

Specifications for the Review of the *Climate Change (State Action) Act 2008*

I. Introduction

I.1 Purpose

To deliver on the legislated requirement for the *Climate Change (State Action) Act 2008* (the Act) to be reviewed every four years. The first review of the Act was completed in 2012; a second review is due to be completed in 2016.

I.2 Background

The Act guides the Tasmanian Government's response to climate change mitigation and adaptation. The Divisions of the Act establish a framework for climate change action through an emissions reduction target and regulation-making power. In 2013, a set of regulations were established to support the Act. They prescribe the method for measuring emissions for the purpose of setting the 1990 baseline as well as methods for measuring reductions in emissions.

The Act establishes a target to reduce Tasmania's emissions to at least 60 per cent below 1990 levels by 31 December 2050. In 2012-13, Tasmania's total greenhouse gas emissions were 1.7 megatonnes of carbon dioxide equivalent, representing a decrease in emissions of 90 per cent since 1990 and means that Tasmania has met its legislated target. The majority of the reduction can be attributed to changes in reporting rules and forestry management practices.¹

In December 2015 the Tasmanian Government released *Embracing the Climate Challenge: Tasmania's draft climate change action plan 2016 – 2021* (the draft action plan). The draft action plan delivers a set of practical actions that aims to reduce Tasmania's emissions and adapt to the impacts of climate change, as well as capitalise on potential economic advantages associated with climate change. The draft action plan states that the Tasmanian Government will consider revised legislative targets as part of the 2016 review of the Act. A final action plan is due to be released by September 2016.

¹ The 2012-13 inventory report was the first delivered under the second Kyoto Agreement and is based on revised international reporting rules. The most significant change for Tasmania is the now mandatory inclusion of forest management, cropland management and grazing land management activities as subsectors within the land use, land use change and forestry sector. For the first time, Tasmania's emissions accounts included the emissions and carbon sinks from harvesting and timber growth in the State's multiple-use public forests and from plantations established prior to 1990.

The review of the Act will take the international, national and state climate change policy context into consideration. For example:

- The Australian Government is party to the COP 21 Paris Agreement (the Agreement), which was delivered in December 2015. The Agreement takes a bottom up approach and aims to limit global warming to two degrees by the end of the Century.
- The 2015 review of the Victorian *Climate Change Act 2010*; and
- Relevant policy and legislative reform in Tasmania such as the development of the Tasmanian Planning Scheme, and the reform's potential implications for climate change action in Tasmania.

1.3 Objective

- To provide a sound legislative framework for action on climate change mitigation and adaptation in Tasmania.

2. Scope

Section 18 (2) of the Act stipulates that the review **must address**:

- a) The extent to which the objects of the Act are being achieved;
- b) The extent to which additional legislative measures, if any, are considered necessary to achieve the targets set by this Act within the periods contemplated by this Act, including the introduction of performance standards or other mandatory requirements; and
- c) Such other matters as the Minister may consider relevant to the review of this Act.

Other matters to be considered by the independent review include:

1. A review of the suitability of the 2050 emissions reduction target and advice on a new target given Tasmania has met its legislated target in 2012-13;
2. How improvements could be made to the Act to assist with achieving the Tasmanian Government's commitment on climate change adaptation and mitigation and to drive consideration of climate change in decision making across State Government. This will include consideration of specific examples of how this might be achieved, such as:
 - o A statutory requirement for the Tasmanian Government to prepare a regular climate change action plan.
 - o Consideration of the appropriateness of the Objects of the Act, particularly in the context of current national and international developments in climate change policy.
 - o Advice on how the Act could assist Tasmanian Government agencies to incorporate consideration of climate change into strategic decision making.

Section 18 (3) of the Act stipulates that reasonable steps should be taken to carry out the review of the Act in consultation with relevant business, scientific, environment and community bodies. It is expected that, as part of the review of the Act, reasonable time and processes are built in to ensure broad input.

3. Deliverables

The Act requires (Section 18 (4)) that the persons that carry out the review are to give the Minister a written report of the outcome.

For the purposes of the review, it is expected that the following outputs will be delivered:

- A written report outlining interim findings from the consultation process and initial desktop analysis, presented to the Minister for Environment, Parks and Heritage (the Minister).
- A written report outlining the final outcomes of the review and recommended actions, presented to the Minister.

The final report will be released publicly and tabled in Parliament.

4. Timeline

The timing for delivery of key milestones associated with the review of the Act is as follows:

Activity	Date
Initial meeting between the consultants and the Tasmanian Climate Change Office (TCCO)	16 May 2016
Delivery of a report outlining interim review findings to the Minister for Environment, Parks and Heritage	29 July 2016
Delivery of final report outlining outcomes and recommendations from the review to the Minister	23 September 2016

5. Contract Management

The contract will be managed by the TCCO in the Department of Premier and Cabinet. The supplier undertaking the review of the Act will be expected to work closely with the TCCO Project Manager. In addition to the outputs detailed above, the supplier will be expected to:

- Provide verbal updates to the TCCO Project Manager on progress of the review on a fortnightly basis; and
- Provide written updates as requested by the TCCO Project Manager.