

June 7, 2012

Our Ref: 05-028-01-0004MB

Barriers to Effective Climate Change Adaptation
Productivity Commission
LB2 Collins Street East
Melbourne Vic 8003

To Whom It May Concern,

The Western Australian Local Government Association (WALGA) is pleased to have the opportunity to comment on the Productivity Commission Draft Report on Barriers to Effective Climate Change Adaptation.

WALGA's suggestions and comments are listed below. All draft recommendations that aren't highlighted within this interim submission, have not been commented on.

Building Adaptive Capacity

Draft Recommendation 5.1

WALGA supports this recommendation as it would allow additional benefits to be produced through reforms and regulations made primary for climate change adaptation. There are a number of additional benefits that can be produced from well considered climate change adaptation reforms and it is important that it is taken into account when creating regulation. This could include additional opportunities within development, infrastructure, technology, science and environmental areas. One example is additional tree plantings for climate change adaptation could also reduce salinity levels.

Local Government

Climate change has implications for a broad range of local government functions. It also has a range of legal, indemnity, budgetary, asset management, infrastructure, planning and environmental implications.

The potential barriers limiting local government's ability to plan for and implement adaptation measures highlighted within the draft report include;

- Lack of clarity regarding the roles and responsibilities for adaptation of councils
- Legal liability concerns of local governments
- Limited capacity to effectively plan for and implement adaptation responses

There are two recommendations included in the report that relate to the first two barriers highlighted, however WALGA suggests that the Commission include a recommendation relating to the third barrier within the report, the limited capacity of local governments to plan for and implement adaptation responses. Limited capacity relates to financial constraints (including the ongoing reduction of intergovernmental transfers to local government in real terms), access to information and guidance and the knowledge and expertise of staff. Local government is the closest sphere of Government to the community, and could provide

significant adaptation information and assistance to the community; however it is not the best resourced sphere of Government to do so.

WALGA would support the inclusion of a recommendation highlighting the need for additional regulatory and funding tools to assist local governments to take adaptation actions.

Draft Recommendation 7.1 –

WALGA suggests that as well as the “list of laws which delegate regulatory roles to local governments” that the Commission also recommend that a description of the laws be included as well as a general analysis of the listed laws and how they can relate to each other. This will encourage better understanding not only of the details of the law but also a general understanding of how they work.

WALGA also suggests that the recommendation highlight Federal and State laws that relate to local government as this will provide overall understanding of roles and responsibilities within all tiers of government.

Draft Recommendation 7.2 –

WALGA supports this recommendation. However, there may be some additional benefit in identifying the liability of each tier of government. Clarifying liability at each level may help generate and support overall understanding of roles and responsibilities as well as improve confidence in decision making processes.

Planning and Building Regulation

Draft Recommendation 8.1 –

WALGA believes that the wording of this recommendation is vague. Without providing specific details of what is expected, it could be successfully argued that climate change risks are already taken into account as part of the planning decision making process. It should also be noted that a communities ‘acceptable level of risk’ may differ significantly from the level of risk a local government is prepared to accept, when zoning or rezoning land. As such, this process may raise community expectations unrealistically.

Draft Recommendation 8.3 –

WALGA supports this recommendation, however suggests that specific examples be provided as the wording is general and could be misinterpreted.

The role of insurance

WALGA supports each of these three draft recommendations.

Conclusion

In conclusion, WALGA is generally supportive of the Commission’s draft recommendations and hope that some of the comments and suggestions within this submission be considered. WALGA would also like to thank the Commission for allowing public comment.