

Submission
No 42

INQUIRY INTO CLIMATE CHANGE (NET ZERO FUTURE) BILL 2023

Organisation: Jewish Climate Network

Date Received: 24 October 2023



Submission to Climate Change (Net Zero Future) Bill 2023

24 October 2023

Introduction

1. We thank the Committee for this opportunity to make a submission on behalf of the [Jewish Climate Network](https://www.jcn.org.au) (JCN) on the *Climate Change (Net Zero Future) Bill 2023* (the 'Bill').
2. The JCN's mission is *to harness the capabilities and creativity of the Australian Jewish community to accelerate the transition to a zero emissions world.*
3. We do this by creating opportunities for our community to learn more about actions they can take in their homes, businesses and lives to lower emissions and advance the Australian and global decarbonisation effort.

Context

4. Ambitious action on climate change is a growing concern and interest for our community. High concentrations of Jewish community members across NSW voted for ambitious climate policies over the last couple of years.
5. The JCN's community surveys also show that 90% of community members are 'Alarmed' or 'Concerned' about the impacts of climate change on current and future generations.
6. The NSW Jewish Community has a strong interest in the development of ambitious climate policies that bring down the cost of living. The long-term economic benefits of renewable energy, household electrification and other key climate solutions are crucial to reducing energy bills for the around 20% of our community who describe their socio-economic position as "just getting along".¹

¹ *Gen17 Australian Jewish Community Survey: Preliminary Findings*; David Graham & Andrew Markus, published by Australian Centre for Jewish Civilisation, Monash University, 2018; pp. 46-48.

7. Billions of dollars a year are spent by the State Government on support for the most needy. And millions more dollars a year are spent by the Jewish community on short-term aid and relief for those most vulnerable. Our community of course embraces this challenge because it is our duty under Jewish tradition and long-standing community expectations. However, our teachings also describe that providing structural support to low-income community members is also of significant value, in order to support the dignity and long-term aspirations of the individual. To that end, our community supports a Bill that best protects it from the worst impacts of extreme weather - such as the economic impact of health bills, repair bills and insurance bills from extreme weather damage.

Aspects of the Bill that we support

8. We support the Bill's explicit Purpose aligning with global climate action (e.g. the Paris Agreement) and settled science (e.g. the 'urgent' need to 'limit[] temperature increase' to 1.5/2°C above pre-industrial levels).
9. We support legislated emissions reduction targets in principle, as they provide certainty to all key players in the economy and community members about the general trajectory of New South Wales and its intention to take meaningful action. Those targets need to be more ambitious though, as described below.
10. We support the establishment of an independent Net Zero Commission with a function to "monitor, review and report on progress" and that any such reports be made publicly available.
11. We support that the Minister must provide a response to any such reports from the Commission.

Aspects of the Bill we recommend should be improved

Improved Targets

12. The targets of 50% by 2030 and net zero by 2050 ('Targets') proposed in the Bill contradict Section 3 (Purpose of the Act). This contradiction undermines the operability of the Bill from the outset. No credible scientific research exists that would determine that the Targets included in the Bill:
 - a. are capable of keeping global average temperatures 'well below 2°C'; or
 - b. would constitute a legitimate 'pursu[it] of efforts to limit the temperature increase to 1.5°C'; or
 - c. would constitute 'urgent action'.

13. Additionally, the Purpose of the Bill is 'to give effect to the international commitment established through the 2015 Paris Agreement'. Article 4.3 of the Paris Agreement demands emissions reductions reflect the 'common but differentiated responsibilities and respective capabilities' of different countries, 'in the light of different national circumstances'. This is broadly understood to mean that developed jurisdictions such as NSW must reduce their emissions more and/or faster than less developed jurisdictions to ensure they are doing their fair share.
14. To achieve this, the Bill must be more ambitious. It should at least match the previous NSW Coalition Government's target of 70% emissions reductions by 2035 on 2005 levels. The Government could also model their target on their Labor counterparts in Victoria who have a 75-80% emissions reduction target by 2035 on 2005 levels, and a Net Zero target by 2045.

Review and Ratchet mechanisms

15. A mechanism should be added to the Bill that enables the Government to review and ratchet the Targets based on the best available science.
16. There should be a schedule in the Bill to ensure these Targets are reviewed regularly. The Victorian Climate Change Act, for example, requires the Government to set targets for each five-year period, and a similar approach could be taken in NSW.
17. To further facilitate these mechanisms, we recommend the deletion of Section 9(3) of Part 2 of the Bill. This section prevents the Government from setting intermediate targets via regulation. The setting of intermediate targets should be encouraged, and preferably required, in line with [best practice principles for climate change framework legislation](#) (see: *World Bank Reference Guide to Climate Change Framework Legislation*, pp.19).

Integration with other NSW laws

18. Given the key sources of NSW's emissions, and climate change impacts, are spread across many areas of the economy, industry and community, the Bill should expressly require all decisions made under relevant NSW laws and regulations to account for climate change and emissions impacts.
19. The integration of the Bill with all other relevant NSW laws, policies and decisions should make specific reference to laws and decision-making bodies that influence developments that may generate substantial greenhouse gas emissions (e.g. the *Environmental Planning and Assessment Act 1979 (NSW)* and Independent Planning Commission)

Removing embedded barriers to action

20. We recommend the deletion of Section 8(4)(a) of Part 2 of the Bill. This point establishes a principle that 'Action to address climate change should be taken in a way that is fiscally responsible'. Fiscal responsibility is already a principle of Government decision making and does not need to be embedded in climate-specific legislation. Additionally, as has been common in the past, the sentiment of this sub-section is liable to be used by, and could even encourage, a Government to slow or avoid the 'urgent' action embedded in Section 3 (Purpose of the Act). It could also encourage a Government to decrease emphasis on Section 8(4)(c) of the Bill which requires a consideration of the 'economic risk of delaying action'.

Reduce the Ministerial response time

21. Given the stated Purposes of the Bill include 'urgent' action, a 6-month response time by the Minister to a Commission report or recommendation is too long. This should be reduced to a maximum of three months in all circumstances.

Conclusion

22. We are grateful for the opportunity to make a submission on this Bill and we applaud the Committee for its work exploring how the Bill might best serve the needs of the NSW community and reduce emissions in line with scientific targets and global commitments.
23. We also extend a warm offer to the Committee to meet with the Jewish Climate Network and our community members to discuss these recommendations further. Feel free to contact us at the email below.

Joel Lazar
Chief Executive Officer