

8.2 NOTICE OF MOTION- CLIMATE CHANGE – DUTY OF CARE

Submitting Councillor/s:	Dr Josh Fergeus
--------------------------	-----------------

RECOMMENDATION

That Council

1. Notes the wide-ranging support for the Climate Change Amendment (Duty of Care and Intergenerational Equity) Bill 2023, including from the Australian Council of Social Service (ACOSS), the Australian Medical Association (AMA), and the Australian Human Rights Commission (AHRC)
2. Writes to the Minister for Environment and Water, Tanya Plibersek, to request that a duty of care is embedded in law as per the Bill.

INTRODUCTION

Local Government has been leading action on climate change for many years. Work has taken place across the local government sector to mitigate and adapt to the impacts of climate change.

ISSUES AND DISCUSSION

The recent Climate Emergency Australia Conference hosted by Maribyrnong City Council and Climate Emergency Australia, heard from climate activist Anjali Sharma, a Monash local, about the need for 'duty of care' legislation at the federal level to ensure decision makers act in the best interests of young people and future generations.

The Climate Change Amendment (Duty of Care and Intergenerational Equity) Bill 2023 seeks to impose a statutory duty on decision makers to:


1. Consider the likely impact of decision that could harm the climate on the health and wellbeing of current and future children as the paramount consideration and
2. Refrain from making a decision that could harm the climate if that decision poses a material risk of harm to the health and wellbeing of current and future children in Australia.

If passed, the bill would add two conditions to decisions made under six existing pieces of legislation, including the Environmental Protection and Biodiversity Conservation Act 1999. In particular, decisions that facilitate the financing and development of projects that could harm the climate.

CONCLUSION

Support for the introduction of a duty of care is an important step in advocating for the future of local young people and in line with Council's commitment to address climate change.

ATTACHMENT LIST

- 
1. Officers Response to NOM [**8.2.1** - 2 pages]

OFFICER'S REPORT

CLIMATE CHANGE – DUTY OF CARE

Submitting Councillor: Dr Josh Fergeus

MOTION

That Council

- 1. Notes the wide-ranging support for the Climate Change Amendment (Duty of Care and Intergenerational Equity) Bill 2023, including from the Australian Council of Social Service (ACOSS), the Australian Medical Association (AMA), and the Australian Human Rights Commission (AHRC)**
- 2. Writes to the Minister for Environment and Water, Tanya Plibersek, to request that a duty of care is embedded in law as per the Bill.**

BUDGET IMPLICATIONS

This Notice of Motion has no additional Budget Implications.

IMPACTION INTERNAL RESOURCES

There is minimal impact on internal resources.

COUNCIL PLAN AND COUNCIL POLICIES

This Notice of Motion relates to all four of the Monash Council Plan Strategic Objectives – Sustainable City, Inclusive Services, Enhanced Places and Good Governance. It is aligned with our Community Vision that Monash is the most liveable City in Victoria.

It also considers but is not limited to the following plans and strategies.

- Zero Net Carbon Action Plan
- Monash Urban Biodiversity Strategy
- Environmental Sustainability Strategy 2016-2026
- Monash Urban Landscape and Canopy Vegetation Strategy
- Transport Strategy
- Waste Management Strategy
- Health and Wellbeing Plan 2021-2025
- Tree Management Policy 2021
- Procurement Policy

RELEVANCE TO WORK ALREADY UNDERTAKEN BY OFFICERS OR COMMITTEES

Monash Council takes its commitment to addressing climate impact and the future of our community very seriously, with our Environmental Sustainability Strategy focusing on seven key priorities – Built Environment, Urban Ecology, Climate Change, Waste and Resource Management, Integrated Water Management Partnerships and Leadership, Education, Engagement and Reporting.

In 2020, Council adopted the Net Zero Carbon action plan, with a substantial amount of work completed over several years resulting in incredible results for our current and future Monash community.

Some of these actions include:

- Participating in the Local Government Power Purchase Agreement for up to 100% renewable energy for all electricity use
- Major roads street lighting changeover to LED lights
- Major infrastructure upgrades of high energy usage sites, including our aquatic centres, to reduce energy use
- Investment in solar panels at key sites
- Expanding the use of electric and hybrid vehicles in Council's fleet
- Increasing the use of recycled content materials in council projects
- A commitment to protecting and enhancing our green spaces and tree canopy
- The introduction of food waste in the green bin household recycling
- The EAC (Environmental Advisory Committee) meeting monthly, bringing a community perspective to the delivery of climate action for Monash.

FURTHER CONSIDERATIONS

Advocacy that complements Council's aspirations, community obligations and highlights the importance of acting on climate change, which ensures that our community is aware, prepared and supported to build a sustainable future, will assist in enabling Council to realise its goals.