



Environmental
Defenders Office

**Submission on the Draft Climate Change Action
Plan 2023-25 (Iutruwita/Tasmania)**

6 April 2023

About EDO

EDO is a community legal centre specialising in public interest environmental law. We help people who want to protect the environment through law. Our reputation is built on:

Successful environmental outcomes using the law. With over 30 years' experience in environmental law, EDO has a proven track record in achieving positive environmental outcomes for the community.

Broad environmental expertise. EDO is the acknowledged expert when it comes to the law and how it applies to the environment. We help the community to solve environmental issues by providing legal and scientific advice, community legal education and proposals for better laws.

Independent and accessible services. As a non-government and not-for-profit legal centre, our services are provided without fear or favour. Anyone can contact us to get free initial legal advice about an environmental problem, with many of our services targeted at rural and regional communities.

Environmental Defenders Office is a legal centre dedicated to protecting the environment.

www.edo.org.au

Submitted to:

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Acknowledgement of Country

EDO recognises First Nations peoples as the Custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present and emerging, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

In providing these submissions, we pay our respects to First Nations across Australia and recognise that their Countries were never ceded and express our remorse for the deep suffering that has been endured by the First Nations of this country since colonisation.

EDO thanks our volunteer Kate Johnston for assisting with the preparation of this submission.

Executive summary

Environmental Defenders Office (**EDO**) welcomes the opportunity to provide comment on the draft Climate Change Action Plan 2023-25 (the **Action Plan**).

EDO supports the Action Plan addressing the next two years as an interim step before the development of the five-year Action Plan from 2025 that will consider the findings of the state-wide Climate Change Risk Assessment (**CCRA**) and sector Emissions Reduction and Resilience Plans (**ERRPs**), which are to be developed by November 2024.

EDO participated in a workshop on the Action Plan on 29 March 2023. We also previously made a [Submission on the development of a new Climate Action Plan for Tasmania](#) in May 2021. We reiterate the comments made in the workshop and the recommendations of our previous submissions. The following submission builds upon those comments and recommendations and is structured around the following key headings in the Action Plan:

- Vision and Goals
- Priority Areas
- Priority Area 1 – Information and knowledge
- Priority Area 2 – Transition and innovation
- Priority Area 3 – Adaptation and resilience
- Implementation, reporting, monitoring and evaluation and governance

A summary of our key recommendations is outlined below.

Recommendation 1 – Update the goals and the Action Plan to better address the principles of sustainable development and social equity and community engagement, for example, through the application of the United Nations Sustainable Development Goals (**SDGs**) to the priority areas.

Recommendation 2 – Improve the clarity of the goals aiming to meet the legislated target of net zero greenhouse gas (**GHG**) emissions (or lower) by clearly stating how it is anticipated or expected the goals will contribute to meeting the target.

Recommendation 3 – The Action Plan should detail how Tasmanian Aboriginal and First Nations knowledge can be better acknowledged, shared, and applied in lutruwita/Tasmania's response to climate change.

Recommendation 4 – Key actions listed under Priority Area 1 should address EDO's detailed comments.

Recommendation 5 – In line with the SDGs, develop more actions and projects to better assist people and communities overburdened by the impacts of climate change to transition and innovate solutions to reduce GHG emissions.

Recommendation 6 - To reduce lutruwita/Tasmania's reliance on the Land Use, Land Use Change and Forestry sector to meet its emissions target of net zero (or lower) by 2030, ensure ERRPs for all sectors of lutruwita/Tasmania's economy (including transport, agriculture and industrial processes and product use) have clear GHG emissions reductions thresholds ratcheting down towards 2030.

Recommendation 7 – To provide policymakers and administrators with a mandate to take strong action, both in mitigating GHG emissions and in adapting to climate change impacts, expedite work on the all-of-government climate change policy framework so that it is in effect no later than January 2024.

Recommendation 8 – Greater detail should be provided under the second and third key actions listed under Priority Area 2, particularly with respect to what actions are going to be taken to support overburdened communities to undertake adaptation planning, resilience building and projects that help with their resilience and adaptation.

Recommendation 9 – Actions identified to reduce GHG emissions and adapt to a changing climate in the Action Plan should be Specific, Measurable, Achievable, Relevant, and Time-Bound.

Vision and goals

EDO supports the proposed vision of the Action Plan. However, we consider more could be done in the goals, and in the Action Plan more generally, to address the agreed principles for the Action Plan of sustainable development and social equity and community engagement. It is important to address these principles, as they are strongly tied to the achievement of environmental justice.

Environmental justice requires recognition that a disproportionate share of environmental harms – including harm from climate change, pollution, extractive industries, and natural disasters – fall on overburdened people and communities. Overburdened communities and individuals include for example, persons with a disability, the elderly, and young people, who may be at higher risk from the impacts of heat and other extreme weather exacerbated by climate change. They may also include low-income communities who live close to polluting industries and who may be reliant on industry for their economic stability, which may also impact their health and environment, but who may not be able to afford to live elsewhere. Environmental burdens are also disproportionately felt by First Nations, through impacts on their Country, cultural practices, and the resources that they depend on. Environmental justice recognises that such individuals and communities are often most at risk of experiencing environmental harms. However, they are also often the least responsible for perpetuating such harms.

In the context of the Action Plan, the goals and key actions (particularly for the second and third priority areas) tend to prioritise actions to support business and industry to transition to net zero GHG emissions and adapt to climate change, whereas the Plan provides little detail on what projects or actions will be supported to help those communities and people who are typically overburdened in dealing with the consequences of climate change, such as First Nations people, people from culturally and linguistically diverse backgrounds, rural and remote communities, those living with disabilities, the elderly, and those who are living at or below the poverty line.

One clear way this limitation in the Action Plan could be addressed is by considering the United Nations SDGs as a lens through which to develop and prioritise key actions.¹ This would be consistent with the Premier’s Economic and Social Recovery Committee recommendation to align sustainability strategies (the Action Plan should be considered a key sustainability strategy) with the SDGs.²

Furthermore, the goals, particularly those relating to how we will maintain net zero emissions or lower, can be significantly improved by linking to clear GHG emissions reductions targets and/or by clearly describing what actions will be taken to ensure we meet our wider target of net zero GHG emissions (or lower). For example, instead of “increasing the use of public and active transport” the goals could provide for “reducing GHG emissions associated with transport by X per cent by increasing the use of public and active transport by Y per cent through building more cycleways and providing more public transport options”.

Recommendation 1 – Update the goals and the Action Plan to better address the principles of sustainable development and social equity and community engagement, for example, through the application of the United Nations SDGs to the priority areas.

Recommendation 2 – Improve the clarity of the goals aiming to meet the legislated target of net zero GHG emissions (or lower) by clearly stating how it is anticipated or expected the goals will contribute to meeting the target.

Priority areas

EDO is generally supportive of the three proposed priority areas in the Action Plan, being:

1. Information and knowledge;
2. Transition and innovation; and
3. Adaptation and resilience.

We have provided comments concerning each area below.

Priority Area 1 - Information and knowledge

As a general comment, EDO considers more can and should be done in the Action Plan to detail how Tasmanian Aboriginal and First Nations knowledge can be better acknowledged, shared, and applied in lutruwita/Tasmania’s response to climate change. This is pertinent considering the Action Plan’s goal of the improvement in the management of landscapes to support emissions reduction and resilience, as Tasmanian Aboriginals have sustainably cared for Country and Sea Country for millennia.

EDO also makes the following comments on each of the proposed key actions:

¹ The UN SDGs are accessible [here](#). For further information about how the Sustainable Development Goals are relevant to climate change policies, see [EDO’s Submission on Australia’s Climate Change Policy Review](#).

² Premier’s Economic & Social Recovery Advisory Council, [Final Report](#) (Department Treasury and Finance, March 2021) 69.

- EDO supports the proposal for the development of finer-scale climate projections, but we consider that this key action is lacking in detail about when and how the projections will be developed. Climate projections should not solely focus on disaster risk (although that is very important), they should also provide information about all likely climatic changes as this will assist those working towards ecosystems adaptation.
- EDO supports CCRA's being easily accessible and available online, however, suggests that any CCRA should link to the State of the Environment (**SoE**) report which is to be published by the Tasmanian Planning Commission by June 2024. Both CCRA's and the SoE reports should be updated as and when new scientific data relevant to their scope becomes available.
- The need to consider climate change in relevant government decision-making was recommended in the 2016 independent review of the *Climate Change (State Action) Act 2008*. It was further contemplated in the 2021 review. It is therefore disappointing that there is still no apparent progress on the development of a whole-of-government framework to embed climate change into government decision-making. In the absence of any mandatory legislative requirements to consider climate change in decision-making, EDO considers that this action is critical. Work to finalise the framework should be prioritised such that it is ready to be implemented by no later than January 2024.
- EDO supports the inclusion of climate change in the education curriculum; however, we consider it would be helpful to broaden the range of topics addressed from renewable energy to include such issues as understanding the science underpinning anthropogenic climate change, and understanding what the science says needs to be done to tackle it.
- The key action proposing "partnering to undertake research on key climate change priorities" would be significantly improved if it clearly stated the amount of funding allocated to the grants, the criteria for grant applications/grants, and who is responsible for administering the grants. EDO considers that to guarantee value for money and probity, all grants should be administered by a government department under strict guidelines, and at arm's length from Ministers.
- While EDO supports the proposed celebration of courageous climate action, we consider that the relevant key action would be improved by clearly articulating the nature of the awards (e.g. if the award involves funding, how much), the criteria for decision-making (with a focus on avoiding the possibility of greenwashing) and identifying who is responsible for the administration of the award/event.

Recommendation 3 – The Action Plan should detail how Tasmanian Aboriginal and First Nations knowledge can be better acknowledged, shared, and applied in lutruwita/Tasmania's response to climate change.

Recommendation 4 – Key actions listed under Priority Area 1 should address EDO's detailed comments.

Priority Area 2 - Transition and innovation

As outlined under the heading 'Vision and Goals' above, EDO considers this priority area focusses too strongly on assisting businesses and industry to transition and develop ERRPs, rather than assisting those who need the most help to transition to a net zero emissions (or

lower) future. EDO considers many projects could be developed in line with the SDGs to better assist overburdened peoples and communities to transition and innovate solutions to reduce GHG emissions. For example:

- It is estimated that wood heaters account for 30% of lutruwita/Tasmania's residential heating mix, and a significant portion of our GHG and particulate emissions.³ In towns and cities, the use of wood heaters can have a significant detrimental impact on air quality and increase health conditions such as asthma, with disproportionate impacts on the young and the elderly. Assisting those who are otherwise unable to afford to transition from wood to electrified domestic heating would be an example of an achievable action that could occur in a relatively short period of time, and which promotes the principles of sustainable development and social equity, complementarity (in that the action will deliver not only GHG emissions reductions but also improved healthy outcome), and community engagement.
- The Action Plan could include actions to increase the uptake of public and active transport, such as through:
 - increasing the number of buses, expanding bus routes and providing further subsidies for fares;
 - increasing the number of public transport options (e.g. light rail, ferries);
 - providing more cycling infrastructure along key commuter routes (e.g. bicycle paths, separate bicycle lanes, and bicycle parking stations).
- The Action Plan could provide for the phasing out of the production, transmission and use of natural gas and LPG as an important tool in reducing GHG emissions, and include actions to assist those domestic gas users for heating and cooking who are otherwise unable to afford to electrify these elements in their homes.⁴

More also needs to be done under this Priority Area to reduce lutruwita/Tasmania's reliance on the Land Use, Land Use Change and Forestry (**LULUCF**) to achieve net zero emissions. Reliance on the LULUCF sector alone to mitigate lutruwita/Tasmania's GHG emissions is risky, as the carbon stored in forests is vulnerable to events such as bushfires (which are more likely under projected warming scenarios).⁵ The sector is also vulnerable to changes in land use regulation and policies, such as the Government's "Agri-vision 2050" which aims to grow the agriculture sector by four to five-fold by 2050 (with a possibility that it will increase its emissions by an equivalent amount), the expansion of the forestry sector and in particular native forestry, and the Tasmanian Planning Scheme which exempts much vegetation clearance from the requirement for a permit. Moreover, reliance on the LULUCF sector over the longer term will fail to see lutruwita/Tasmania maintain its net zero GHG status. Research by the University of Tasmania has concluded that for lutruwita/Tasmania to maintain its net zero emissions profile over the longer term it will need to reduce gross emissions in other sectors such as transport, agriculture and manufacturing.⁶ For these

³ University of Tasmania (2021), [Towards a climate-positive Tasmania: A discussion paper](#), p40.

⁴ To read more about this, read [EDO's submissions concerning the Draft Future Gas Strategy for lutruwita/Tasmania](#).

⁵ University of Tasmania (2021), [Towards a climate-positive Tasmania: A discussion paper](#), p10.

⁶ Ibid p21.

reasons, EDO strongly supports the development of ERRPs, with clear GHG emissions reduction thresholds ratcheting down towards 2030, for all sectors of lutruwita/Tasmania's economy (including transport, agriculture and industrial processes and product use).

Recommendation 5 – In line with the SDGs, develop more actions and projects to better assist people and communities overburdened by the impacts of climate change to transition and innovate solutions to reduce GHG emissions.

Recommendation 6 - To reduce lutruwita/Tasmania's reliance on the Land Use, Land Use Change and Forestry sector to meet its emissions target of net zero (or lower) by 2030, ensure ERRPs for all sectors of lutruwita/Tasmania's economy (including transport, agriculture and industrial processes and product use) have clear GHG emissions reductions thresholds ratcheting down towards 2030.

Priority Area 3 - Adaptation and resilience

EDO strongly supports the development of a CCRA which is informed by the best available science and economic modelling, by November 2024. Once it is developed, it is critical that the CCRA is then used to inform key government decisions and policies. The best way of doing this would be to amend the Act to mandate such consideration. However, as that approach was not adopted in recent amendments to the Act, as we have already outlined above, EDO considers that work on the all-of-government climate change policy framework should be expedited such that it is in place by January 2024. This will provide policymakers and administrators with a mandate to take strong action, both in mitigating GHG emissions and in adapting to climate change impacts.

EDO considers that the second and third actions listed under this priority area require much greater detail, particularly with respect to what actions are going to be taken to support overburdened communities to undertake adaptation planning, resilience building and projects that help with their resilience and adaptation.

Recommendation 7 – To provide policymakers and administrators with a mandate to take strong action, both in mitigating GHG emissions and in adapting to climate change impacts, expedite work on the all-of-government climate change policy framework so that it is in effect no later than January 2024.

Recommendation 8 – Greater detail should be provided under the second and third key actions listed under Priority Area 2, particularly with respect to what actions are going to be taken to support overburdened communities to undertake adaptation planning, resilience building and projects that help with their resilience and adaptation.

Implementation, reporting, monitoring and evaluation and governance

As we have discussed concerning the Action Plan goals, for the Action Plan to be effective, the identified actions need to be Specific, Measurable, Achievable, Relevant, and Time-Bound (**SMART**). This will assist in the implementation, reporting, monitoring and evaluation of the Plan.

A good example of how the failure to have SMART goals can affect reporting and evaluation can be seen in the section of the Action Plan entitled “How are we reducing emissions from our key sectors?” In this section, under the Agriculture Sector, there is a statement that one of the emissions reduction measures currently being developed is “a 10-Year Salmon Plan, with a key priority of emissions reduction and resilience planning for the salmon industry”. We note that the latest iteration of this plan, now referred to as the Salmon Industry Plan, only refers to vague commitments to “decarbonise operations” and to develop an ERRP for the industry and “promote climate adaptation”. The Work Plan associated with the Salmon Industry Plan provides no further detail about what, if any, emissions reductions are likely to be achieved or steps that will be taken to adapt to a changing climate. Given the Government’s commitment to substantially grow this industry, it is difficult to understand how these vague statements will realistically address the likely growing emissions for the sector or enable the industry to adapt to a changing climate.

Other examples abound in this section of the Action Plan, such as:

- In the energy section, it states that Government is “Growing Tasmania’s renewable electricity generation to our legislated target of 200 per cent (of 2020 generation capacity) by 2040, with an interim target of 150 per cent by 2030.” While EDO supports ecologically sustainable renewable energy projects, given much of this proposed additional renewable energy generated under this policy is likely to be transmitted to the mainland, there is a real question about what, if any contribution, this policy will have towards achieving lutruwita/Tasmania’s legislated net zero (or lower) GHG emissions target (as is required under section 5A(5)(a) of the Act). If it is anticipated that some of this new renewable energy will replace existing non-renewable energy in lutruwita/Tasmania and therefore contribute to lutruwita/Tasmania’s target, then specific information concerning this should be provided in the Action Plan so that reporting, monitoring and evaluation of this action can occur.
- In the LULUCF section, it states that the Government is “exploring opportunities for biofuels to reduce fossil fuel use”, without specifying what sources of biofuels are being explored, what fossil fuels are to be replaced, and the reductions of associated GHG emissions to be expected. This section also states the Government is sequestering carbon “in forests, plantations and wood products” and “promoting the use of locally-sourced timber instead of more emissions-intensive building materials or imported products”. It is not clear whether these statements are referring to the use of plantations or native forests for forestry. The best available science shows that the use of native forests for forestry has the potential to increase GHG emissions (threatening the achievement of lutruwita/Tasmania’s net zero (or lower) GHG emissions status), not to mention decimate the ecological and cultural values associated with forests, and so should not be supported by the Government either in its Action Plan or in its policies more generally.

Recommendation 9 – Actions identified to reduce GHG emissions and adapt to a changing climate in the Action Plan should be Specific, Measurable, Achievable, Relevant, and Time-Bound.