Review of the *Climate Change (State Action) Act 2008* TasCOSS Submission

July 2016
About TasCOSS

TasCOSS is the peak body for the Tasmanian community services sector. Its membership comprises individuals and organisations active in the provision of community services to low-income, vulnerable and disadvantaged Tasmanians. TasCOSS represents the interests of its members and their clients to government, regulators, the media and the public. Through our advocacy and policy analysis and development, we draw attention to the causes of poverty and disadvantage and promote the adoption of effective solutions to address these issues.

Phone 03 6231 0755
Fax 03 6223 6136
Postal PO Box 1126 Sandy Bay
Tasmania 7006
Web www.tascoss.org.au

Authorised by
Kym Goodes
CEO
**Recommendations**

1. TasCOSS recommends that the legislation and Government action should acknowledge and address the unequal impacts of climate change on disadvantaged Tasmanians by undertaking equitable implementation.

2. TasCOSS recommends that the Act is amended to include a further Object (or amend existing relevant Objects), as follows:
   
   ‘To support measures to ensure vulnerable communities are not further disadvantaged as a result of climate change or action on climate change.’

3. TasCOSS recommends the reinstatement of the Tasmanian Climate Action Council, and that membership of the Council is amended to include:
   
   ‘A person to represent people who are socially or financially disadvantaged.’

4. TasCOSS recommends that the Act should recognise the possibility of 2°C of warming, as a means of informing the Tasmanian community and to drive meaningful and effective action on climate resilience.

5. TasCOSS recommends that the Act explicitly recognises the role of all parts of society, including CSOs and all Tasmanians, in building and demonstrating resilience to climate change.

6. TasCOSS recommends that the Act mandates social equity as a component to be considered in all actions designed to build economic resilience.

7. TasCOSS recommends that the Act support the Tasmanian Government in building resilience across the community, including community services organisations (CSOs).

8. TasCOSS recommends that the Act should support the Tasmanian Government to play a facilitation role in place-based responses, by bringing local governments, businesses and CSOs together.

9. TasCOSS recommends that the Act should mandate support for disadvantaged Tasmanians to participate in adaptation and mitigation measures.

10. TasCOSS recommends that Tasmania should aim for a minimum target of net zero emissions by 2050.

11. TasCOSS recommends that guiding principles are included in the Act, to guide Government decision making. These should include (but not be limited to) the principles of equity; integrated decision making; and community engagement.

12. TasCOSS recommends that human rights-based approach to climate change be adopted as an overarching frame to guide Government decision making.
Introduction
The Tasmanian Council of Social Service (TasCOSS) welcomes this independent review of the Climate Change (State Action) Act 2008 and the opportunity to provide specific feedback about the future of the Act.

TasCOSS has a particular interest in seeing the State Government adopt and fully implement a robust and comprehensive Climate Change Act. While climate change affects us all, some Tasmanians are more vulnerable to its effects than others.

The Tasmanian community service sector assists, supports and advocates for people experiencing disadvantage in its many forms. As the impact of climate change is felt, those who are already disadvantaged may face increased stresses, and many people who are currently in a place of security may experience life changing events making them suddenly vulnerable. Climate change might also impact and disrupt community sector infrastructure, making it harder to assist and support people in need.

The ability of the community sector to plan for and meet the challenges of climate change is therefore of critical importance to the lives of many, as it is likely to affect vulnerable people’s ability to access basic needs such as food and shelter, as well as to access support for ongoing challenges such as financial and emotional stress, illness or disability.

Tasmania in the Global Context
As a UN member state, Australia formally agreed to the 2030 Agenda for Sustainable Development (the 2030 Agenda) in September 2015. The 2030 Agenda includes 17 sustainable development goals and 169 targets within those goals.\(^1\) While non-binding, the 2030 Agenda will be highly influential, shaping development cooperation and finance flows from a range of sources, including nation states, multilateral organisations, the private sector and philanthropic entities.\(^2\)

In order to uphold Australia’s commitment to the 2030 Agenda, TasCOSS believes it is important that the Sustainable Development Goals are integrated into climate change action planning at all levels of Government.

Tasmania has a unique opportunity to capitalise on its ‘clean and green’ image. However, it is critical that this image is underpinned by action if the State is to maintain its competitive advantage through the global transition towards a clean energy future.

Our Submission
The content of this submission focusses on the Discussion Paper Questions 1, 3, 6, 7, 8, 10 and 14.

TasCOSS will not comment on the other seven discussion paper questions, as we do not have appropriate expertise on these matters. We do, however, support the Tasmanian Government taking the maximum action possible to address climate change given the disproportionate effect it will have on low-income and vulnerable people.

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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?

TasCOSS believes that it is critical that any action taken by Government ensures that any costs, risks and opportunities associated with climate change are distributed equitably across the community, and does not increase the disadvantage experienced by low income and vulnerable Tasmanians.

The IPCC states: ‘people who are socially, economically, culturally, politically, institutionally, or otherwise marginalized are especially vulnerable to climate change and also to some adaptation and mitigation responses’. 3

Disadvantaged Tasmanians are more vulnerable to severe weather events as they have fewer economic and social resources to help them recover. They are less likely to be able to afford adequate insurance in the case of a natural disaster. They also have limited ability to relocate if they live in a high-risk area.

Low-income and vulnerable Tasmanians are less likely to prepare for the impacts of climate change.

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

The Victorian Climate Change Act 2010 and the Australian Capital Territory’s Climate Change and Greenhouse Gas Reduction Act 2010 both specifically mention vulnerable and disadvantaged communities. TasCOSS contends that it is not possible for Tasmania to be an international leader on climate change if it does not fully recognise and address the social inequities associated with climate change adaptation and mitigation.

TasCOSS believes that the Act should be amended to meet or exceed the standards set by other States climate change legislation if Tasmania wishes to be a leader in this field.

TasCOSS further endorses the inclusion of Guiding Principles in the Act, as discussed in question 14.

In order to support vulnerable and disadvantaged Tasmanians to adapt to, and mitigate, climate change, TasCOSS recommends the following amendments to the Act:

TasCOSS recommends that the Act is amended to include a further Object (or amend existing relevant Objects), as follows:

‘To support measures to ensure vulnerable communities are not further disadvantaged as a result of climate change or action on climate change.’

TasCOSS recommends the reinstatement of the Tasmanian Climate Action Council, and that membership of the Council is amended to include:

‘A person to represent people who are socially or financially disadvantaged.’

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

TasCOSS believes that recognition of the possibility of 2°C of warming is essential to drive effective action on climate resilience. It is critical that the likely scenarios that would result from this level of warming are fully and widely understood. Otherwise, it will not be possible to plan for adaptation and build resilience in a meaningful way.

In 2013, The Australian Council of Social Service (ACOSS) commissioned a report entitled *Adapting the community sector for climate extremes*. It states that community service organisations (CSOs) have a critical role to play in building community resilience, through the support they provide to disadvantaged Australians. However, CSOs are highly vulnerable and not well prepared to respond to climate change or extreme weather events.\(^5\)

One of the key indicators of organisational resilience is having knowledge of the risks of climate change impacts. In order to increase the resilience of CSOs it is essential to raise awareness about the direct ways in which climate change and extreme weather events will affect their ability to provide services.\(^6\)

By recognising the possibility of 2°C of warming, the Act will play a crucial role in building a picture of the impacts of this level of warming in a much more realistic way, to the benefit of CSOs and low-income and disadvantaged Tasmanians, as well as the community at large.

TasCOSS recommends that the Act should recognise the possibility of 2°C of warming, as a means of informing the Tasmanian community and to drive meaningful and effective action on climate resilience.

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\(^6\) Ibid.
Question 7: What should the Act include to help Tasmania build resilience to climate change?

TasCOSS believes that the Act should take a whole of society approach to building resilience to climate change, including economic resilience and community sector resilience.

**Resilience**

Goal 13 of the Sustainable Development Goals is: ‘take urgent action to combat climate change and its impacts.’ One of the targets specified to achieve this is: ‘strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries.’

The Australian Government’s *National Climate Resilience and Adaptation Strategy* highlights ‘shared responsibility’ as a principle that underpins resilience and adaptation. The Strategy recognises that: ‘Governments at all levels, businesses, communities and individuals each have different but complementary and important roles to play in managing climate risks.’

TasCOSS recommends that the Act explicitly recognises the role of all parts of society, including CSOs and all Tasmanians, in building and demonstrating resilience to climate change.

**Economic Resilience**

TasCOSS recognises that economic resilience is a fundamental component of community resilience. It has been noted that targeted training and education programmes will have an important role to play in allowing workers to participate in the emerging green economy.

TasCOSS believes that opportunity exists for low-income and disadvantaged Tasmanians to benefit from growth in the renewable energy industry, if provided with the necessary training and educational opportunities. In our submission to *Tasmania’s Draft Climate Change Action Plan 2016-2021*, TasCOSS stated:

> TasCOSS recommends that the Tasmanian Government develop a strategy to assist low-income and disadvantaged Tasmanians to gain skills that will be required for the expansion of the renewable energy industry.

TasCOSS believes that by seizing opportunities such as this, it is possible to utilise action on climate change as a means to reduce disadvantage in the Tasmanian population.

TasCOSS recommends that the Act mandates social equity as a component to be considered in all actions designed to build economic resilience.

**Community Sector Resilience**

According to *Adapting the community sector for climate extremes*, CSOs have inherent skills, assets and capabilities to contribute to community resilience to climate change and in response to disasters. These include the ability to educate, contact, locate and evacuate vulnerable people with specialist needs;
specialist skills such as counselling, case management and volunteer management; and specialist assets and facilities such as disability transport.\textsuperscript{10}

TasCOSS believes that the resilience of CSOs needs to be strengthened so that they can continue to provide services despite the event of a disaster. In this way they can contribute to overall community resilience.

ACOSS has developed a toolkit called Resilient Community Organisations, which helps organisations measure and improve their resilience to disasters and emergencies. It includes a benchmarking system so organisations can assess their current state of preparedness for disasters and emergencies and identify areas of improvement; and Six Steps to Disaster Resilience, which provide information and resources organisations need to take action.\textsuperscript{11}

In our recent submission to \textit{Tasmania’s Draft Climate Change Action Plan 2016-2021}, TasCOSS outlined specific recommendations which would contribute to strengthening the resilience of CSOs and communities as a whole.

In this submission, TasCOSS recommended that the Tasmanian Government:

1. Resource Tasmanian community sector organisations to undertake climate change and natural disaster risk management;
2. Work with State community sector peaks and the insurance sector to ensure community sector services can access affordable insurance that specifically addresses climate change and extreme weather risks;
3. Assist the development of relationships and partnerships between Tasmanian community sector organisations and those parties with responsibility and expertise in climate change adaptation and emergency management; and
4. Include mechanisms in contracts with community sector organisations that enable them to participate effectively in disaster response and recovery efforts.

\textbf{TasCOSS recommends that the Act support the Tasmanian Government in building resilience across the community, including CSOs.}


\textsuperscript{11} ACOSS, ‘Resilient Community Organisations’. \url{http://resilience.acoss.org.au/}
Question 8: How can the Act facilitate action on climate change at state and local levels and among businesses and the broader Tasmanian community?

Climate change affects everyone. Therefore TasCOSS believes that everyone should be engaged equally in climate change adaptation and mitigation measures.

TasCOSS believes that communities should be empowered to act on climate change at a grassroots level. We recognise that local people know their communities best and care most about their future; however many communities do not have the necessary resources, information or expertise to act.

In our recent submission to Tasmania’s Draft Climate Change Action Plan 2016-2021, TasCOSS recommended that the Tasmanian Government:

- Substantially increase its commitment to improving the energy efficiency of Housing Tasmania’s stock, and to replacing inefficient heating appliances with more energy efficient models.
- Introduce a program for low-income tenants in private rental properties that provides energy efficiency upgrades to rental properties and energy usage advice to tenants.
- Ensure that NILS continues to be funded to provide energy saver loans and subsidies over the full forward estimates period and that the quantum of funding provided by the Government is increased in consultation with NILS.
- Broaden the energy efficient measures for which low-income households can pursue no interest loans.

These recommendations align with Sustainable Development Goal 7: ‘Ensure access to affordable, reliable, sustainable and modern energy for all.’

TasCOSS recommends that the Act should support the Tasmanian Government to play a facilitation role in place-based responses, by bringing local governments, businesses and CSOs together.

TasCOSS further recommends that the Act should mandate support for disadvantaged Tasmanians to participate in adaptation and mitigation measures.

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

TasCOSS believes that Tasmania should aim for net zero emissions by 2050. Given that Victoria, South Australia and the Australian Capital Territory have already committed to achieving net zero emissions by 2050, it is not possible for Tasmania to be an international leader on climate change if it does not aim for net zero emissions or lower.

By committing to reduce net emissions to zero, Tasmania can fulfil its potential to become a leader in the renewable energy industry. This would create jobs and through educational and training opportunities, could give low-income and vulnerable Tasmanians the opportunity to profit from the transition to the clean energy future.

TasCOSS recommends that Tasmania should aim for a minimum target of net zero emissions by 2050.

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

TasCOSS endorses the inclusion of the guiding principles in the Act. This would support an integrated approach to climate change action.

TasCOSS advocates across the board for all approaches to government decision making and implementation to be guided by human rights and good governance principles.

TasCOSS supports the guiding principles outlined in the Victorian Climate Change Act 2010.13 Of particular relevance to TasCOSS’ interests are the following principles:

Principle of Equity: opportunities should be created by the present generation to increase the capacities within that generation and future generations to adapt to climate change; in particular, the capacities of those people most vulnerable to the potential impacts of climate change.

Principle of integrated decision making: a decision should integrate the competing long-term and short-term environmental, economic, health and other social considerations relating to climate change.

Principle of community engagement: community involvement in decisions relating to climate change that may affect members of the community or members of the community in future generations should be facilitated, including providing appropriate information to the community; providing opportunities for the community to be involved in the decision; and providing for appropriate and adequate public consultation with the community.

TasCOSS recommends that guiding principles are included in the Act, to guide Government decision making. These should include (but not be limited to) the principles of equity; integrated decision making; and community engagement.

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13 The Victorian Climate Change Act 2010.
http://www.legislation.vic.gov.au/domino/Web_Notes/LDM/LTObject_Store/LTObjSt6.nsf/dde300b846eed9c7ca257616000a3571/1d4df4a072e3ec835ca2578bf000a25a1/$FILE/10-54aa001%20authorised.pdf
**Human rights-based approach to climate change**

TasCOSS advocates a human rights-based approach to climate change. This approach recognises the impact of climate change on basic human rights, including the rights to food, water, health and an environment of a particular quality.

reached a *Human Rights and Climate Change Background Paper in 2008*. It outlines the practical value of a human right-based approach to climate change:

1. gives a 'human face' to the issue;
2. focuses on the inclusion of excluded and marginalised populations – even if resource constraints imply prioritisation;
3. encourages accountability and transparency in policy decisions;
4. encourages participatory and democratic processes; and
5. provides sustainable outcomes – by building on the capacity of key stakeholders, strengthening social cohesion.

TasCOSS recommends that human rights-based approach to climate change be adopted as an overarching frame to guide Government decision making.

We hope that our comments on the review of the *Climate Change (State Action) Act 2008* are useful. We look forward to the amendment of the Act and to its full implementation.

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