



**Doctors** for the  
**Environment**  
Australia

**Submission to the Review of  
Tasmania's *Climate Change (State  
Action) Act 2008***

November 2018

# Doctors for the Environment Australia

Doctors for the Environment Australia (DEA) is a voluntary organisation of medical doctors in all states and territories. We work to address the diseases – local, national and global – caused by damage to the earth’s environment. For example, the burning of fossil fuels for energy and transportation has been linked to much cardiovascular and respiratory illness in Australia as well as being responsible for significant greenhouse gas emissions.

The World Health Organisation estimates that one quarter of global disease and one third of that in children is due to modifiable environmental factors. If humanity is to make progress in solving the major issues of our time, all sections of the community will need to contribute.

The medical profession has a proud record of service to the community. This record not only includes personal clinical care, but also involvement in global issues that threaten the future of humanity. We aim to use our scientific and medical skills to inform governments and industry, the public and our colleagues, in the endeavour to highlight the medical importance of our natural environment. To our patients we try to provide a role model in the care of the environment for this is part of a preventative health ethos.

DEA has a scientific advisory committee to guide DEA’s activities and advocacy, and includes prominent Australian scientists and physicians including Sir Gustav Nossal AC, Dr Fiona Stanley AC, Rosemary Stanton OAM, Prof Peter Doherty AC and Prof Stephen Leeder.

For further information about DEA and its committees, see [www.dea.org.au](http://www.dea.org.au)

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*This report prepared by the Tasmanian Committee of DEA.*

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# Review of Tasmania's Climate Change Act – Stage 3

## General comments

DEA Tasmania welcomes the opportunity to contribute to the revision of Tasmania's Climate Change (State Action) Act 2008.

Whilst Tasmania may be a relatively small contributor to Australia's overall greenhouse gas emissions profile, the scale of the threats arising from climate change demand that all jurisdictions take urgent mitigation actions. Tasmania is already being affected and will not be spared from the worst effects of climate change, and indeed is exposed to climate-related risks through challenges to our state's vital agricultural, aquaculture and viticulture industries as well as from an already increasing pattern of extreme weather events and sea-level rise.

DEA also recognises that several climate change mitigation activities have significant co-benefits for public health, including reduced morbidity and mortality from a range of chronic diseases<sup>1</sup>. Actions such as increasing utilisation of public transport, improving energy efficiency and prioritising regional air quality all have the potential to improve the health of Tasmanians with concomitant savings to the health budget.

Nonetheless, the last decade has seen stagnation in climate policy at state and federal levels, with Australia's greenhouse gas emissions continuing to rise. At the same time, scientific evidence from around the world is only pointing towards earlier and more severe effects of climate change if mitigation efforts aren't rapidly scaled up.

In light of the recent IPCC Special Report on Global Warming of 1.5°C<sup>2</sup>, all legislative and policy frameworks relating to climate change need to be oriented towards keeping global warming below 1.5°C and not 2°C as suggested within the discussion paper.

Whilst the Tasmanian government has sought to make much of its apparent zero-emissions status, there has been very little policy or government action to achieve this. Instead, reductions have instead largely come about through reduced emissions from the Land Use, Land Use Change & Forestry (LULUCF) sector – with even these apparent savings now under threat with a government showing renewed interest in opening native and old growth forests for logging.

Whilst international sector-based emissions reporting standards are not likely to significantly change in the short term, the Tasmanian government must not continue to use these apparent emissions reductions to hide the lack of any significant mitigation attempts over the last decade.

In this context, the Tasmanian government urgently needs to develop and implement strong and wide-ranging climate change policy. Through this submission, DEA encourages the Tasmanian

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<sup>1</sup> Haines A. McMichael AJ et al. (2009), Public health benefits of strategies to reduce greenhouse-gas emissions: overview and implications for policy makers. *Lancet*. 2009; 374: 2104-2114

<sup>2</sup> IPCC Special Report on Global Warming of 1.5°C, Summary for Policy Makers

government to create the strongest possible legislative framework that will deal with an issue that will define Tasmania for generations to come.

## **Recommendation 1**

Given the gravity of the threats from climate change and the increasing need for urgent mitigation efforts, DEA strongly supports the recommendation to set new emissions reduction targets. If our action is to be guided by the best available science then consideration must be given to the IPCC special report released in October 2018 in defining an appropriate target. Specifically the report identifies the trajectory of emissions reduction to limit global warming to 1.5 °C. The special report identified the need for net zero emissions globally by 2050, with reference to achieving this sooner, by 2040 to limit the potential overshoot of this 1.5 °C guardrail. Also referred to within the report is the necessity to pursue CDR (Carbon Dioxide Removal) in order to go beyond zero net emissions. In seeking to achieve intragenerational equity we believe that affluent jurisdictions such as Tasmania must set a path to achieving zero net emissions prior to 2050.

However, the urgency clearly established within the IPCC special report is not reflected in a single target set for 2050. Indeed a target for 2050 has no political relevance or consequence for those currently in office and is inadequate to protect the health of generations of Tasmanians being born today. Therefore the revised 2050 target needs to be supported by the setting of interim targets, with a clear focus on the urgency to make the majority of emissions cuts in the near future.

The Tasmanian government has previously flagged an intention to tackle greenhouse gas emissions using a sector-based approach, through the publication of the Tasmanian Wedges Project Report. It would be timely to review this work as the basis for setting interim, sector-based emission reduction targets. Emissions reduction should be clearly defined as reducing the release of greenhouse gases, and separate from carbon dioxide sequestration unique to the Tasmanian context, such that emissions do genuinely reach zero.

## Recommendation 2

Whilst welcoming the attempts to strengthen the Climate Change (State Action) Act 2008, DEA is concerned that many of the current Objects of the Act seem to have been dropped altogether, and not picked up in the proposed Objects of the Act, which on the whole seem too broad and vague.

DEA notes that it is the Objects of the Act which will carry significant legislative weight and thus need to be as specific and robust as possible.

Of particular concern is the loss of current objects including:

- *To promote energy efficiency and conservation*
- *To promote research and development in the development and use of technology for reducing or limiting greenhouse gas emissions or for dealing with, and adapting to, the expected consequences of climate change*
- *To promote and facilitate business and community consultation and early action on climate change issues*

Objects related to the setting of interim targets and establishing urgency for action are considered elsewhere.

Upon comparing the current and proposed Objects of the Act, the proposed amendments seem to be a step backwards on effective policy frameworks for action on climate change.

Several of the original Objects of the Act have clear implications for human health in Tasmania, and suggest areas for specific policy development and funding. By comparison, the proposed Objects seem to allow for a broad, and potentially weak, interpretation of the Act resulting to a even further regression in our state's ability to do anything meaningful at all in response to the existential threat of climate change.

Whilst DEA supports the recommendation for four themes for climate change policy in Tasmania, we believe an expanded set of Objects, including reference to specific mitigation activities, is necessary to capture the breadth of required action.

### Recommendation 3

In relation to the review's recommendation on statutory requirements to have regard to climate change DEA is concerned by the way this has been interpreted within the discussion paper.

DEA is specifically concerned about the following aspects of the proposed amendments:

I. *"...should consider..."*

DEA believes that the Act should explicitly state that considerations related to climate change be prioritized in decision making by government departments. Where there are conflicting priorities, government departments should be expected to justify any cases where decisions are made to act in a way that impacts negatively on climate change mitigation or adaptation efforts.

II. *"...relevant decisions..."*

DEA is concerned that a narrow definition of "relevant" may be used by government departments in order to avoid having to consider climate change in decision making. DEA recommends that consideration of climate risk be a default requirement in government department decision making. Any decision that will lead to change (positive or negative) in carbon emissions, or opportunities to reduce emissions, must be considered relevant. This could, and indeed should, implicitly suggest that a whole-of-government approach to climate change mitigation and adaptation is required.

This section of the Act must ensure that climate change impacts are considered by all government departments, and should specifically include a climate change impact statement for all major infrastructure additions or upgrades as well as all 'Projects of State Significance'. We recognise there are different approaches to ensuring that all relevant decisions are included. We advocate that clearly identifiable decisions be listed, with provision for inclusion of those not directly specified.

Conflicting priorities in decision making are likely to arise where government departments focus on short term priorities and budgetary 'requirements'. Reducing emissions and adapting to climate risk will in almost all cases result in better health outcomes and provide economic benefit, but these benefits usually accrue over a longer time frame than is normally allowed for in departmental decision making. The revised Act must provide a way for longer term outcomes to be given equal weight to short term outcomes.

Economic outcomes should not be the sole consideration in assessing climate change risk and opportunities to reduce emissions. DEA recommends that the state of Tasmania adopts a "triple bottom line" accounting framework to better reflect the impact of government decisions on the environment and the people of Tasmania. The Australian Capital Territory has previously formulated a framework for a "triple bottom line" approach which could easily be adapted for the Tasmanian

context<sup>2</sup>.

This section of the Act may be strengthened by requirements for regular public reporting of sector-based emissions.

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<sup>2</sup>Triple Bottom Line Assessment for the ACT Government – Discussion Paper (2011), [http://www.cmd.act.gov.au/\\_data/assets/pdf\\_file/0006/217392/TBL\\_Assessment\\_Framework\\_Discussion\\_Paper.pdf](http://www.cmd.act.gov.au/_data/assets/pdf_file/0006/217392/TBL_Assessment_Framework_Discussion_Paper.pdf)

## Recommendation 4

DEA supports the introduction of a robust set of Objects with a supporting set of principles to guide decision making. We do not believe the principles as proposed are sufficient.

Our recommendations for appropriate principles draw on the Victorian Climate Change Act (2017)<sup>3</sup> and the Climate and Health Alliance Framework for a National Strategy on Climate, Health and Well-Being for Australia (2017)<sup>4</sup>.

The principles as defined in Division 3 of the Victorian Climate Change Act (2017) are as follows

- 1) *Principle of informed decision making:* The best available published science should form the basis for setting the trajectory and nature of mitigation and adaptation efforts.
- 2) *Principle of integrated decision making:* We argue below that a whole of government response must be adequately resources. The CAHA Framework specifically identifies the principle of 'The right to health'. It is recognised that effective responses to climate change could delivery health co-benefits i.e. a measure targeting a reduction in emissions may also enhance health and wellbeing. For example, a comprehensive network of pedestrian and bicycle infrastructure is both a climate response and evidence-based strategy to drive a reduction in levels of obesity and type II diabetes.
- 3) *Principle of risk management:* The precautionary principle is particularly relevant here.
- 4) *Principle of equity:* The CAHA principles identify the essential requirement for intra and intergenerational equity. In relation to health measures that simultaneously reduce wealth inequality will enhance the health of the whole population.
- 5) *Principle of community engagement:* In addition to ensuring participation and support for strong mitigation efforts this principle is around avoiding maladaptive responses.
- 6) *Principle of compatibility:* The effective implementation of this principle would ensure that the necessity to reduce greenhouse gas emissions is not subordinated to short term interest. This aligns with the proposed principle of complementarity with national policies, programs, initiatives, standards. However, where national policies and standards fall short of what is necessary, this should not be used as an excuse for Tasmania to pursue lower standards.

Further to these listed the CAHA principles include;

7) Environmental protection as a foundation for health and wellbeing: Recognising the interdependence between a natural life support systems and human wellbeing and that continued warming will place unprecedented stress on these systems.

8) Indigenous rights, recognition and reconciliation: Incorporating due regard for the maintenance of traditional culture and knowledge.

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<sup>3</sup> <http://www.legislation.vic.gov.au>

<sup>4</sup> [https://d3n8a8pro7vhmx.cloudfront.net/caha/pages/40/attachments/original/1498008324/CAHA\\_Framework\\_for\\_a\\_National\\_Strategy\\_on\\_Climate\\_Health\\_and\\_Well-being\\_v05\\_SCREEN\\_%28Full\\_Report%29.pdf?1498008324](https://d3n8a8pro7vhmx.cloudfront.net/caha/pages/40/attachments/original/1498008324/CAHA_Framework_for_a_National_Strategy_on_Climate_Health_and_Well-being_v05_SCREEN_%28Full_Report%29.pdf?1498008324)

DEA recommends that the Act should stipulate appropriate staffing of government agencies. We are aware that an Interdepartmental Committee on climate change exists and meets on an infrequent basis. We recognise that effective delivery of the Objects and whole-of-government consideration of the proposed principles will require substantially more resources. This may take the form of a sustainability officer or sustainability unit within each department, to assess decisions with respect to the principles listed, and to recommend, and facilitate the implementation of appropriate courses of action. A parallel example can be found in the Sustainable Development Unit of the National Health Service (UK).

As an illustration of this point, DEA members have been involved at both state and national levels in efforts to improve the sustainability profile of the health system – currently estimated to account for 7% of Australia’s total greenhouse emissions<sup>5</sup>.

Evidence has consistently demonstrated that both top-down and bottom-up approaches are required to foster an organizational culture dedicated to sustainability efforts. A recent survey of staff attitudes towards sustainability in the Tasmanian Health System received over 700 responses from Royal Hobart Hospital staff alone. Despite high levels of staff concern and motivation, genuine action on sustainability will remain elusive without support from management and without the help of a dedicated sustainability officer or unit.

Reviews of the carbon footprint of the health system have also shown that much of the carbon footprint is due to sources that are not immediately obvious, such as procurement and pharmaceuticals. Qualified officers with a good grasp of the scientific and economic basis of the principles listed above are vital if the principles are to be applied<sup>6</sup>.

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<sup>5</sup> Malik et al (2018), The carbon footprint of Australian healthcare, *The Lancet Planetary Health* 2018; 2:e27-35 <https://www.thelancet.com/pdfs/journals/lanplh/PIIS2542-5196%2817%2930180-8.pdf>

<sup>6</sup> Doctors for the Environment Australia (2015), An Australian Healthcare Sustainability Unit (HSU): DEA Proposal, <https://www.dea.org.au/wp-content/uploads/2018/05/DEA-HSU-Proposal---05-18.pdf>

## Recommendation 5

DEA supports the fifth recommendation made by the independent review of the *Climate Change (State Action) Act 2008* and expresses its disappointment and concern that the current Tasmanian Government has not seen it necessary to amend the Act to make a Climate Change Action Plan a statutory requirement or ensure a mechanism for monitoring changes.

Climate change is a complex global problem with many dimensions, including science, economics, society, politics and moral and ethical questions, which manifest locally. Despite increasing awareness of climate change, our emissions of greenhouse gases continue to rise relentlessly. In 2013, the daily level of carbon dioxide in the atmosphere surpassed 400 parts per million for the first time in human history and since then has continued to rise.

Climate change action is essential to protect our health and prosperity. Effective adaptation and mitigation now will protect our unique environment and the health and well-being of our communities into the future and enable continued economic prosperity. No single mitigation or adaptation option is sufficient. Effective action against climate change depends on policies and their implementation.

The recently published IPCC 2018 special report<sup>7</sup> confirms that we are already seeing the consequences of 1°C of global warming through more extreme weather, rising sea levels and diminishing Arctic and Antarctic sea ice and other changes. It points to a number of climate change impacts that could be avoided by limiting global warming to 1.5°C rather than 2°C, or more. For instance, by 2100, global sea level rise would be 10 cm lower with global warming of 1.5°C compared with 2°C, which is particularly relevant to Tasmania. In addition, coral reefs would decline by 70-90 percent with global warming of 1.5°C and other long-lasting or irreversible changes, such as the loss of some ecosystems would threaten.

The report acknowledges that limiting global warming to 1.5°C would require 'rapid and far-reaching transitions in land, energy, industry, buildings, transport, and cities' with global net human-caused emissions of carbon dioxide needing to decline by about 45 percent from 2010 levels by 2030 to reach net zero by 2050. Limiting warming to 1.5°C is possible within the laws of chemistry and physics but doing so would require unprecedented changes through policy and its effective enforcement by legislation integrated action to reduce the environmental and health effects of climate change.

Policies lead to the development of laws and regulation designed to achieve policy goals. More than 100 years ago, the importance of legislation as well as enforcement and monitoring was recognised for the implementation of policy<sup>8</sup>. This has been reinforced more recently by the World Health Organization<sup>9</sup>. In Australia the importance of legislation and its enforcement has been demonstrated in seatbelt and anti-smoking successes.

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<sup>7</sup> Intergovernmental Panel on Climate Change (2018), *Global Warming of 1.5°C*,

<sup>8</sup> Champe SA. *The importance of the enforcement of law*. Ann Am Acad Pol Sci 1909; 34(1): 85-89.

<sup>9</sup> World Health Organization (2018) [https://www.who.int/heli/tools/legis\\_regul/en/](https://www.who.int/heli/tools/legis_regul/en/)

DEA notes that since the enactment of the Climate Change (State Action) Act 2008 there has been a regular turnover of climate action strategies with each successive government or minister. The consequence has been repeated delays in development of policy and related actions. A robust Climate Change Act should set a clear framework for action, which will succeed a change in government or minister and establish greater continuity of action.

Therefore, DEA recommends that the Tasmanian Government makes the production of a climate change action plan mandatory for all current and future governments within its revised Climate Change Act.