



EAGA

EASTERN ALLIANCE FOR
GREENHOUSE ACTION
Maroondah City Council
Braeside Ave
Ringwood VIC 3134
www.eaga.com.au
03 9298 4250

Mr Martijn Wilder AM
Independent Review Committee (Chair)
C/- Climate Change Act Review Secretariat
Department of Environment, Land, Water & Planning
PO Box 500
Melbourne VIC 3002

Online: www.delwp.vic.gov.au

5th August 2015

Dear Mr Wilder,

Re: 2015 Review of the Climate Change Act 2010

The Eastern Alliance for Greenhouse Action (EAGA) welcomes the opportunity to respond to the Department of Environment, Land, Water & Planning's (DELWP) review of the *Climate Change Act 2010* (the Act). EAGA is a formal Alliance of seven councils in Melbourne's East, including:

- City of Boroondara
- Knox City Council
- Maroondah City Council
- City of Monash
- City of Stonnington
- City of Whitehorse
- Yarra Ranges Council

EAGA is committed to delivering mitigation and adaptation projects and advocating for initiatives that support sustainable, low carbon communities. EAGA acknowledges that climate change poses significant risks to Victoria and there is a clear need to support national, state and local action to reduce greenhouse gas emissions and adapt to its impacts. We therefore have a strong interest in ensuring that the current Act is strengthened to facilitate a more robust response to climate change from the government, businesses and community sectors.

We urge the government and the Independent Review Committee to consider the following responses to the questions posed in the review process:

1. *How effective is the current Climate Change Act 2010 in driving climate change action by government, business and the community?*

Given the Act was last revised within the context of a price on carbon, the scope of the current Act is consequently narrow and not sufficient to drive mitigation across the government, business and community sectors. Addressing this policy vacuum is critical since the removal of the carbon pricing mechanism has left Australia with no scalable national policy to reduce emissions in the long term. Whilst we support the current provisions for forestry sequestration within the Act, the legislation is not effective in facilitating emission reductions via other means, such as energy efficiency and renewable energy.

Beyond the activities undertaken by councils through the Victorian Adaptation Plan and the Victorian Adaptation Sustainability Partnership (VASP), it is difficult to attribute tangible action directly to the Act. Importantly, the VASP program has delivered \$4.79M of funding to 70 councils to work with their communities on regional scale adaptation initiatives. It is likely that EAGA's two VASP funded projects¹ would not have taken place in the absence of the VASP funding. Despite this, it is incorrect to claim that the model which underpins the VASP program has directly resulted from the Act, given this inter governmental funding model predates the Act itself. The longevity and persistence of this model demonstrates its effectiveness in the efficient allocation of State resources at the local / regional level.

2. *What role should the Act play in:*

a. *Reducing greenhouse gas emissions?*

The Act should specify an ambitious but realistic Victorian emissions reduction target(s) and provide strong legislative support for mitigation across a range of activities including energy efficiency, sequestration and renewable energy. We recommend that Section 16 of the Act be amended to require the Minister to develop a robust mitigation plan to deliver this target and complement the current requirement for an adaptation plan. The mitigation plan should be developed and implemented in partnership with the local government sector and their communities, as described in our response to Question 3.

b. *Adapting and preparing for the impacts of climate change?*

The Act should continue to provide ongoing support for an adaptation plan that drives action at the regional and sub regional scale. It should also provide greater priority to clarifying the role and responsibilities of the different spheres of government, particularly with respect to legal liability and assets. Role clarity and ensuring that responsibilities are aligned with parties' strengths, capacity and capabilities is critical in order to drive a coordinated adaptation action. This work should leverage on the information and findings from the stakeholder consultation processes undertaken in 2014 to inform the development of the Climate Change Adaptation Memorandum of Understanding (MoU).

¹ Climate Change Adaptation Roadmap and Biodiversity Monitoring in Melbourne's East

c. Growing a globally competitive Victorian economy?

The Act should be an instrument that positions the State to capture the opportunities within a smarter, greener economy. Research from ClimateWorks Australia, CSIRO and the Centre for Policy Studies projects national GDP growth of 150 per cent by 2050 while achieving a fall in net national emissions to zero by 2050.² This is achieved through a focus on:

- using energy more efficiently
- producing low carbon electricity
- a shift to an electrified economy supported by cleaner fuels
- capturing non-energy emissions and offsetting

The Act should support these activities by providing long term certainty for investment in renewable energy and low emissions technologies and their related industries. Establishing medium and long term targets is one way to provide this certainty. Given the turbulent nature of the national policy landscape, it is critical that consistent and ongoing policy support is provided in a State with abundant renewable resources and highly skilled workforce which is well placed to capture the benefits of the transition to a more sustainable economy.

d. Providing accessible information to the Victorian community on climate change?

The Act currently provides for the Minister to report on Victoria's greenhouse gas emissions and climate change science and data for Victoria. This requirement should be strengthened to include:

- Reporting on how climate change is being integrated into State government decision making processes and addressed within all dimensions of state policy (e.g. health, planning etc), ideally through the Victorian State of Environment Report
- Victorians' perceptions and attitudes towards climate change, in order to guide and target action
- Regional specific research on climate change impacts and robust data on local climate risks, complemented by statutory power to inform decision making; for example, data on local coastal hazards and specific sea level rise (rather than generic expectation of 0.8m sea level rise) and planning for local rainfall and flooding changes.

3. Based on the Terms of Reference, is there anything else you would like the Independent Review Committee to consider when developing its report and recommendations?

The government has stated that it is committed to position Victoria as a leader in climate change action. EAGA supports that commitment and makes the following recommendations to assist the government to fulfil the commitment and strengthen the Act, specifically by:

- revising the Act's **purpose** to establish a true partnership between state and local government
- changing the **guiding principles** to reflect this intent
- setting broad **objectives** and goals
- providing appropriate **governance**

² ClimateWorks Australia (2015) Pathways to a Low Carbon Future (www.2050pathways.net.au)

Purpose

The review of the Act provides a unique opportunity to synchronise and maximise the effectiveness of local climate action across the state. Revisions to the Act should consider that local communities are already working hard to effectively respond to climate change, often in tandem with their local governments. Local governments, in turn, are supported by Victoria's greenhouse alliances. The work of communities, local governments and alliances can be leveraged to greater effect when linked through a coordinated network of action across the state.

EAGA recommends that the Act's purpose be revised to provide a clear foundation for a true partnership between the state and local government sector by establishing a shared understanding and commitment to a common agenda. This premise is partly consistent with the purpose stated in Section 1(c) of the current Act:

"to promote collaboration, cooperation and innovation in the Victorian response to climate change by strengthening the role of communities".

Guiding principles

The Act's guiding principles should be accordingly amended to reflect this intent and provide a shared framework for decision making. The guiding principles should include (but not be limited to):

- Establishing shared local goals and priorities - create a forum for collaboration and exchange between state and local governments and to establish shared goals and clear responsibilities, conducted with trust, respect, timeliness and accuracy
- Developing long term strategic resource allocation and funding - develop joint approaches to funding allocation that meet delivery expectations and acknowledge resource capacity and constraints and the existing networks and capabilities at the local level
- Pursuing alignment and cooperation in service delivery - increase communication between and within levels of government for delivery of climate action programs, particularly for outcomes relevant to both spheres of government
- Improving procedures for regular, effective evaluation and review - ensure progress towards climate goals, increase understanding of climate change and continually develop mechanisms for incorporating feedback into future action

Objectives

Part 3 of the Act should be revised to establish an appropriate architecture for the partnership and set out its broad objectives, including (but not limited to):

- Support the development and delivery of regional scale mitigation and adaptation measures that address the specific needs of each region's communities and the major activities of particular regions
- Work through regional alliances of local governments in order to gain commitment and support action from all 79 councils in Victoria
- Increase the level of engagement on climate action within and across local governments and build an understanding of the local environmental, social and economic benefits of local climate action
- Build the capacity of smaller regional councils to take action on climate with their communities
- Strengthen the capacity of local greenhouse alliances so that they are effective facilitators of local and regional climate action amongst their local government members and stakeholders.

Governance

Both the South Australian and the ACT Acts provide for the establishment of a Climate Change Council (comprising of a range of different stakeholders) to provide independent advice to the Minister. We recommend the establishment of a similar Governance structure to provide high level oversight of the partnership and provide advice to the Minister for Environment, Climate Change and Water on climate action issues that apply to local governments and their communities. Ideally, the committee would be chaired by the Commissioner for Environmental Sustainability (CES) with the CES office supported to provide secretariat support to the committee. Other members should include (but not be limited to):

- The Secretary of the Department of Environment Land Water & Planning (or nominee)
- Representatives nominated by local government peak bodies - MAV, VLGA and LGPro
- The CEO of Sustainability Victoria or nominee (observer status)
- Two representatives drawn from Victorian greenhouse alliances (observer status)
- Program delivery would be through Sustainability Victoria

EAGA is willing to work in partnership with the State Government and DEWLP on implementing these recommendations and to ensure that robust approaches to mitigation and adaptation are adopted which represent the best value proposition for the community and all levels of Government.

Should you have queries or questions relating to this letter, please contact Scott McKenry, EAGA Regional Coordinator on scott.mckenry@maroonodah.vic.gov.au or 03 9298 4250.

Kind regards,



Cr Bill Bennett
Executive Committee Chair
Eastern Alliance for Greenhouse Action
Councillor, Whitehorse City Council



This submission has been approved through EAGA's formal governance structure as described in the EAGA Memorandum of Understanding 2012-16. The submission may not have been considered and upheld by a majority councillor vote within individual member councils.