

Submission to the 2016 Review of Climate Change (State Action) Act 2008
Dr Nicholas Cummings
16th July, 2016

I write as a private individual, a resident of Tasmania, a ratepayer and a voter. I am a retired medical practitioner with a life-long interest in science and technology and a growing concern for what has been described as the greatest moral challenge of our time. Following the recent federal election and the lamentable lack of debate in that context on this issue I believe it is important to speak up at every opportunity.

As an introductory comment I will say I attended the forum in Launceston which was run as part of the review of the climate change action plan. Documents presented at that forum make it clear there is a disturbing complacency in the state government about having already exceeded emission reduction targets, based entirely on the on-paper reduction brought about by the accounting convenience of including the downturn in the forestry industry.

I have read the discussion paper prepared for the independent review of the Act. In particular I note the graph on Tasmania's greenhouse gas emissions, by sector (Figure 3.1). While the superficial appearance is impressive it is apparent that removing the agriculture component will result in a virtually flat graph, trending slowly but inevitably upwards. This impression is confirmed on page 7 by the statement: "In Tasmania, emissions from energy generation and industrial processes have trended upwards since 1990 and those from agriculture and waste have declined slightly." A comparable graph (figure 3 on page 5) of the Tasmanian Greenhouse Gas Accounts 2012-13 disaggregates the individual components and demonstrates the energy, industrial processes and agriculture sectors have continued an inexorable climb from 1990 to 2013. It is generally accepted that the state government is currently attempting to re-invigorate the forestry industry. If it is successful the claimed reductions in emissions will be partially reversed. Add that to the continuing climb in emissions from other sources then even the apparent paper gain will be lost.

I will attempt answers to the questions posed in the discussion paper:

Question 1: The Act aims to help Tasmania respond to the challenges posed by climate change. What do you consider are the critical challenges to which this legislation and Government action should respond?

The primary critical challenge is acknowledging that, while Tasmania's contribution to overall international greenhouse gas emissions is very small, if the world is to make a worthwhile attempt at dealing with this overwhelming issue then every individual jurisdiction needs to be committed to the goal. The majority of scientific opinion and the position adopted by the Paris conference is that global temperature rise must be limited to two degrees and this will not happen unless greenhouse gas emissions rapidly reach a peak and fall to zero by 2050. Given recent reporting that the world has experienced twelve straight months or more of record-breaking temperatures it is probable the 2050 target is too late and by then we will need to be removing substantial quantities of greenhouse gases from the atmosphere.

With that in mind the Act needs to set a much more ambitious target and incorporate mechanisms to ensure there is a whole-of-government understanding of the need to consider this at every level of legislative action. I note that the “Tasmanian Framework for Action on Climate Change, Overview” (date unknown) mentions the introduction of Climate Change Impact Statements for relevant Cabinet papers. That is a positive move, if it has actually happened, but to ensure this is happening I believe there should be amendments to the act making this mandatory. Also the establishment of the position of a Climate Change Minister would demonstrate a whole of government commitment to the task and should be a part of the act.

The Act established the Tasmanian Climate Action Council with the stated function of providing the Minister with independent advice on climate change issues. The council was abolished in 2014. That was a retrograde step and an independent council should be re-established.

The Act specifically includes mechanisms for establishing regulations. It is my understanding that none have been established, possibly because most of the objects of the Act as it stands are so mundane or non-specific that there is nothing to pin down in regulations. It is time the Act identified specific actions to be taken and established associated regulations consistent with goals of, at the very least:

1) preventing any possibility of further fossil fuel exploration and exploitation in Tasmania, including a permanent ban on hydraulic fracturing (fracking) and coal seam gas exploration,

2) rapidly reducing the use of fossil fuels for both fixed energy production and transport by encouraging the rapid adoption of low emissions vehicles and electric vehicles. The Act should incorporate carrot and stick mechanisms to require, for instance, differential vehicle taxes dependent on the relative fuel efficiency of vehicles and positive government action to establish electric vehicle charging points across the state.

3) encouraging the purchase of more energy efficient home appliances by applying a levy to the retail price which is inversely proportional to the appliance efficiency, as rated by the Federal Government Energy Rating system or similar.

Question 2: How successful do you think the Act has been in influencing action on climate change within Tasmania?

Given that the only specific task set by the Act was establishing a target which has already been exceeded, at least on paper, one could say it has been entirely successful. However that target was entirely unambitious and an outcome that would have been reached regardless of the existence of the act, so that success is entirely inconsequential. In terms of influencing action on climate change I have seen no evidence in my daily life of any influence at all.

I note that in the review “Advising on Climate Change Action; Performance of the Tasmanian Climate Action Council” conducted by John Ramsay & Associates it was observed that
“No regulations have been made under the Act. While the absence of regulations obviously does not preclude the Council from providing advice, it does limit the scope and nature of the advice it can provide. No formal action has been taken under the Act, other than to appoint the Council.”

Question 3: What amendments may the Act require to further drive action on climate change?

I will not answer this specifically as I think the whole act needs a complete overhaul. In general it needs to be turned from a toothless tiger in to something which will provide incentives and rewards for positive action as well as penalties for failure to live up to new and required standards.

Question 4: The Act creates a narrative on how the state regards the challenges posed by climate change. How do you think the Act can provide a narrative which helps to project Tasmania's clean-green liveable brand?

This is a question that could only have been dreamed up by PR consultants. It is not the purpose of the Act to "provide a narrative" or project a brand. Leave this to the tourism and trade people. By all means, we could be in a position in Tasmania to promote opportunities for good living and jobs in the renewable energy sector but we have to generate the economic climate to make this possible first. This Act should be about driving our response to climate change, not a PR exercise.

Question 5: With Tasmania providing just 0.3% of national emissions, how important is it that the Act supports the achievement of national and international targets for climate change?

See my answer to question 1.

Question 6: Should the Act recognise the possibility of 2°C of warming as a means of driving action on climate resilience?

Given the known and unknown lags in the climate change models, it is highly likely that the world is on track to overshoot the 2°C target and the preferable 1.5°C target may already be well beyond reach regardless of our actions. Therefore mitigation and management of consequences is probably essential. However, at this stage I believe the primary target should be trying to reverse the trends. Too much focussing on mitigation may diffuse the urgency of more drastic action to avoid disaster in the first place.

Question 7: What should the Act include to help Tasmania build resilience to climate change?

Much can be done for instance, as recommended by EDO Tasmania "Local governments who adopt best practice management approaches to coastal hazards should be afforded a statutory indemnity against future liability."

Question 8: How can the Act facilitate action on climate change at state and local levels and among businesses and the broader Tasmanian community?

Local councils are most likely to have direct contact and impact with both businesses and the broader community. The Act could provide incentives and support to local councils on issues as diverse as planning schemes and building regulations regarding energy efficient house design, water heating etc., improving public transport efficiencies, improving town layouts to facilitate walking, and cycling and penalise excessive car use. Both carrots and sticks are required to encourage people to change and reward them when they do.

Question 9: To what extent should Tasmania rely on the Land Use-Land Use Change Forestry emissions sector to achieve its emissions reduction target?

The use of this mechanism is, to my mind, entirely spurious. It has been used to date to support a smug complacency that we have already achieved a target. While it is obvious that emissions related to forestry and other land use must be accounted for it is absolutely necessary to establish targets for all sectors . Again, in the words of EDO Tasmania:

“We support sector-specific reduction targets to ensure that all areas are contributing to emissions reduction (rather than continued reliance on reductions through carbon sequestration in the forest sector). The Wedges report identifies relevant sectors, and responsible departments should be required to nominate rigorous sector-specific targets and report against those targets in their annual reports.”

Question 10: What 2050 emissions reduction target would you consider is consistent with Tasmania seeking to be an international leader on climate change?

Unfortunately Australia as a whole has slipped way down the ladder in terms of being a leader in responding to climate change. Tasmania does marginally better due to the fortunate historical accident of our early establishment of hydro power. However, as a society and economy, Australia’s per capita emissions are the worst in the world, a situation we must all work to change. Given what we now know I believe 100% renewable energy is possible not just for Tasmania but for all of Australia. Zero greenhouse gas emissions by 2050 is not only possible but essential to global survival and pledging such a target will simply put us back in the running; it won’t make us a leader.

Question 11: Should Tasmania’s targets account for emissions and abatement associated with its importation and export of electricity?

Yes. We should aim to be a net exporter of renewable energy to mainland Australia. While ever we are importing electricity via Basslink, produced by burning fossil fuels, we are part of the problem and need to acknowledge that.

Question 12: What other types of emissions reduction target should be considered (e.g. interim, sectoral, energy efficiency, mandatory/voluntary)?

All of the above. Targets should be established in each sector and no one sector such as LULCF should be allowed to hide our sectoral performance. It should be mandatory i.e. a part of the Act that the minister reports on and reaches interim targets.

Question 13: How willing would your business, community group, local government or region be to commit to pledges to reduce emissions?

I have personally taken on every measure I can think of to reduce my personal energy consumption and, therefore, emissions. The sad fact is that most people seem to only see the negative of reducing consumption. There is great need to tell the positive stories, such as the huge savings councils can make by phasing in LED street lighting and lighting for sports halls etc. A truly effective Climate Change Act and associated council and minister would be telling these positive stories and embracing positive change.

Question 14: What do you consider might be appropriate principles to guide government decision-making which influences climate risks and greenhouse gas emissions?

Above all, the Precautionary Principle. There is a chance that drastic action on climate change may turn out to be unnecessary, although that possibility is diminishing rapidly every year. Even if that is the case the opportunities and benefits of 100% renewable energy, no more coal/oil/gas mining and better, more efficient appliances, cars, homes and towns will still be there. What is there to lose?

Other Comments

The act as it stands sets out 10 objects which I have summarised below:

- 1 - setting an emissions reduction target.
- 2 - promoting a “commitment to action” by setting interim targets.
- 3 - helping Tasmania “take advantage of opportunities” presented by climate change.
- 4 - providing reporting mechanisms.
- 5 - promoting energy efficiency and conservation.
- 6 - promoting research and development for reducing emissions or for dealing with and adapting to the expected consequences of climate change.
- 7 - promoting and facilitating consultation and early action.
- 8 - identifying, promoting and supporting measures to help Tasmania adapt to climate change.
- 9 - promoting consistency with national and international schemes.
- 10 - enhancing willingness and capacity to contribute and respond to national and international developments in climate change issues.

While these objects may be laudible they are largely unmeasurable or of minimal consequence in driving behaviour change in the general population or specifically addressing mechanisms to reduce emissions. It is unfortunate that there is a general impression that public concern about climate change has diminished since the Act was established. This has allowed the government to remove what little value the Act had by disbanding the Tasmanian Climate Action Council, failing to implement any regulations and failing to follow through on very tentative early initiatives. The abolition of the Climate Change Minister is another reason the general public might conclude the government does not take this issue seriously.

It is salutary to read many early government and TCAC documents with links to websites promising information and action. Many of those websites have either disappeared or not been maintained since first established. An example is the [Tasmanian Climate Change Community](https://sites.google.com/site/tascommunitycoalition/home) (<https://sites.google.com/site/tascommunitycoalition/home>). The What's On diary on this site contains one entry made in 2010. Many of the links in TCAC documents no longer reach any web pages at all.

The Draft Action Plan recently reviewed in public forums around Tasmania has as its first focus area "Meeting the climate challenge" This document is already a cop-out. It describes preparing for extremes and managing assets and resources. There is nothing here to suggest we are interested in being part of the solution, only attempting to mitigate and adapt. The other foci (maximising our energy advantage / business advantage / liveability advantage) are interesting but should be secondary to attempting to take meaningful and real action.

I understand a lot of public feedback on this plan criticised it lack of substantial targets and meaningful actions. I hope this will be acknowledged and changes incorporated.

It appears the action plan and the Act stand as independent documents. I believe they should be united in such a way a revised and useful action plan is given a strong legislative backing.

Climate change may have fallen off the radar for many of the general public but I think this is now changing. Reports of record-breaking temperatures world-wide, Tasmania's recent drought and water storage problems, uncontrollable bushfires in the World Heritage Areas, recent floods across Tasmania and widespread coral bleaching on the Great Barrier Reef are but the tip of the iceberg of climate change. We ignore these signs at our peril.

A handwritten signature in black ink, appearing to read "W.G. Cummings". The signature is written in a cursive style with a large, sweeping flourish at the end.

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