



City of **HOBART**

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Tasmanian Climate Change Office
GPO Box 123
Hobart TAS 7001

Via Email: climatechange@dpac.tas.gov.au

Dear Sir/Madam

REVIEW OF CLIMATE CHANGE ACT

Please find following City of Hobart officer level comments on the Tasmanian Governments Independent Review of the *Climate Change (State Action) Act*.

These comments are based on the City's climate change mitigation and adaptation programs and reiterate relevant comment from the City's previous submissions to 2012 review of the Act and recent comment, endorsed by the Council, on the Tasmanian Government's Climate Change Strategy.

To discuss any aspect of the comments please contact Katrina Graham, Environment and Climate Change Officer on 6238 2741.

Yours faithfully

(Neil Noye)

DIRECTOR CITY PLANNING

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?

‘Climate change is a pressing and highly complex policy issue involving multiple casual factors and high levels of disagreement about the nature of the problem and the best way to tackle it. The motivation and behaviour of individuals is a key part of the solution as is the involvement of all levels of government and a wide range if in non-government organisations.¹’

In this context Tasmania is fortunate to have the *Climate Change (State Action) Act* as it demonstrates leadership and of commitment to action, by the Tasmanian Government to both the public and private sectors. Given the complexity of the issue clarification of roles and responsibilities for climate change action is critical, to this end review of the Act could provide a suitable mechanism by which to clarify these.

Climate change action typically occurs via two streams of response: mitigation: reducing emissions and adaptation: adapting to unavoidable climate change; however the Act primarily focuses on mitigation to this end it is desirable that a consideration of the review of the Act is to strengthen adaptation action.

Tasmania has recently experienced a cascade of climate and other related events that have implications for Tasmania’s tourism, aquaculture and fisheries, agricultural, science and research and industrial sectors. These climate related events, in 2016, include:

- flood events in the north of the state impacting on the agricultural sector with costs anticipated to be in excess of the Dunalley bushfires \$89 million;
- bushfires ignited by dry lightning strikes in iconic ‘wet’ World Heritage areas that are fire sensitive;
- an outbreak of disease Pacific Oyster Mortality Syndrome, in Tasmania’s commercial oyster producers impacting on supply of oysters and spat;
- announced loss of CSIRO oceans and atmospheric research compromising the capacity for dynamically downscaled climate projections at a regional and local level; and
- low water storages in Hydro dams combined with disruption of Basslink leading to energy insecurity impacting on large scale industrial users.

It is considered in the response to these climate events that the Act should be recalibrated to consider the State’s climate vulnerabilities and identify actions across the state to increase long term resilience.

A key factor in responding to climate change is access to good quality public information (relating to both emissions intensity and methodologies along with climate projections) enabling greater confidence in decision-making that can reduce potential risk to hazards and liability for decisions made and creating investment opportunities. The provision of such information is considered to be a key role of State and Commonwealth Government and as such it is critical that it be included within legislation to enable certainty and clarity in decision making across Tasmania’s communities and sectors.

¹ Tackling Wicked Problems – A Public Policy Perspective, Australian Government, Australian Public Service Commission, 2007, ISBN 978-0-9803978-4-0

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

The Act is an important demonstration of climate change leadership by the Tasmanian Government. From a local government perspective however the Act, as per its title, emphasises on State based action. There is little within the Act to drive broader climate action across the community and, to date, climate action by the local government sector has been driven primarily by corporate risk considerations, energy cost savings and other policy platforms and program framings.

As noted in the discussion paper, achievement of the Act's targets has been greatly facilitated by changes to carbon accounting methodologies thus requiring minimum effort to achieve the legislated targets, to this end it has not required a significant level of engagement with or response from other sectors. Again its focus is on mitigation exclusively and does not address adaptation.

Overall, it is considered that the Act's emphasis is narrow focusing on mitigation action. In the current policy context it would be desirable that these are reviewed to increase Tasmanian Government leadership on and to support decision making around climate change adaptation responses and behaviour change.

It is important to note that although having limited influence to date there are high reputational and leadership values associated with the Act and the review provides the opportunity for it to fulfil a much expansive climate action role across the Tasmania.

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

The Act principally legislates for State based mitigation action with limited/to no head of power for adaptation action.

It is noted that there are 'elements' of adaptation action contained within the current work of the Office and Security and Emergency Management's Natural Hazards Management Work that is understood to inform the State led planning reform process through codes and schedules. However these are limited to triggering action on new development and not addressing the legacy of existing development and/or strategically shaping climate change adaptation responses. It is considered that amendments that link the Act to the Resource Management Planning System requiring climate resilient and adapted development would be advantageous and extend the reach climate change across legislative frameworks. Additionally other legislative opportunities could also be investigated to strengthen and embed climate change action.

It is recognised that beyond land use planning that there is a need for broader community adaptation planning that increases communities' resilience. To this end potential amendments to Act could include the:

- clarification of the roles and responsibilities of: State and local government and commercial and private sectors with regard to climate change adaptation. It is considered that these should reflect the Council of Australian Governments Select Committee on Climate Change, Roles and Responsibilities, (Sept 2012);
- inclusion of an equivalent to the *Local Government Act 1993 (NSW) s.733* which provides an exemption for liability from climate hazards (flooding, bushfire and coastal hazards) when implementing plans endorsed by the State Government;

- provision of good-quality information including dynamically downscaled climate change projections at a fine scale; at quinquennial (5 yearly) intervals with the next 'climate models run' in 2020 and/or when more up to date information becomes available; and
- increased and direct linkages to the State's Resource Management Planning System to require and drive development that is resilient to climate change impacts and hazards.

With regard to emissions reduction, and given the legislated targets have been met largely through accounting amendments, it may be desirable that targets are set across sectors to drive emission reductions and energy efficiencies.

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?

Action on climate change is typically consistent with environmental/urban-sustainability and healthy lifestyles thus feeding directly into Tasmania clean green image. The Act currently provides little opportunity to deliver beyond the scope of emissions reduction. However, recasting the objectives to provide clearer objectives, relating to climate resilience and more direct linkages with the Resource Management Planning System and its objectives for sustainable development may provide opportunity for climate action efforts to input directly into the clean green liveable brand.

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?

Whilst the overall contribution to national and international targets may be limited the overall leadership by the Tasmanian government, demonstrated through the Act to the community (public and private sectors) is important. The State's delivery of the Act, in particular Objectives 4 (a),(i) and (j), sends a clear message to the broader community that it is cognisant of its role and demonstrates support for innovation, research and development and as a climate resilient community.

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

It is considered that the recognition of the 2°C warming, at a minimum, within the Act would greatly support and drive climate resilience across the private and public sectors. This is also consistent with the recent Subnational Global Climate Leadership Memorandum of Understanding that seeks to limit warming to 2°C and adapt to attendant changes.

Inclusion of a 2°C warming would send a clear message to the Tasmanian community for the need to consider climate risks and hazards and develop suitable responses. It would also strengthen the need for and consideration of climate change projections provided by the State to enable suitable pathways for climate resilience to be identified and promoted.

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

To increase climate resilience across communities requires access to good public information that enables understanding of future climates to be garnered and facilitates decision making that considers the risks of and opportunities resulting from a changing climate. To this end it is considered that the Act should require the Tasmanian government to provide good quality climate information, at a local

and regional scale that is updated at quinquennial intervals or as better information becomes available.

The Act could linkage of the Act to the Resource Management Planning System could strengthen climate resilient development across the Tasmania, providing for better adapted communities with increased resilience to climate impacts and hazards.

Additionally the Act could also require that climate change considerations and appropriate governance arrangements be included in public and private sector strategic and annual planning and be publically available.

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

Internationally and nationally action on climate change is increasingly being recognised as being best (business) practice, with multiple benefits associated with climate change action including: increased health and social benefits, improved environmental outcomes, development of new markets and economies, and energy and cost savings and increased national and international reputational benefits. Within the Tasmanian context there is already a level of climate action at local levels (councils and community groups) and across the businesses and broader Tasmanian community, however this could be better supported and strengthened through the Act by:

- ensuring that good public information is available to enable informed decision making;
- requiring annual and strategic reporting around key climate performance indicators; and
- requiring disclosure of annual emissions and energy improvements such as undertaking of an energy audit and implementation of energy saving actions that have a payback of 3 years or less.

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

It is considered that Tasmania should not rely on LULUCF sector to achieve its emission reduction target. Whilst LULUCF sector should be acknowledged it is recognised that this is a high risk sector and it is uncertain if the current methodology will be maintained into the future or whether further accounting changes may be required.

The Discussion paper also identifies that major bushfires could significantly disrupt Tasmania's LULUCF sector carbon stocks. This issue is reinforced by adaptation planning work undertaken through the Regional Climate Change Adaptation Program that identified increased intensity and frequency of bushfire as the most significant climate risk to councils and communities across southern Tasmania. To this end it is considered that reliance on this sector to achieve emissions reduction target is problematic.

It is also noted that efforts across other sectors will provide multiple benefits across communities through increased energy efficiency and fuel. It could also significantly enhance Tasmania's reputation at a global level enabling strengthening of current growth sectors such as tourism and high end agricultural and horticultural products.

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

It is considered that the emissions target should be based on practical projections of future emissions from various sectors. This may need a survey of businesses and others to determine what they consider to be realistically achievable.

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

It is considered that Tasmania's account should be consistent with Australia-wide accounting methodology to avoid duplication of emissions.

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

It is considered that there should be overall target(s), even if it is aspirational supported by interim or sector target(s). The draft Climate Change Action Plan noted that an argument against having a target was: "Policy and program responses to facilitate climate change action may be more beneficial and effective than a legislated target". However, it is thought that these are complementary, and that the target is essential to framing what policy and program responses are required. In the absence of a target there is no outcome or focus for policy to this end a target(s) are considered to be a key to achieving emissions reduction and improved energy efficiency.

It is considered that the emissions target should be based on practical projections of future emissions from various industry sectors. This may need a survey of businesses and others to determine what they consider to be realistically achievable.

If a target is proposed then it should be supported by a clear methodology and voluntary opt in component for those within the local government and/or private sector, to enable their participation in the measurement and monitoring of their emissions and reduction efforts.

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

The City of Hobart has current Council endorsed targets for emission (greenhouse gas) mitigation and energy reduction of a 17% emission reduction of 2010 levels by 2020 as well as a separate energy saving target of 35% reduction from 2010 levels by 2020. The City has already successfully achieved an emission reduction target of 75% from 2000 levels by 2010.

The City is also currently engaged in a body of work to develop suitable for community based inventories to measure and monitor energy use and greenhouse gas emissions and enable targeted programs to be developed. The City has also collaborated (in 2008) with the City of Clarence and Kingborough Councils to produce a 'how-to- do a local government climate inventory' that was subsequently reproduced by the Tasmanian Climate Change Office.

To this end the City would be willing to commit to pledges /targets to reduce emissions to the extent that they acknowledge, build on and value add to the body of work that the City has been engaged in since 1999 and do not result in the duplication of effort or resources to achieve. The City would be willing to collaborate with the Tasmanian government to develop suitable methodologies that could be used for pledges across the local government sector.

The opportunity also exists for other targets/pledges to be developed for climate adaptation planning and the identification for appropriate measures and performance indicators.

The City of Hobart recognises and acknowledges that Tasmania, through the Act is the only State that has legislated targets for emissions reduction. It supports the continuation of legislated strong stretch mitigation goals and policy driven targets that are informed by science and takes into account social, economic and environmental considerations.

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

Appropriate principles to guide government decision making could be drawn from: COAG's Select Committee on Climate Change Adaptation (2012) 'Roles and Responsibilities for Climate Change Adaptation in Australia'; and the Regional Climate Change Adaptation Program 'Climate Change Principles,' please see below and over the page.

It is desirable there the principles are bipartisan with a legitimate head of power as well as continuity and not eroded by changes in government. At minimum the principles should be underpinned by the precautionary approach and encompass the requirement for:

- Leadership by the Tasmanian Government;
- Provision of good quality information to enable 'climate action' decision making;
- Share responsibility and collaboration and cooperation between all stakeholders;
- A commitment to appropriate levels of resourcing for implementation; and
- Providing policy frameworks and setting to encourage and facilitate climate preparedness and resilience across Tasmanian communities, business and public and private sectors.

The Regional Climate Change Adaptation Program Climate Change Principles:

- Climate change is a global issue requiring local solutions.
- Climate change action is a shared responsibility between local, state and commonwealth governments, communities and the private sector.
- Local governments have an important role in leadership and educating communities at both the municipal and regional level on climate change and adaptation.
- Councils must prepare for and manage the impacts of climate change on its assets and services.
- Early climate change adaptation action is more cost effective than late action.
- Collaboration and cooperation on climate change adaptation actions by local government provides more effective use of resources

Roles and Responsibilities for Climate Change Adaptation in Australia; (Select Committee on Climate Change Adaptation – 2012)

State and Territory Governments

State and Territory Governments deliver a broad range of services, administer a significant body of legislation and manage a substantial number of assets and infrastructure, including assets and infrastructure of national significance. Climate change impacts will directly impact upon State and Territory services, assets and infrastructure.

The focus for State and Territory Governments will be on ensuring appropriate regulatory and market frameworks are in place, providing accurate and regionally appropriate information, and delivering an adaptation response in areas of policy and regulation that are within the jurisdiction of the state. This includes key areas of service delivery and infrastructure, such as emergency services, the natural environment, planning and transport.

States and Territories will:

Provide local and regional science and information. This role will include:

- Collaborating with the Commonwealth and other States and Territories as part of a national climate projections program to develop and implement a consistent approach to regional climate projections, climate change impact modelling and reporting;
- Collaborating with the Commonwealth and Local Government to develop other public good information and analytical tools that are most efficiently produced at the national scale (eg. approaches to understanding costs and benefits of adaptation actions, methods for assessing vulnerability and risks); and
- Delivering local and regional science and information where that information is most effectively delivered at the local and regional scale (eg. where links with ecological, biophysical or social processes are critical such as fine-scaled projections of inundation or coastal erosion) to assist both government and private parties in assessing climate risks and adapting to climate change.

Manage State and Territory assets and programs. This role will include:

- managing risks and impacts to public assets (including natural assets) and infrastructure owned and managed by the State or Territory Government;
- cooperating with other jurisdictions to manage risks from climate change impacts to assets that cross state boundaries, eg. natural assets, national electricity network;
- managing risks from climate change impacts to services provided by State and Territory Governments in areas such as emergency management, transport, land-use planning, environment, health services and public housing, within national frameworks where applicable;
- managing risks through new state planning, property and environmental policy and legislation to ensure an appropriate environment for effective adaptation by asset owners, or providers of infrastructure (both private and public); and
- cooperating where necessary with other jurisdictions on plans to manage risks to service delivery from climate change impacts, such as emergency services.

Working with the Commonwealth to implement the national adaptation reform. This role will include:

- working with the other jurisdictions to establish and implement national adaptation priorities;
- working with other jurisdictions to develop a consistent approach in adaptation responses where there is a need, for example through codes and standards for engineering works and buildings and implementing these through regulatory instruments, and in relation to educational programs where national consistency is required; and
- working with other jurisdictions to establish and implement monitoring and evaluation arrangements to ensure effective and well-targeted implementation of nationally significant adaptation responses.

Encouraging climate resilience and adaptive capacity. This role will include:

- promoting a risk management response to climate change adaptation by government and the private parties through appropriate forums, for example communicating changes in bushfire risk through emergency management organisations and communicating climatic changes to providers of infrastructure (both private and public);
- ensuring State and Territory regulatory and market frameworks promote effective adaptation by private parties, using market mechanisms where these are likely to be most effective;
- ensuring existing and new state planning, property and environmental legislation and policy encourages effective adaptation by asset owners and managers;
- working with the Commonwealth government to identify and implement priorities to improve adaptive capacity and strengthen climate resilience in vulnerable communities; and
- supporting Local Government to facilitate building resilience and adaptive capacity in the local community and to ensure that policies and regulations are consistent with State Government adaptation approaches.