

**David Klingberg AO
Chair
Premiers Climate Change Council**

Changing Climate Changing Laws

When: Thursday, 25 June 2009

Time: 9.00 am

Lecture Theatre HH4—08, Hans Heysen Building UniSA City West Campus

I acknowledge that we meet on the traditional lands of the Kurna people ...

... and that we respect their spiritual relationship with their country.

Good morning ladies and gentlemen.

I am pleased to be invited to speak at a seminar being held to discuss the importance of addressing climate change and the role for legal frameworks in responding to the challenges Climate Change will present our community.

It is not possible to talk about climate projections without using some terms like probability, uncertainty and managing risk. There is no “certainty” only a “balance of probability” and I tend to subscribe to a similar point of view as Ross Garnaut. In his final report, Garnaut stated that:

“The outsider to climate science has no rational choice but to accept that, on a balance of probabilities, the mainstream science is right in pointing to high risks from unmitigated climate change. There are nevertheless large uncertainties in the science. There is debate and

recognition of limits to knowledge about the times and ways in which the risk will manifest itself.”

Although as time goes on it does seem that refereed scientific research increases the probabilities of significant and irreversible damage to the environment

For South Australia, the work of the CSIRO and Bureau of Meteorology is indicating;

- higher temperatures including more extreme hot days with spring and summer warming more than winter and autumn
- associated health and mortality impacts on an ageing population, and increasing energy demand for air-conditioning
- decreased rainfall in agricultural regions (especially in winter and spring)
- greater frequency and severity of droughts, decreased flows in water supply catchments and increased flood risk despite drier average conditions
- shifts in conditions affecting viability of crops and biodiversity
- increased incidence or severity of bushfires
- coastal hazards related to the effect of ocean warming on sea levels combined with storms of possibly increased intensity

- damage to infrastructure, for example from coastal erosion, flooding and extreme heat.

Members of the Premier's Climate Change Council were formally appointed under the Climate Change and Greenhouse Emissions Reduction Act in February 2008. The Council is representative of:

- business
- local and state government
- the scientific community
- the environment and conservation sector and
- the South Australian community

The Council has three main functions;

- Providing independent advice to the Premier,
- Consultation; and
- Dissemination of information regarding climate change to the community.

Australia's first climate change legislation became law on 3 July 2007. The *Climate Change and Greenhouse Emissions Reduction Act 2007* made South Australia the first Australian jurisdiction, and one of only a few in the world to enact

specific climate change legislation to enshrine a long-term aspirational reduction target.

The legislation sets out targets to:

- reduce greenhouse gas emissions in the State by at least 60 per cent of 1990 levels by the end of 2050
- increase the proportion of renewable electricity so it comprises at least 20 per cent of electricity generated and at least 20% consumed in the State by the end of 2014

The legislation is based on working collaboratively and effectively provides an overarching policy framework with more operational aspects resting with other statutes and programs. You would be interested to know that the Emissions Trading Scheme negotiations have required all State Governments to conduct “complimentary” reviews of their own existing regulatory frameworks and programs.

Along with the introduction of the climate change legislation, South Australia has enacted the nation’s first feed-in laws which began in July 2008 and I think it is a good example of the contribution regional governments can make through their legislative frameworks.

Turning specifically to the current focus of the Council we are working within the objects of the Act and with an ambitious agenda to provide independent advice to the Premier.

We have three work streams for 2009;

- Adaptation, which is our main focus
- Mitigation
- And Climate Change Science

The Council has already been involved in announcing the development of sector agreements for local government, the wine industry and the property sector and is focusing on 10 further agreements with some of the States important industry sectors and major emitters.

We have hosted a consultation event with South Australian businesses possibly affected by the National Greenhouse and Energy Reporting System and have established and met with a key stakeholder group made up of local industry and business leaders.

We are also conducting a review of the State's 2007 Greenhouse Strategy to bring it up to date and provide for greater focus and accountability.

When the Greenhouse Strategy was released in May 2007 I don't think many would have predicted that only a few months later we would see the then Prime Minister, John Howard, enter into the 2007 federal election campaign and make a commitment to the implementation of an emission-trading scheme in 2011!

And now in 2009 we are still facing uncertainty over emissions trading which is probably the most significant current legislative response to climate change.

And I think we all know that the predictions for a strong international agreement being reached in Copenhagen later this year are also uncertain.

The emerging international and national legal frameworks and how the State should best position its own legal structures is something the Council will need to consider in its advisory capacity to the Premier.

I raise these points to highlight the challenge for regional governments in making their own legislative response to climate change when faced with such uncertain international and national policy environments.

The Council will be conducting further consultative forums with Stakeholders, which will inform Council advice to the Premier.

The forum that was held in May of this year focussed on “The State’s role in Adaptation, its issues and opportunities”. This confirmed the Council view to make adaptation its priority. There are obviously potential regulatory responses that will be required in the adaptation area.

Even if global greenhouse emissions are reduced today significant environmental changes are inevitable. At the regional and local scale, South Australians must adapt and the time to plan for this is now.

The Mitigation effort is still dominating the headlines at present: How we reduce emissions, how fast and how far. Of equal importance but not equal air-time at present is the effort required to manage the impacts of climate change and adapt to the changes.

There are however important initiatives happening in adaptation. The national Adaptation Framework is being progressed through COAG. The national Climate Change Adaptation Research Facility was established in 2008 and

other national initiatives include a broad range of research, including farming and rainfall and runoff programs.

Much is being done at the State level in SA with our involvement in the COAG process, the establishment of a Chair of Climate Change at University of Adelaide, research into crops that are resilient to the impacts of climate change and the development of a regional climate change decision framework for Natural Resource Management. In order to bring all of these initiatives together in a more coordinated and strategic manner a South Australian Adaptation Framework is being developed by the Climate Change Council and the NRM Board. The framework will in part provide for regional vulnerability and opportunity assessments and ultimately the equivalent of sector agreements with those Regions

The Council is also partnering with the Academy of Technological Sciences and Engineering to host a forum on the 6th July which will present the latest Scientific and Engineering thinking relevant to South Australia's adaptation to Climate Change with an audience of politicians, senior public servants and PCCC stakeholders.

If you have not received an invitation I have brought a few registration forms with me. The forum will be opened by the

Premier and will also feature the launch of The Climate Group's Greenhouse Indicator in South Australia, an index which provides accurate and real time information on greenhouse gases produced each week from energy use.

And, to further assist the Council in meeting its objectives, a select group of South Australian scientific experts have been invited to join the Premier's Climate Change Council Expert Science Sub Group. It will assist in improving the connection between science and climate change policy making.

The Council also has a strong interest in renewable energy. Under the Climate Change and Greenhouse Emissions Reduction Act an industry plan for the State's renewable energy technologies industry is being developed and under the overall direction of the Economic Development Board we are now seeing the establishment of a new Board called RenewablesSA, on which the Premier's Climate Change Council is represented.

SA has a brief window of opportunity to build on its unique natural advantages in generating solar, wind, wave and geothermal electricity and establish itself as Australia's leading clean energy state. I anticipate this area is one that

will require further adjustments to the State's regulatory framework.

There are a number of pending reviews which the Council will be involved in including the State's feed-in legislation and of course a review of the Climate Change legislation itself. We would be pleased to hear any views you may have on these matters to help inform the Council in its capacity in providing independent advice to the Premier.

Thank you for listening to me today. I wish you well with this important conference and your deliberations.