

Senate Standing Committee on Environment and Communications – Recent trends in preparedness for extreme weather events.

Submission: The Office of the Hon Robin Chapple MLC, Greens WA Member for Mining and Pastoral

Primarily in this submission I will address points (c) through (f) of the Terms of Reference, with particular focus on Western Australia's disproportionate contribution to the increase of greenhouse gas emissions and its lack of coordinated response to either adaptation or mitigation in this context. I comment on these as factors influencing Western Australia's ability to prepare appropriately for extreme weather events with particular reference to its lack of investment into climate change management generally, its lack of investment into local / regional climate change research and its lack of integration between emergency services agencies and climate change experts.

Current State of Emissions Management in Western Australia

I am concerned that the Western Australian government is derelict in its duties, and my Office has undertaken extensive research to gain a clear and comprehensive picture of greenhouse gas emissions in Western Australia. The Office reviewed publicly available data from the National Greenhouse and Energy Reporting Scheme (NGER), WA Environmental Protection Authority reports, and sourced information from companies directly. The full data set from our research is published in a report and associated documents and can be found here: <http://www.robinchapple.com/wa-co2e-emissions-estimates-2012>.

Western Australia's emissions in 1990, the benchmark year for Kyoto Agreements, were 52.01 million tonnes of carbon dioxide equivalent, and by 2010 this had grown to 74.3 million tonnes. Our research shows that emissions are now in the region of 85 million tonnes of carbon dioxide equivalent per annum.

The most worrying finding of our research is that new industrial development pending approval by the WA Government is set to emit a further 83 to 128 million tonnes per annum. This significant increase, on top of current rates, would see our emissions more than double during the coming decade, and more than triple that of our reporting base year of 1990.

The Barnett / Grylls government has not just watched this explosion in carbon emissions happen. This government is actively funding and facilitating the developments, at the expense of the environment, with no checks and balances in place to ensure climate responsible practices.

The State Government is funding hundreds of millions of tax payers' dollars into these developments including:

- \$124,383,000 for the much maligned proposed James Price Point gas hub, which is projected to emit from 7.1 to 41Mtpa of CO₂ at full production;
- \$8,548,000 committed in the state budget for the Wheatstone Project (Ashburton North), projected to emit 10-15Mtpa once it hits production of 25Mtpa of LNG;
- Verve Energy has an allocation of \$225.5 million over the forward estimates on its fossil fuel portfolio including \$88.9 million to refurbish the Muja power station, reopening the oldest and most carbon intensive parts of this power station.

By comparison, Verve will spend \$21.3 million on renewables – completing only one wind farm.

Additionally, we have recently seen this government step even further away from ensuring that resources industries are held accountable for their emissions and the contribution these make to Australia's overall emissions profile. It seems not only is the Barnett government pushing ahead with the Browse LNG Precinct project despite myriad environmental and social concerns and wide community dissent, but also despite advice from the WA EPA and Appeals Committee, the condition requiring a greenhouse gas abatement plan has been removed. This is despite the fact that at 41million tonnes per annum of greenhouse gas emissions this project will probably be the single biggest polluting entity in the nation.

The conditions, recommended by the environmental regulator (the EPA) and supported by the Appeals Committee, have been removed via the Minister's determination. In lieu of a greenhouse gas abatement plan, 'Condition 22 is amended to only require annual reporting of greenhouse gas emissions from the LNG plant'.

http://portal.appealsconvenor.wa.gov.au/portal/page?_pageid=1258,1&_dad=portal&_schema=PORTAL

This has happened with the Wheatstone development also. Effectively, this government is using the Clean Energy Futures Package to remove any state imposed onus on developments to abate emissions. It does this while simultaneously criticising in the media the CEF, RET and other associated legislation / policy, but relying on the concept of 'complementarity', to justify removing EPA conditions. This is particularly inappropriate when many of these developments are likely to be considered EITI.

Roles and Responsibilities of the Spheres of Government in Climate Change Mitigation and Adaptation

The Western Australian State Government

It is now indisputable that the concentration of greenhouse gas emissions is a major contributing factor in the increased incidence of extreme weather events including bushfire, drought, heatwaves, floods and storm surge, and that these events have major impacts on public infrastructure and community safety.

Thus it is patently the role of government, Commonwealth, State and Local, to address these issues at both a mitigatory and adaptive level and it has a responsibility and a liability for the impacts, both short and long term, that these decisions might have.

In Western Australia, within the current state government, there is little, if any appetite for addressing the issue of rising emissions from development and very little action being taken to support communities to mitigate, or adapt to the effects of climate change. The Agency responsible for climate change management in Western Australia has over the past four years, been denuded from a Department with a dedicated Climate Change Minister and up to 14 staff under the previous government, to a small policy unit of only 4 staff members hidden within the Department of Environment and Conservation. It has had very little budget allocated to it, and is simply incapable, with the lack of human resourcing and financial

support, to deliver an efficient or effective range of policy and operational climate change measures for the Western Australian community.

The government refuses to acknowledge the benefit of complementary measures, and assumes that all mitigation opportunities are covered by the Commonwealth's Clean Energy Futures package. It does not have in place an appropriate strategy for mitigation, nor does it enforce abatement conditions, in particular for the mining / resources industries. Its current climate change strategy is a very basic nine page document which basically indicates that the WA government intends to expend little time, human resourcing or financial resourcing on tackling climate change or mitigating its effect on severe weather events and strain on emergency management services / public infrastructure.

This allows large industry, in particular the mining industry, to trade on the assumption that they can operate without environmental constraint, in particular with respect to their massive contribution to Australia's emissions profile. This is reinforced when the EPA removes the requirements for mines to provide abatement plans and processes, as previously outlined.

This leaves industry and the Western Australian public relying on the carbon pricing mechanism to influence the behaviours of big business and to ensure that appropriate reductions are made and that best practice emissions management is adhered to, however it is evident from current practices in the mining and resources industries that this reliance is misguided and inadequate to ensure that industry is held to account for its greenhouse gas emissions.

With the Western Australian state government being unwilling and / or unable to address emissions management issues the responsibility falls often to local government, who represent their communities more closely.

The Role of Local Government in Emissions Mitigation and Climate Change Adaptation

Unfortunately local government is the sphere of government least equipped for managing extreme weather events related to climate change. It is particularly under-resourced where climate change management is concerned and additional burdens are placed on it with respect to new and existing infrastructure maintenance and community safety by other spheres of government.

While the Commonwealth has recently created some financial incentives for local governments to reduce their emissions profile by employing energy efficiency technologies or retrofits, there is little or no support in Western Australia for local governments attempting to address climate change adaptation issues in particular and little support for local governments wishing to make 'hard' policy decisions with respect to planning and development approvals.

With the current lack of research within FESA or other emergency management agencies on the effects of a drying climate on extreme weather events in Western Australia, in particular bushfire frequency, it is unlikely that local governments will be fully equipped to deal with major emergencies into the future. Local government provides a significant amount of support to FESA, in particular in regional areas, and needs to be able to ensure the safety of volunteers and community members involved in dealing with fires and other extreme events, both on the frontline and in the aftermath / clean-up processes. The development of coordinated approaches which involves the states and ensures that they are engaged in the

management of climate change directly and that they support local governments to fulfil their community obligations must be achieved in the very near future to avoid unnecessary loss of life or property.

Local government also manages significant public infrastructure, from roads, to bridges, to community centres. This infrastructure is threatened by extreme events, both short term (such as severe flooding, storm surge and bushfire) and longer term (such as consistent heatwaves and drought).

Currently in Western Australia the government actively encourages the building of new infrastructure, citing this as a community / regional development initiative. However, in many instances it is also a possible liability for local government, as development with little heed to climate sensitivity, and ‘rushed through’ to fit in with expenditure parameters set by the state to meet arbitrary performance outcomes, are unlikely to be appropriately engineered or positioned to withstand extremes. There appears to be few enforceable policy measures or legislative processes at a state or Commonwealth level which ensure new developments are built to rigorous standards with climate / weather extreme resilience as an underpinning criteria.

In particular, funding from mining royalties channelled through the Royalties for Regions Scheme and other state and Commonwealth infrastructure funding options is currently finding its way into the regions often in less than optimal ways and adding to the significant infrastructure maintenance deficit that local governments already face in WA. If this infrastructure has few criteria set around climate resilient engineering or is not properly sited or planned, it runs the risk of adding to an already significant asset management burden for this sector with respect to its ability to ensure it has adequate coping capacity for extremes.

For a state government to have so little foresight as to almost create financial incentives for local government to build climate insensitive infrastructure and then be left with the legacy of that infrastructure illustrates a need for all WA government departments to be held accountable for their development strategies, not least the Departments of Planning, Infrastructure, Housing, Regional Development, Local Government and Environment. This must have a Commonwealth legislative framework, as at present it seems unlikely these Departments will undertake the relevant research and policy processes themselves.

Despite the significant recent evidence, both scientific and observed, that climate change is occurring and is causing recurrent and severe weather related events, habitat shift, fuel load drying and other causal variables which impact on emergency management planning, there is a lack of cohesiveness in government climate change policy across the local, state and Commonwealth governments.

The recently released Commonwealth Select Council on Climate Change’s, ‘agreement to roles and responsibilities across Federal, State, Territory and Local Governments on actions to adapt to climate change’, was used by the state WA Minister for Environment and Conservation to justify the limited output of his Department on climate change action. He made a statement that, “The State Government recognises that decisions on the design, implementation and timing of the regulation of greenhouse emissions are primarily matters for the Federal Government and the Federal Parliament.” Since this statement the EPA greenhouse gas emissions conditions on Browse LNG Precinct have been removed.

Lack of Resourcing at State Level

Most conservative states at this time appear to be moving away from funding climate change management, in particular around mitigation strategies, but also in some cases adaptation research and projects, with some state Departments of Environment / Planning actually cancelling contracts with consultants / contractors before completion of project.

Some state Departments have either abolished altogether their climate change management units or significantly reduced the numbers of staff working in these areas, both FTE and consultants working on climate related projects. This in turn reduces significantly the ability of those governments to adequately address this urgent and ongoing issue.

Pressure on emergency services is already at a level where response and recovery are inadequate. Western Australia in particular has only a very small team with responsibility for climate change adaptation research and policy, with virtually no operational funding and little support. Within this framework they are virtually immobilised and cannot effectively contribute to the state's bank of data / research leaving knowledge gaps which leaves emergency services with little access to appropriate research or information on which to base their mapping and processes. Given the recent occurrences of bushfire, floods and heatwave across Australia, Western Australia's lack of preparedness can only be a major risk to the community. The Indian Ocean Climate Initiative, which was for some time providing local data to support this, has also been defunded.

National Coordination & the National Climate Change Adaptation Framework

The Commonwealth Select Council on Climate Change's, 'Agreement to roles and responsibilities across Federal, State, Territory and Local Governments on actions to adapt to climate change,' can only be of use if clear guidelines and enforceable legislative frameworks are enacted. Without these enforcement protocols in place it is my opinion that the conservative states will continue to prioritise development over emissions management and the legacy that this will leave is a large number of physical assets not engineered to withstand climate extremes, a large asset management and maintenance backlog for already constrained local government, and a lack of coordinated resourcing allocated to the emergency management pressures which will arise from increased extreme weather occurrences.

National coordination on this is paramount, but at present is unclear, and while finally articulating some of the roles and responsibilities that fall to the three spheres of government around climate change management is of value, it is neither a decisive and enforceable strategy nor does it give certainty to other spheres of government as to how those roles are to be fulfilled.

Research into the costs of addressing the increased frequency of extreme weather events from an emergency management perspective, and into how those costs are to be apportioned across federal, state and local governments within their current financial frameworks, would allow for more certainty, and would allow those with responsibility for climate change management to assess their risk and liability fully. Currently local governments in particular feel the weight of liability issues around climate change management, particularly adaptation, which often goes hand-in-hand with emergency management preparedness as it is largely reliant on good infrastructure planning, protection and management.

It is important to note, as is stated in COAG's National Climate Change Adaptation Framework, that adaptation is merely a complement to effective mitigation, not a strategy in and of itself. Effective mitigation takes more than a carbon price to effect, especially when so many large emitters are given concessions because of their vulnerability / trade exposure in the international market. Legislative frameworks also need to be employed to ensure that appropriate emissions limits are set, particularly on major new resource developments, to ensure that big emitters aren't merely being allowed to use concessions to shirk responsibilities for emissions abatement.

The National Climate Change Adaptation Framework is a valuable and key statement of intent; however it is unclear as to whether the aims outlined in the framework have been achieved. Given that the Framework was agreed to in 2007, and its timeframe on achieving outcomes was 5-7 years, the framework should have yielded some tangible outcomes for all spheres of government, and in particular for the state and local government. Having extensive experience of the way the current WA government views its role in climate change adaptation, and the uncertainty within local government as to their responsibility and liability for adaptation policy, strategy and action, it would have to be said that the outcomes have not yet been fully realised.

Coastal Climate Change Impacts

More than 80% of WA's population lives near the coast and is vulnerable to the impacts of climate change. These impacts on the coastal region of Western Australia are different from those elsewhere and are potentially serious. A specific approach to those unique impacts is required – and the political will and sense of urgency to ensure its implementation.

At present, the planning framework within which planning decisions are made does not take into account the vulnerability of the coast to the impacts of climate change. What is required is a framework for development that imbeds the precautionary principle and the most up-to-date climate science in planning decisions in order to protect both the biodiversity and recreational values of the coast. Importantly, decisions should be based on the need to protect coastal development from the impacts of climatic change, and the coastal environment from the impacts of coastal development. The application of the hierarchy of intervention – avoidance, planned or managed retreat, accommodation or protection - should be based in law rather than policy.

The Greens (WA) have taken the initiative in relation to this issue. On 29 November 2012, Hon Lynn MacLaren MLC, spokesperson for planning, tabled the *Climate Change Readiness (Coastal Planning and Protection) Bill 2012* in the upper house as a private member's bill. The bill provides for the regulation of planning, development and management in the coastal zone in readiness for the impacts of climate change.

Included in the bill are the following legislative requirements:

Vulnerability assessments of the WA coast – many of which have already been done - must be completed within the next couple of years in order to establish which areas of the coast are vulnerable to the impacts of climate change. Tight development controls will apply in the most vulnerable part, referred to as “the transition zone.” This is where severe storms, rising seas, coastal erosion and flooding will change the landscape.

A WA coastal plan must be prepared on the basis of the vulnerability assessments and will include a coastal map showing the coastal zone and the transition zone. It will also set the guidelines for the preparation of the local coastal adaptation and management plans that the local councils will be required to prepare and implement.

Research and its Role in Supporting Climate Change Adaptation

While I am aware that some on-ground research has been undertaken and strategies devised by individual and grouped local governments in Western Australia, there is little coherence in the way these strategies have been delivered as for the most part they have not been coordinated by any level of government. Local governments, acknowledging that climate change was to become a risk and threat to their operations and to their community have in the main sought funding to employ consultants to deliver risk assessment and adaptation plans either at a local or regional scale, however often these have been done with little cognizance of neighbouring issues and by different consulting firms with no set framework, so outcomes and applications have been somewhat difficult to align. Unfortunately, because so few local governments have any internal climate change expertise the outsourcing of the process has left little impact on the management of the local governments themselves, and often the mid to upper level officers with most responsibility for governance, planning, financial and risk management have only been peripherally involved in the process, if at all.

The National Climate Change Adaptation Facility provides a wealth of invaluable research, some of which applies to different levels of government, but to access this information is often difficult for those in local government without access to research archives. For the people most responsible for climate change adaptation management and emergency management at local government level it is imperative that they have direct access to all NCCARF research and that this is not made prohibitively costly.

It is also imperative that research information, either out of NCCRF, CSIRO, BOM or other relevant research institutes is communicated directly to local government via a central portal as it is released, to ensure that local governments, who are often time, skill and financially constrained are not forced to seek out that information.

Another issue for the coordination of climate change management is simply that the responsibility for certain issues has heretofore been the responsibility of the wrong spheres of government, with local governments undertaking coastal mapping in order to fill gaps that should have been mapped by state Departments of planning who have internal expertise and funds to undertake such detailed assessment. Detailed and appropriate scale coastal mapping in particular is a resource which would support local governments in making good, climate proof planning decisions in respect to coastal buffers and settlements, but which they can scarce afford to undertake themselves.

There are many areas in which local governments suffer from the lack of certainty around adaptation planning and processes: rural mental health and physical well-being, emergency volunteering, planning policy and guidelines, risk assessment, asset management being just a few. If the Commonwealth fully acknowledges the integral role local governments play as community representatives in both planning for and communication of appropriate adaptation actions, there needs to be a full acknowledgement also of the financial and human resourcing burden this will place on local governments into the future, and particularly those whose rate

bases are dwindling while the expectation from other spheres of government, and community pressure to address these issues is increasing.

To conclude, this Office does believe that there is a long way to go before we see a well-coordinated strategy for preparedness for extreme weather events, and that much needs to be done to ensure that these events, which are very obviously becoming more frequent and more extreme, do not pose an increasing risk the community. Given that the states, in particular those with conservative governments, are seemingly uninterested in tackling climate change issues, it falls to the Commonwealth to ensure that a solid legislative framework exists to prevent liability falling to spheres of government, local in particular, that it should not. Shared responsibility for climate change management and preparedness for its impacts is paramount, but in the absence of an equitable and appropriate approach from the states this issue cannot be ignored. We call on the Commonwealth to urge, indeed to enforce, the active participation from all state and territory governments in this area.