

Ecologically Sustainable Development (ESD) Information Guide for Local Councils

September, 2002

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Overview

Ecologically Sustainable Development (ESD) is the resounding catch cry of governments at all levels, businesses and the community.

The goal of Australia's National Strategy for Ecologically Sustainable Development (NSESD) is "development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends".

In the case of Local Government in NSW, consideration of ESD is a legislated requirement under the Local Government Act 1993.

Local Councils all over the world have shown that they are well placed to bring to life community aspirations to work towards ESD, and also to assist and lead their communities by example, education and regulation. Councils are acutely aware of the need to balance the environmental, economic, social and cultural needs of their community and environment.

From the workshops and consultations which preceded the development of this document, it became clear that there is no prescribed path to achieving ESD.

It also became clear, however, that several councils had made great progress in pursuing ESD, in a variety of ways.

This Guide draws on that expertise and experience councils with the task of making ESD happen at a local level. It provides some practical advice on what councils can do to ensure they are meeting the requirement to consider ESD in all their activities.

The Case Study section, we believe, will be of much interest to councils who may be considering a similar approach as it provides an opportunity to learn through the experiences of other councils and ensure we do not continue to 'reinvent the wheel' when it comes to implementing ESD.

Local Government is already demonstrating considerable leadership in ESD which is evident in the case studies, the large number of councils who have signed up to programs to achieve energy efficiency and a reduction in greenhouse gases and their involvement in the World Summit for Sustainable Development (WSSD) in August – September 2002, where Local Government was again seen to be the most visionary, adventurous and enthusiastic proponent of ESD.

This Guide also highlights the need to break down the barriers within local government that have for so long had management, elected officials and the community immediately look to the environment section and only the environment section when ESD is discussed. To be really successful, ESD needs to be a whole-of council issue: that is clear. Equally, however, committed Councillors and officers, whatever their role in council, should celebrate even the small steps and victories towards ESD.

Getting ESD happening at the local level is an enormous challenge, yet all over New South Wales enthusiastic and dedicated people are tackling this challenge in many exciting and unique ways. Their input to this ESD Professional Development Program has been greatly appreciated.

This project has been developed with the support of the NSW Environmental Trust. Our thanks go to them and to all the council officers and Councillors across NSW who contributed to this project.

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Introduction

All over New South Wales Councils are striving to achieve their visions for a sustainable community. While the visions may be reasonably common, the methods Councils are using to achieve those visions are not.

The following information guide has been put together based on the experiences of many hardworking and dedicated local government professionals who are making a real difference in terms of developing and implementing Ecologically Sustainable Development (ESD) programs for and with their local communities.

They will all tell you there is no "Common Guideline' or 'Recipe Book' for getting ESD happening at the local level. Every council and its community has its own culture, its own interests and its own commitments. It's up to each Council officer or group charged with implementing ESD to work on the culture, interests and commitment.

Getting ESD 'happening' is not just a matter of getting a whole bunch of programs up and running like a sustainable transport plan, a sustainable development control plan or a sustainable purchasing policy.

In the long term it's all about developing an ESD 'culture'.

Developing that culture means making sure you get your processes right as well as your programs. Even then, however, that won't be enough. Do not assume immediate widespread support for what you are trying to do. That is why you have to pay as much attention to your Council officer, Councillor and community focused communications programs as your ESD programs, particularly in the early days.

Developing an ESD culture also takes time, so if you think you are going to have your Council firing on all four ESD cylinders within 12 months, save yourself 12 months of frustration and find something more useful to do.

To be successful in this business you need to be patient, diligent, talk to lots of people from your Council, your community and other Councils, develop good work programs, rejoice in your successes no matter how small and have lots of fun.

The recommendations outlined below are offered to help get you off on the right foot and keep it going from there.

ESD - It's the Law

We thought that this was worth pointing out right up front. You see some people who work for Council, some Councillors and some members of the general community consider the implementation of ESD as optional. It's not.

Outlined below are extracts from a paper prepared by David Broyd (Tweed Heads Shire Council) identifying some of the state based legal responsibilities of Councils in implementing ESD. More detailed extracts are provided in Appendix A.

The Local Government Act 1993 (as amended 1997)

The first stated purpose of the NSW Local Government Act (Section 7a) is "to provide the legal framework for an effective, efficient, environmentally responsible open system of local government in NSW". Another stated purpose of the Act (Section 7e) is "to require Councils, Councillors and Council employees to have regard to the principles of Ecologically Sustainable Development in carrying out their responsibilities".

The Local Government Act 1993 (as amended 1997) (Section 8) sets out the charter of a local Council in NSW and includes the requirement for a Council to "properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible in a manner which is consistent with and promotes the principles of Ecologically Sustainable Development" and "have regard to the long term and cumulative effect of its decisions". So taking into account the principles of ESD is a legal requirements for all Councils under the Local Government Act.

One of the stated objectives of the Environmental Planning and Assessment Act (1979) is also "to encourage Ecologically Sustainable Development". By inference, therefore, planning instruments which are developed under this Act should be founded on the principles of ESD.

ESD and Council's Management Plans

Section 402 of the Local Government Act (1997) sets out the contents of a Council's draft management plan and requires that the statement of principal activities must include particulars with respect to "activities to properly manage, develop, protect, restore and conserve the environment in a manner

that is consistent with and promotes the principles of Ecologically Sustainable Development". NSW Councils are therefore legally bound to reference ESD in relation to a range of programs for works and planning (strategic planning and development assessment) in their draft management plans.

ESD and Approvals

Section 89(1) of the Act requires a Council, in determining an application for an approval under Part 1 of Chapter 7, to take into account the principles of ESD. Further, the Council must seek to give effect to the applicant's objectives insofar as they are compatible with the public interest and clearly the public interest includes the protection of the environment.

In considering the term environment as variously defined in dictionaries and NSW legislation, Ian Ellis-Jones concludes that: "one thing is clear: environment includes much more than just the so-called natural environment. Thus the impact of an activity of the existing built environment would unquestionably be an environmental consideration. In addition, the so-called human-made environment includes works such as roads". (Ellis-Jones .I., 2000). The definition of "the environment" in the Environmental and Planning and Assessment Act 1979 includes "all aspects of the surroundings of man, whether affecting him as an individual or in his social groupings".

Hence, there is a direct implication of Councils having to assess and determine applications for approvals with explicit considerations of ESD.

The Environmental Planning and Assessment Act 1979

Objectives of the Act

The stated objectives of the Act include: "the sharing of the responsibility for environmental planning between the levels of government in the State" and "to encourage ecologically sustainable development".

Legal Obligations for ESD

Councils are responsible for:

• the preparation of Environmental Planning Instruments (EPIs), in particular Local Environmental Plans and Development Control Plans,

which establish the bases for future development and environmental conservation of the local area;

• the assessment and determinations of applications for development consent and the assessment of applications for activities under Part 5 of the Act.

By inference rather than by direct requirement, Planning Instruments should therefore be founded on the principles of ESD. The heads of consideration (section 79C) for determining Development Applications do not directly reference ESD but have foundation in ESD principles and the public interest may well be found to legally embrace ESD given the other legal referencing in NSW legislation. Environmental Impact Statements prepared by proponents must include "the reasons justifying the carrying out of the development or activity in the manner proposed, having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development."

In addition to the order making powers conferred upon Councils by the Local Government Act, Section 121B of the Environmental Planning and Assessment Act expresses the intent that these powers be exercised in appropriate cases having regard to the need to "properly manage, develop, protect, restore, enhance and conserve the environment of the area for which the Council is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development".

So for a start you have the law to lean on if you need to.

Resources

1. <u>Appendix A - "An International, National, State and Local context for ESD"</u> - extracts from a report prepared by David Broyd on behalf of the Local Government and Shires Associations.

Getting the Processes Right

Before you take on the task of getting ESD happening at your Council, think about the following challenge.

Many of the resource and land use management decisions made by local governments over the years have been reactive, often only linked to the political realities of the day. A sustainably focused council develops and implements policies, programs and plans in line with a shared vision of the type of community they want for themselves and generations to follow.

Developing a commitment to a shared vision across all areas of Council will often require a significant shift in culture. Developing an ESD focused culture can be achieved, but getting it done will require putting lots of processes in place. Some of those processes are outlined on the following pages.

As a part of this ESD Professional Development Program a survey was conducted among the leading ESD practitioners in Councils throughout NSW. Within that survey respondents were asked to identify the three most useful ESD resources they had discovered in the development of their programs. While there was a wide variety of responses, a number of recommendations appeared consistently.

1. Get A Budget, Get Some Resource Support

If your Council is genuinely committed to doing something about ESD, then ask for some money to spend on some excellent basic resources. If you can get your hands on some of the resources outlined below or listed in the Reference Section, it will make your time a lot more productive.

Essential Reading

1. <u>Environs Australia, Our Community, Our Future - A Guide to Local Agenda 21</u>.

This resource kit provides a background to ESD and where it has come from and some guidelines on the effective implementation of ESD at your local Council. It also includes some excellent case studies.

For more information: <u>www.environs.org.au</u>

Telephone: 03 9654 1322

2. <u>SSROC's Sustainability Guidelines for Decision Makers</u>

This guideline document provides a background and discussion paper on sustainability, an overview of what sustainability is about and the tools to complete an operational review of sustainability at your local Council. Strongly recommended as a useful background document.

For more information: <u>www.ssroc.nsw.gov.au</u>

The Sustainability Background and Discussion Paper is included in this guideline as Appendix "B".

Useful Associations/Organisations

1. The <u>Australian Local Government Environment Network</u> made up of local government officers, Councils and other relevant agencies conducts discussion groups, training programs and network activities.

For more information: www.environs.org.au

Telephone: 03 9654 1322

2. <u>The Institute for Sustainable Futures</u> is doing some ground breaking work with local government, business and the community on the development and implementation of sustainable management across Australia.

For more information: www.isf.uts.edu.au/

Telephone: 02 9209 4350 Email: isf@uts.edu.au

3. <u>International Council for Local Environmental Initiatives (ICLEI)</u> a collective of local governments from throughout the world involved in many ESD focused case studies. Only members can have access to these case studies.

For more information: www.iclei.org/anz/

Telephone: 03 9639 8688 Email: anz@iclei.org

2. Generating High Level In-House Support

High level in-house support is critical to your long term success.

As was outlined in the Section 'ESD - It's the Law", Councils Management Plans need to be linked to the legal requirement for implementing ESD programs. So a good place to start in encouraging high level Council support would be Council's Management Plan. Wherever appropriate, link ESD outcomes to the outcomes of the management plans. Wherever those links exist, talk to the relevant senior managers responsible for the management plan outcomes. One of the common excuses Council ESD officers have given for their Council not implementing ESD programs is that "it is not part of the management plan". This is why your management plans, operational plans and strategic plans are the best place to begin.

You may also consider convening a high level ESD working party to help guide your programs. Many Council officers have mentioned these types of working parties have proven to be an excellent support and resource. When putting your working party together it is important to encourage broad participation on one hand and compulsory participation on the other. **Make sure you have your Land Use Planners on your working party. They just have to be there.** You may also consider inviting State of the Environment Report writers, your Operations Manager, Facilities Manager, Fleet Manager, Finance Manager, Chief Engineer, Works Manager and other senior management to be involved.

3. Generating Community Support

Community support is also critical for your long term success. Most of Council's sustainable policies and programs will require community participation and support if they are to be effectively implemented. It is therefore important that the community be engaged early in the development of those policies and programs.

It is also important to ensure the community are made aware that they are part of the problem as well as part of the solution. Do not, for example, always assume the community will be your ally. The ESD Programs introduced by Councils all over NSW are impacting on the way people live and some members of the community may not like that impact.

That is why you need to work closely with Council's public communications staff on the development and implementation of a communications strategy to support your ESD Program. (Development and management of a Communications Strategy is outlined in Part B Section 7 of this Information Guide).

Resources

- 1. <u>Case Study 1 Hornsby Shire Council</u> Creating a Living Environment
- 2. <u>Case Study 2 Manly Council</u> Community Scientific Advisory Panel

4. A Work Program and a Timetable

Develop a work program and a timetable for your ESD program and then basically double the time you have allocated for each of the tasks. That is the advice from people actively involved in implementing ESD across local government in NSW.

The work program and timetable is important to guide your activities and keep your management informed of your progress on the implementation of ESD.

Resources

1. <u>Case Study 3 - Gosford City Council</u> Developing a Whole of Council EMS

5. Identify a Committed Team

Do not even think you can get ESD happening effectively at your local Council all by yourself. You need to gather supporters, both inside and outside your Council. As mentioned earlier you may consider forming a high level working party to help guide your work but you will need more than that.

Try to find people in Council with similar interests to yours. Ask around - you may be surprised at what you uncover. One NSW Council encouraged all staff to identify through a survey where their work linked to Council's vision for a sustainable community.

Through that survey the Operations Manger, the Purchasing Manager and the Librarian were identified as people with an excellent understanding of what ESD was all about and how they could make a difference through their work. These people have now become valued allies of the ESD Manager at that Council.

Lgov NSW, is also convening an ESD Network. Your Council was asked to nominate an officer and a councillor to participate in that network. It is a good forum for discussing ideas, seeking advice and getting in touch with anyone running similar programs to yours. If you like to find out more about the Network, please contact the Environment Team at the Lgov NSW on 02 9242 4000.

You should also contact your surrounding Councils to see what they are up to. You could consider encouraging some surrounding Councils to become involved with yours in the implementation of regionally focused programs. You may also consider sharing the workload in the development of some Council specific programs.

This type of cross-Council cooperation will certainly help in saving money and time and will also provide an excellent forum for you to discuss the challenges of ESD with people facing similar tasks.

As your ESD program unfolds, you will identify a number of other processes that will require attention. Once identified it may be worthwhile putting your questions to the ESD network to see if anyone is dealing with similar processes. Do not be shy about asking a silly question. Everyone involved in this sort of activity had to begin somewhere. Those who are now well down the road appreciate the challenges faced by someone starting off and have, through Lgov NSW and other programs, provided excellent support to Council officers in many areas throughout the state.

Developing ESD Programs

1. Deciding What ESD Is All About.

The first and one of the greatest challenges facing council officers trying to encourage the implementation of ESD programs is getting agreement on what ESD is all about.

Develop your own definition of what ESD is all about, write it down, send it around to lots of different people within Council and your local community, ask them what they think of your definition. Encourage them to suggest how it may be improved but be very careful not to let anyone bury your definition in jargon. It is also important to make sure your definition covers more than just the environmental aspects of ESD.

A couple of the definitions that have been adopted by local councils to help guide their ESD programs are:

'ESD is all about creating a space and a place where we would like the next generation and the generations after that to live, work, rest and play.'

'ESD is all about improving the total quality of life both now and in the future in a way that maintains the ecological processes on which life depends'

Resources

- 1. <u>Environs Local Agenda 21 Package</u> As described in Part A, Section 1 of this guideline.
- 2. <u>SSROC Sustainability Background and Discussion Paper and Guideline</u> <u>for Decision Makers</u> - (Appendix B)

2. Develop an ESD Vision Statement for Council and Community.

Once your definition has been broadly acknowledged (if you wait for universal acceptance you will be waiting a long time) use it as a basis for developing a draft ESD vision statement for Council and the community.

Keep it simple and make it local. If a Vision statement already exists pick it up and use it. Do not automatically assume, that if Council has a vision which incorporates a commitment to ESD, everyone within Council understands or supports it. You will need to put together a background case to support your drive for ESD (See Part A, Sections 1 and 2).

If a vision statement incorporating ESD is to be adopted, the input process for this statement needs to be more formal than that used for the definition. Circulate the Vision. Send it around to lots of different people within Council and your local community, ask them what they think of the Vision. Encourage them to suggest how it may be improved but be very careful not to let anyone bury your Vision in jargon.

Once you get some type of agreement send your Vision off to Council for endorsement. Once endorsed make use of your Vision everywhere possible. Chant it at the start of meetings if you think that is going to work. Convince Council to print it on all their stationary, community signs and anywhere else you can think of. You need to make that Vision statement part of the accepted wisdom of Council.

3. Policies

So now you have an agreed Vision, but if you are really going to get things happening at Council, you are also going to need some policy support. It is essential you link what you are trying to do to existing Council policies. If you can't make that link your drive towards ESD will be a struggle.

As outlined earlier in Part A, Section 2, there is a legal requirement for Councils to have regard to the principles of ESD in carrying our their responsibilities. In order to meet that requirement Councils should have at least basic policies in air, water, soil, waste and energy management.

Find those policies, get familiar with them and link them with your ESD programs. If those policies do not exist have a look at some local Council web sites, download their policies and use them as a basis, if suitable, for the development of your own. Once developed, your policies will have to undergo similar levels of consultation and review as your vision statement.

Resources

1. <u>Case Study 4 - Sutherland Shire Council</u> Developing Effective Policies

4. Identify Priority Areas for Action Within Council

While your vision is 'doing the rounds' have a look at Council's main areas of activity. Identify the Council processes and the people you should talk to in order to encourage programs/practices that can be linked to achieving Councils ESD vision statement and policy commitments.

One of the absolute 'must have' groups for any program encouraging ESD in Councils are the planners. They are the people responsible for guiding the land use management decisions in the short, medium and long term. If you talk to no one else, talk to your land use planners. Get them interested, get them excited and get them involved. The excellent case studies on different types of DCPs may help.

Be sure to also include in your groups:

- Strategic Planners
- State of the Environment Report Writers
- Operations Managers
- Facilities Managers
- Building Managers
- Fleet Managers
- Purchasing Managers
- Engineers
- Accountants
- Councillors
- Senior Management

From this list of people nominate at least 5 as top priority areas for action as well as the land use planners. Make sure you include in your top priority groups some where you can make some short term but effective gains and others where your gains will be more long term.

Arrange meetings with each of your top priority areas for action. Keep the agenda fairly open. Take along some of the case studies included in this guideline that are relevant to the work of these people. It may help in getting them excited about what can be achieved in the implementation of ESD in your Council area. You should also at your first meeting, put it to them to come up with things they can do to contribute to achieving Council's ESD vision.

Make sure you go very well armed with case studies, Council's management plans, State of the Environment reports and relevant Council policies to help make your case.

Resources

Some sample programs include:

- 1. <u>Case Study 5 Council of the Shire of Baulkham Hills</u> Eco Accounting, What Does It Mean?
- 2. <u>Case Study 6 Leichhardt Municipal Council</u> Choosing a Flagship and Setting Sail - Solar Hot Water as a Change Agent
- 4. <u>Case Study 7 Camden Council</u> Riparian Areas Plan of Management
- 5. <u>Case Study 8 Kogarah Municipal Council</u> Kogarah Town Square - A Sustainable Development
- 6. <u>Case Study 9 Newcastle City Council</u> Greenhouse Action in Newcastle (GAIN)
- 7. <u>Case Study 10 Strathfield Municipal Council</u> A Water Wise DCP
- 8. <u>Case Study 11 Albury City Council</u> Biodiversity Conservation Strategy

5. Develop ESD Indicators

Your Council is certain to ask "where they are at" in terms of ESD and "where they should be working to". How can you measure ESD performance? This is a questions that has challenged the gurus of ESD for a long time, but is a question that needs consideration.

Some possible indicators are:

- Reduction in resource use;
- Improvements in community safety;
- Improvements in sustainable employment opportunities;
- Improvements in local water/air/soil quality.

It is all about all of these things and lots more. Council's State of the Environment reports can be an excellent starting point for identifying ESD indicators. A number of Councils have decided to graph changes in their State of the Environment reports as they believe this is a far more effective way of representing performance. There are many different processes for identifying performance and tracking improvement through other means.

6. Develop your Work Plan

This component was discussed briefly in the "Processes" section of this Information Guide.

The importance of a work plan cannot be understated. The work plan will need to reflect the many different components that you are striving to put in place to encourage ESD within your Council. This activity is not all about putting one part in place and then moving on to the next. At any one time you could be involved in:

- Development of Council policies on ESD;
- Development and review of Council's ESD performance;
- Engagement with the community on an ESD issue;
- Working on a particular Council program e.g. a sustainable transport plan, a sustainable purchasing policy, an integrated approval process.
- Implementing your ongoing communications strategy.

Make sure your program allows for a number of overlapping, yet integrated, activities.

7. Communicate, Communicate, Communicate

In order to develop a positive sustainable culture at your Council, you will need to pay a lot of attention to communication. That is why it is very important to establish positive links with Council's public communications group very early in the development of your ESD programs.

Work with your public communication officers to develop a formal communications strategy, making sure that you complete components covering:

- Council's senior management
- other Council officers
- the community
- the local press

Do not be shy about Council's achievements either. Sell them hard to everyone concerned.

Resources

1. The EPA has produced an excellent booklet, "What We Need is a Community Education Program". Details of that booklet are included in the reference section of this document.

Conclusion

ESD - There is no single correct answer

All over NSW Councils are involved in the development and implementation of some very exciting ESD programs. These include:

- Transport plans;
- Sustainable purchasing policies;
- Whole of Council EMSs;
- Facility specific EMSs;
- Sophisticated community participation programs;
- Energy management programs.

All of these programs are making a contribution to more effective sustainable local government. It is up to you and your team to decide how best to manage the introduction and ongoing support of ESD in your area.

This resource has been provided to help guide that decision and the implementation of that ongoing program.

References

Recommended Reading

Brown, V.A., Acting Globally - Supporting the Changing Rolee of Local Government in Integrated Environmental Management

Dore, J., Keating, C., Woodhill, J. and Ellis, K. 2000. Sustainable Regional Development Kit: A resource for improving the community, economy and environment of your region. Greening Australia, Canberra. 82p.

Griffith, R. 1998. Everything you wanted to ask about ESD ... But were afraid of the answer. Hawkesbury Nepean Catchment Management Trust, Australia. 33p.

National Parks and Wildlife Service, Threatened Species Management Information Circulars

Dunphy, E.D., Benvenieste, J., Griffiths, A, Sutton, P., 2000, Sustainability: The Corporate Challenge of the 21st Century, Allen & Unwin.

Managing the Environment: A Practical Guide for Local Government to Environmental Management Systems, ISBN 1876114088

Trzyna, T.C., Ed., A Sustainable World, ISBN 1853832677

Witkin & Altschuld., Planning and Conducting Needs Assessments, ISBN 0 80939 5809 9

Other Resources

Recommended Web Sites

Environs Australia

Website: <u>www.environs.org.au</u>

Environment Australia

Website: <u>www.ea.gov.au</u>

Publications: www.ea.gov.au/about/publications/list.html

International Council for Local Environmental Initiatives (ICLEI)

Website: www.iclei.org/anz

International Council for Local Environmental Initiatives (ICLEI)

Website: www.iclei.org/anz

Lgov New South Wales

Website: <u>www.lgov.org.au</u>

NSW Environment Protection Authority

Website: www.epa.nsw.gov.au

Southern Sydney Regional Organisation of Councils (SROC)

Website: www.ssroc.nsw.gov.au

Sustainable Energy Development Authority

Website: www.seda.nsw.gov.au

Council Web Sites including:

Sutherland Shire Council

Website: www.sutherland.nsw.gov.au

Hornsby Shire Council

Website: www.hornsby.nsw.gov.au

Manly Council

Website: www.manly.nsw.gov.au

Gosford City Council

Website: www.gosford.nsw.gov.au

Camden Council

Website: www.camden.nsw.gov.au

Leichhardt Municipal Council

Website: www.leichhardt.nsw.gov.au

ICLEI Local Government Case Studies

Website: www3.iclei.org/localstrategies/

Cardiff County Council (UK)

Website: www.cardiff.gov.uk