



WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

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Department of Water and Environmental Regulation
Prime House
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The Wildflower Society of Western Australia (hereafter referred to as 'the Society') makes this submission in relation to the proposed Climate Change legislation. The legislation provides some direction for Western Australia in relation to the State's direction toward achievement of net zero emissions by 2050, and is sorely needed.

The legislation, as it is proposed, has some positive aspects including:

- A net zero 2050 target and 5-yearly interim targets.
- Annual reporting on emissions and progress toward targets.
- Linkage to national and international targets in the future.
- Use of offsets as a last resort, although past experience with offsets would suggest this will need to be monitored.
- The requirement for a mitigation hierarchy.

However, the Society has identified a number of issues with the proposed legislation:

- There is no state-wide emissions reduction target, just a requirement for government entities to meet the 2030 target.
- The 2005 baseline does not account for the multiples of increase in emissions since that time by the gas industry.
- There is no provision for an independent Climate Change Authority to verify performance against targets and strategies developed.
- There is no linkage between nature conservation legislation, and this proposed legislation.
- No provision is made for regional strategies considered essential given the diverse range of predictions proposed for the State.
- Exclusion of land use emissions from the government target given the impact that clearing and prescribed burning have on overall emissions and the portion of Western Australia that is government owned.
- The use of offsets as a last resort has not functioned well in other legislation, such as the Clearing Regulations as it is not used as an action of last resort. The proposed legislation needs to strengthen this requirement to assure its proper application, rather than depend on the judgement of departmental staff in the application of regulations.
- The proposed legislation requires the provision for sectoral targets to avoid one sector avoiding a reduction of emissions to the detriment of other sectors, which are then required to achieve much lower emissions targets to meet the overall objectives.
- The proposed legislation needs to include provision for regulation of individual polluters, particularly those existing polluters looking to expand their operations or new polluting operations that are seeking a licence to operate. This may be achieved through amendment of the current EP Act or through conditions on licences issued through Part V of the EP Act.



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- Currently the Executive Government of Western Australia is seen to be too close to industry and there is a lack of public trust that powers proposed in this legislation will be applied according to the public want. The proposed legislation must be structured to require the Executive to apply the legislation for the greater public good.
- The proposed legislation needs to include the consideration of Scope 3 emissions, given the State is one of the largest LNG exporters globally.
- The proposed legislation needs to apply to all sectors of government, business, industry, project proponents and the community. If not apply across all sectors of society it will be totally ineffective.
- The legislation needs to extend the reporting requirements to include consequences for entities/sectors that do not meet their proposed targets and the identification of actions to be taken by the State in pulling back emissions to within the targets set.

The Society requests that public consultation in relation to climate change is conducted across the total community, rather than a 'select' stakeholder group. Such a process lacks transparency and leads to public distrust of the process adopted by the State in preparation of the legislation. This transparency needs to flow through into the reporting requirements of this legislation as well as the development of regulations, strategies and plans (etc) that support the legislation.



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