



7 June 2012

Our Ref: 10-04-043A

Your Ref:

Performance Benchmarking Australian Business Regulation
Productivity Commission
PO Box 1428
CANBERRA CITY ACT 2601

Emailed – localgov@pc.gov.au

Dear Sir/Madam

**SUBMISSION ON THE PRODUCTIVITY COMMISSION – BARRIERS TO EFFECTIVE
CLIMATE CHANGE ADAPTATION DRAFT REPORT**

Thank you for the opportunity to provide comment on the Draft Report Barriers to Effective Climate Change Adaptation. Officers from the Northern Grampians Shire Council have reviewed the Draft Report along with the submission being lodged by the Municipal Association of Victoria (MAV) and provide the following comments.

Draft Recommendation 7.2 Local Government

Officers agree with the recommendation in that the legal liabilities of local government need to be clarified. However these need to be addressed not only at a state level but a commonwealth level. Climate change impacts are not aligned to state and territory borders, therefore policies and regulations associated with managing climate change need to be transferable across borders to be effective. Additionally the role of the Victorian Civil and Administrative Tribunal (VCAT) needs to be considered in terms of legal liabilities. Currently it is unclear where liabilities stand when VCAT order the Council to issue a permit which they had previously recommended refusing.

Draft Recommendation 8.2 Planning and Building Regulation

Officers agree with the recommendation but require it to be expanded to include recommendations that set building codes to address the current issues with the energy rating system. Under the current energy rating systems there is no requirement for overall energy use and embodied energy in the building to be considered. This leads to buildings and developments being constructed that consume more energy even where they have met the required building codes.



Draft Recommendation 10.1 Emergency Management

Officers agree with this recommendation however believe that further recommendations need to be included that:

- Require a standard system to be developed for risk assessment across all agencies. Currently each agency has a separate risk assessment process leading to duplication, overlaps, and inconsistent results. To achieve the best outcomes for emergency management a standard risk assessment model needs to be applied across all agencies.
- Funding models provided post emergency events need to be reviewed to allow improvements to be made to infrastructure to address climate change. One of the barriers to effective adaptation to climate change is the investment required with infrastructure. There are limited opportunities to modify infrastructure due to costs and resources required. After emergency events there are valuable opportunities to modify and or replace infrastructure that has been damaged with new structures that have been designed to address climate change. Current funding models prevent this forward planning and will in most cases only replace what was there prior to the emergency event. Any costs to change the standard of infrastructure have to be borne by Council. The emergency event however is not aligned to any Council budget process making it difficult for Council's to resources the required changes to address climate change.

Section 11 Environmental and health services

Recommendations need to be considered for this section that:

- Ensure there are ongoing resources and systems in place that protect, enhance and manage biodiversity values across municipal, state and territory boundaries. Current funding models are short term and often target individual species rather than broader values across the landscape. To address climate change long term strategies and resourcing commitments are required.
- Better clarify the role of local government in providing public health outcomes. It is unclear what role Council will be required to play if new diseases and or public health issues emerge as a result of climate change as the required strategies may not be able to be resourced by local government.

The Draft report is very comprehensive and highlights many of the barriers that need to be addressed to have effective climate change adaptation. Local government will need to work in partnership with state agencies to address climate change issues. The resource capacity of local government however is often not well understood as it can vary significant from one Council to the next. This can result in major challenges when Councils are expected to participate or perform an administrative function associated with climate change. In preparing the final report no recommendation should lead to cost shifting to local government.



Additional to the comments provided above please note that the officers fully support the submission lodged by the MAV on the Draft Report Barriers to Effective Climate Change Adaptation.

Yours faithfully

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