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## **1. Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 18) – Doha**

The 18th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) is being held in Doha, Qatar, from 26 November to 7 December 2012. COP 18 sees the Meeting of the Parties to the Kyoto Protocol.

The United Nations Environment Programme (UNEP) released a report on the second day of COP 18 revealing that permafrost covering almost a quarter of the northern hemisphere contains twice the carbon that is currently in the atmosphere. The thawing of this permafrost could significantly increase global warming if it accelerates as projected, and could radically change ecosystems and cause expensive infrastructural damage due to increasingly unstable ground. The United Nations Under-Secretary General and UNEP Executive Director said that this report was released during COP 18 to 'communicate to climate-treaty negotiators, policy makers and the general public the implications of continuing to ignore the challenges of warming permafrost'..

A primary goal for COP 18 is to encourage member countries (members) to increase their commitment to climate change mitigation strategies, and the financing of initiatives that will be needed to achieve this goal.

COP 18 will review the national communications and emission inventories submitted by members, and assess the effects of measures taken and progress made towards achieving the ultimate objective of the UNFCCC, which is 'to stabilise greenhouse gas concentrations at a level that will prevent dangerous human interference with the climate system'.

Members are expected to agree on an emissions peak time frame at COP 18. The emissions peak is the point at which emissions stop increasing and begin decreasing. There are concerns that even the most ambitious existing proposals and

national policies will fail to achieve an emissions peak before 2050, and will fail to prevent a rise in global temperature of more than 2 degrees Celsius, which is the basis of the UNFCCC.

[The Executive Secretary of the UNFCCC says](#) that governments need take many of the issues that have been under design and negotiation for quite a few years into the implementation stage.

### ***The Kyoto Protocol second commitment period***

The first commitment period of the Kyoto Protocol ends on 31 December 2012, and the second commitment period is ready to be put into immediate implementation on 1 January 2013. There will be discussions at COP 18 on how long this second commitment period will last, and parties to the Protocol will be required to make final decisions on the operating rules for this second commitment period.

It is not compulsory for countries who participated in the first commitment period to sign on to the second, however the European Union, Norway, Switzerland, and Australia have indicated that they will sign on to the second commitment period, a move that the Executive Secretary of the UNFCCC sees as a confidence builder for COP 18 and UNFCCC negotiations moving forward.

There are concerns over a push to allow emissions in surplus of the first commitment period targets to be carried over into the second commitment period. A [recent European Parliament report](#) argues that these surpluses are largely due to members' commitment to non-ambitious targets from the first commitment period, and that these surpluses will reduce the ambition targets for the second commitment period if they are allowed to be carried over. The result has the potential to prevent real and urgent action on climate change.

### ***Support for developing countries***

At the [2009 Copenhagen Conference](#), developed countries pledged financial assistance of \$100 billion per year by 2020 to developing countries to assist with climate change mitigation and adaptation measures. [Oxfam says](#) that developed countries have fallen short of this pledge, and that they must work to gain the confidence and trust of developing countries at COP 18. While some of the \$30 billion '[Fast Start Finance](#)' promised between 2009 and 2012 has been given, Oxfam is concerned that two thirds of this is actually money that was promised before 2009, and is not 'new money'.

The Executive Secretary expects to see developed countries giving serious consideration to and capturing into text how they will be able to reach this financial pledge before 2020, and recognises that developed countries need to be strategic in where those sources come from and how they will leverage each other in order to honour their pledge given the current financial constraints the whole world is under.

The Executive Secretary acknowledges that the world is under financial constraints, and does not expect to see pledges of specific amounts of funding at COP 18. Following on from the disagreements between developed and developing countries at the [2012 Bonn Conference](#), it will be a challenge for developing countries to be able trust what is being promised. Offers from developed countries need to be serious and credible enough to be received with trust by developing countries, and clear accounting frameworks must be in place to ensure that the money that is pledged is actually received.

### ***A new legally binding agreement to combat climate change***

COP 18 will also see members work towards the development of a new legally binding agreement which will carry on from the Kyoto Protocol. This new agreement, which will be applicable to all members, is due for completion by 2015 and is to be implemented from 2020. The agreement will require members to work on enhancing their ambitions for climate change adaptation, mitigation, and finance now and beyond 2015.

Members must show a strong and genuine commitment to combatting climate change. They must adopt ambitious mitigation ambitions and meet these targets if greenhouse gas emissions are to be stabilised, and a temperature increase of over 2 degrees Celsius is to be prevented. While critics do not hold high hopes for these achievements, the Executive Secretary of the UNFCCC is cautiously optimistic.

## **National Update**

### ***Law***

#### **2. Advisory report tabled on the *Clean Energy Amendment Bills 2012 (Cth)***

The House Standing Committee on Economics has submitted an advisory report on the *Clean Energy Amendment Bills 2012 (Cth)*. The *Clean Energy Amendment (International Emissions Trading and Other Measures) Bill 2012 (Cth)* and six associated Bills provide the framework for Australia's emissions trading scheme to link with other schemes including the European Union ETS. This will contribute to the development of a global carbon market.

The report finds that linking the Australian emissions trading scheme to other schemes will deliver the Government's overarching policy objective to foster a low-cost transition to a low-carbon pollution future.

[Click here](#) for more information and to read the report.

## ***Policy***

### **3. Indigenous Carbon Farming Fund – nominations open**

The Federal Government's new grants program to support Indigenous land managers in establishing carbon farming businesses opened on 7 November 2012. The first round of the Indigenous Carbon Farming Fund – Capacity Building and Business Support stream, is part of the Government's Clean Energy Future Plan.

Over the next five years the Australian Government will invest \$22.3 million to help Indigenous organisations and land managers participate in the Carbon Farming Initiative (CFI) by providing practical financial support and investing in the development of additional carbon farming methodologies.

[Click here](#) for more information about the Indigenous Carbon Farming Fund and to find out how to apply.

### **4. South Australian Wind Farms policy amendment**

The South Australian Government has approved the *Statewide Wind Farms Development Plan Amendment* as part of its commitment to reach 33 per cent of electricity generated from renewable sources by 2020. The amendment makes changes to the land use policy applying to wind farms, and aims to provide greater clarity and certainty for communities and investors about renewable energy development by introducing policies for wind farms and ancillary development at the council-wide level and in zones where such facilities are appropriate and therefore more likely to be located.

The policies in the Development Plan Agreement recognise that wind farm facilities are likely to be developed in zones with relatively low population densities such as rural and coastal areas, and that wind farms may need to be located in prominent locations to take advantage of the wind required for effective operations.

[Click here for more information.](#)

### **5. Renewable Energy Target review**

The Australian Climate Change Authority released a [discussion paper](#) following the public exhibition of the [Renewable Energy Target Review issues paper](#), and public comment was invited throughout early November. The discussion paper sets out the Climate Change Authority's draft recommendations on the Renewable Energy Target review. ANEDO made [a submission on the issues paper](#) strongly supporting the continuation and enhancement of the Renewable Energy Target as an important measure to reduce Australia's greenhouse gas emissions.

The Climate Change Authority's final report on the RET review is expected to be released in December. Visit the [Climate Change Authority website](#) for more information.

## **6. Clean Technology Investment Programs Grant Recipients**

The Australian Minister for Industry and Innovation has announced the grant recipients for the Clean Technology Investment Programs and the Clean Technology Food and Foundries Investment Program. These grants support manufacturers to invest in energy efficient capital equipment and low emission technologies, processes and products.

[Visit the AusIndustry website for more information.](#)

## **International Update**

### **Law**

### **7. California's carbon auction goes ahead, but lawsuit looms**

California held its first auction of greenhouse gas permits under California's new cap-and-trade system on 15 November 2012. The carbon price, which is enacted under California's climate change law *Assembly Bill 32 (AB 32)* will see businesses pay \$10.09 per tonne of carbon emissions. The scheme will commence on 1 January 2013, and will cover approximately 85 per cent of California's greenhouse gas emissions once it is fully operational.

The California Chamber of Commerce has filed a complaint in Sacramento Superior Court that the California Air Resources Board lacks authority to auction carbon allowances. The Chamber of Commerce says that AB 32 does not authorise the auction of carbon permits, and that even if it did, the auction would be unconstitutional.

[Click here](#) for more information.

### **8. Dutch Government faces legal threat**

A Dutch environmental group is threatening the Dutch Government with legal action if it does not take urgent action against climate change. Urgenda has sent a letter to Government Ministers calling on them to announce new initiatives on cutting emissions. If they do not, the group says it will proceed to the courts. This legal action would be based on human rights legislation

[Click here](#) for more information.

### **9. Scotland may miss emissions reduction targets and break its own climate change laws**

The Scottish Government's Director of Energy and Climate Change has revealed that Scotland is unlikely to meet legally binding emission reduction targets under the

Scottish *Climate Change Act*. Despite a 22.8 per cent reduction in emissions between 1990 and 2010 compared with the average 14.3 per cent reduction of the European Union's 27 member states, the Scottish Government's current policies will fail to reach the reduction required by the *Climate Change Act* of 18 million tonnes.

Scotland may be able to reduce emissions further and meet its target by adopting emissions reduction policies and strategies above those that are already agreed.

[Click here](#) for more information.

## ***Policy***

### **10. United Nations Development Program biodiversity plan**

The United Nations Development Program (UNDP) has released its biodiversity and ecosystem global framework for 2012/13: [\*The future we want: Biodiversity and ecosystems – Driving Sustainable Development\*](#).

The report focusses on the importance of reversing biodiversity loss and ecosystem degradation, and sets the UNDP's framework for achieving this, which includes managing the impacts of climate change and working towards sustainable development, and calls on the UN, governments, and development partners to implement the Strategic Plan for Biodiversity and achieve the Aichi Targets set out in 2010.

[Click here](#) for more information.

### **11. Korea selected to host the Green Climate Fund**

The Republic of Korea has been named as the host of the [Green Climate Fund](#). The purpose of the Green Climate Fund is to contribute to the achievement of the ultimate objective of the United Nations Framework Convention on Climate Change by providing support to developing countries in their climate change mitigation and adaptation strategies, taking into account the needs of those developing countries that are particularly vulnerable to the adverse effects of climate change.

[Click here](#) for more information.

## **Media, Reports, and Other News**

### **12. Thawing permafrost not yet accounted for in climate change predictions but likely to cause significant global warming**

The United Nations Environment Programme (UNEP) has released a report revealing that permafrost covering almost a quarter of the northern hemisphere

contains 1,700 gigatonnes of carbon, twice the carbon that is currently in the atmosphere. The thawing of this permafrost could significantly increase global warming if it accelerates as projected. The report [Policy Implications of Warming Permafrost](#) was released on the second day of COP 18 climate talks in Doha.

The majority of current permafrost formed during or since the last ice age. It extends to over 700 meters deep in parts of northern Siberia and Canada. The permafrost is made up of an active layer up to two metres in thickness which thaws every summer and refreezes every winter, as well as permanently frozen soil beneath.

If the active layer increases in thickness because of global warming, vast quantities of organic matter stored in the frozen soil would thaw and decay, releasing large amounts of carbon dioxide and methane into the atmosphere.

This process would trigger the 'permafrost carbon feedback', which has the effect of increasing surface temperatures and accelerating the further thawing of permafrost. This process would be irreversible.

[Click here](#) for more information and to read the report.

### **13. Councils wary of reforms to the *Coastal Protection Act 1979* (NSW)**

The [Sydney Coastal Councils Group](#) has expressed concerns for potential safety, environmental, and economic risks for coastal communities following the NSW Government's release of Stage 1 of its [coastal reforms](#). The [Australian Coastal Society](#) expressed concerns that councils may be liable for damages resulting from the relaxed coastal protection measures such as impacts caused by temporary coastal protection works.

Visit the [Sydney Coastal Councils Group](#) and [Australian Coastal Society](#) websites for more information, and [read the August/September issue of the Climate Law Bulletin](#) for more information on the NSW coastal reforms.

### **14. The Sydney Morning Herald: *Yallourn cutback proof carbon policies are working, ACF says***

The decision by one of Victoria's biggest brown-coal-fired power stations to cut its generating capacity by a quarter is proof the carbon price and renewable energy target is succeeding in cutting greenhouse gases, an environmental group said. According to the Australian Conservation Foundation, the decision to halt power generation at one of Yallourn's four units is evidence the government's policies are taking effect.

[Read the full article for more information.](#)

### **15. Sydney Morning Herald: *Rising acidity levels threaten ocean's food chain, study finds***

The shells of some marine snails in the seas around Antarctica are dissolving as the water becomes more acidic, threatening the food chain, a study published in the journal *Nature Geoscience* has revealed.

[The study](#) presents rare evidence of living creatures suffering the results of ocean acidification caused by rising carbon dioxide levels, the British Antarctic Survey said in a statement.

[Read the full article for more information.](#)

### **16. The Climate Institute – *Coming Ready or Not: Managing climate risks to Australia's infrastructure***

The Climate Institute has released [Coming Ready or Not: Managing climate risks to Australia's infrastructure](#), a report which brings together research on the physical impacts and consequences of climate change on major infrastructure across property, electricity, road and rail and finance. It asks how prepared businesses and governments are to manage these risks, and the steps that will be required to improve Australia's climate change adaptation strategies.

The report reveals that Australia will face significant human and economic costs because our infrastructure is poorly equipped to handle more frequent extreme weather events and other consequences of climate change.

[Click here](#) for more information and to read the report.

### **17. Wentworth Group report on COAG bilateral environmental assessment agreements**

The Wentworth Group of Concerned Scientists has released a [Statement on Changes to Commonwealth Powers to Protect Australia's Environment](#). The statement acknowledges that the pressures on Australia's environment will intensify with climate change, and combined with other factors such as expanding global demand for minerals and energy, and population growth, will have cumulative impacts which have the potential to result in long term damage to Australia's land, water, and marine ecosystems.

The statement recommends that in order to achieve the COAG commitments to deliver better environmental outcomes while creating more certainty for the community and developers, governments must move away from project-based assessment to a more strategic and long-term approach to ensure the effective management of collective impacts of development on the environment.

[Click here](#) for more information.

## **18. International Emissions Trading Association Greenhouse Gas Markets report 2012**

The International Emissions Trading Association (IETA) has released its report [\*Greenhouse Gas Markets 2012: New Markets, New Mechanisms, New Opportunities\*](#). This report details developments in the international carbon market. It discusses the expansion of carbon markets, new emissions trading schemes, and United Nations initiatives to combat climate change.

[Click here](#) to read the report.

## **19. Invitation to Join EDO NSW's Scientific Expert Register**

EDO NSW is seeking scientific and technical experts with 10 or more years' experience in a range of fields to join our [Expert Register](#). PhD students are also encouraged to apply.

The Expert Register is a list of scientific experts who are willing to assist EDO NSW with public interest environmental matters on a pro bono basis. A key aim of the service is to increase the public's capacity to participate effectively in the environmental planning and development assessment process.

EDO NSW is also seeking to develop relationships with research organisations and environmental consultancies interested in doing pro bono work.

If you would like more information on how to be involved in the scientific work of EDO NSW, and have expertise in climate science or a relevant environmental field, please contact EDO NSW on 02 9262 6989.