Document Information – Deleted the title of the author Environmental Strategist and replaced with Environmental Officer to reflect organisational changes.	

Version	Date	Author	Details	Minute No.
4.0	14 March 2023	Environmental Officer	The policy has been updated in the new policy template and updates version control. Minor grammatical errors corrected.	051
5.0	TBA	Natural Systems Coordinator	1.1 & 1.2 - Added '(Council)', and formatting changes. 1.3 - Added "This policy aligns with Council's Integrated Planning and Reporting Framework, acknowledging the connection between people, place and the environment. It also highlights Council's leadership role in ensuring the sustainable management, enhancement, protection and resilience of the Port Stephens environment for current and future generations." 2.1 – Added 'unique biodiversity' and 'social' 2.2 – Abbreviated 'Ecological Sustainable Development' to ESD; removed outdated wording, and added wording "the Local Government Act 1993 requires Council to consider the principles of ESD in carrying out its responsibilities, to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible." 2.3 – Added "potential, long term or cumulative", updated 'guiding	TBA

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			principles for Councils” and added “to guide councils toward sustainable outcomes”. 2.4 – Removed “principles underpinning ESD as identified by” and added “NSW Act 1993 identifies that ESD can be achieved through the implementation of the following principles and programs:” a) added an updated definition for precautionary principle: “to prevent, manage and mitigate environmental risk and degradation through protective measures, even in the absence of full scientific certainty” b) added “health, diversity and productivity” 2.5 – Grammatical and punctuation updates; abbreviated 'ecologically sustainable development' to 'ESD'; added “ESD also requires consideration of the long-term and cumulative environmental impacts of decisions to ensure sustainable management of the natural environment.” 3.1 – Added “management of natural assets”. 3.2 – Added “in accordance with the Local Government Act 1993” and “habitat” and “biodiversity”. 3.3 – Added “Council’s approach to managing climate risks and circular economy principles are managed through Council’s Climate Resilience Policy.” 4.1. – Added definitions for ‘Environmental Management System’ and ‘IP&R framework’. Added ‘social’ into the definition for	

Version	Date	Author	Details	Minute No.
			ESD. 5.1 – Added “the sustainable maintenance, management, enhancement, protection and resilience of” and “of current and future generations” and removed “is maintained”. 5.3 – Abbreviated 'ecologically sustainable development' to 'ESD' and added “and its consistent application across Council’s strategies, plans, programs and decisions, to ensure the Port Stephens environment is protected, enhanced, sustainable and resilient”. 5.5 – Added “and cumulative”. 5.6 – Added “identify actions”, “provide” and “management”. 6 – Added “This Policy applies to Council, councillors and council employees”. 7. – Added multiple legislative references and relevant Council policies, guidelines, and documents. Removed numerous outdated legislation and policy references, and outdated state document references. Controlled document information table – Author changed from “Environmental Officer” to “Natural Systems Coordinator”, Review Timeframe revised from 3 to 4 years, and a Next review date provided.	