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Australia's climate policy

The emerging patchwork

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Introduction

On November 10, 2016, the Commonwealth Government ratified the Paris Agreement. To comply with the requirements of the Paris Agreement, which will take effect in 2020, Australia has set a target to reduce carbon emissions by 26-28 per cent on 2005 levels by 2030. Australia's 2020 emissions reduction target is 5 per cent based on 2000 levels.

The current Commonwealth policy framework which underpins these targets is known as the Direct Action Plan, and includes the Emissions Reduction Fund and the Safeguard Mechanism. Emissions reductions will also be achieved through the Renewable Energy Target, which has a target of 23.5 per cent renewable energy by 2020. Norton Rose Fulbright has produced numerous publications on these initiatives, which can be viewed here.

There is currently some uncertainty as to whether the Commonwealth Government's current policies provide an appropriate framework for the 2030 emissions target to be met. However, this year, a review of these policies will be undertaken. The terms of reference for the review, which will commence in February and conclude by the end of the year, include

- The opportunities and challenges of reducing emissions on a sector-by-sector basis.
- The impact of policies on jobs, investment, trade competitiveness, households and regional Australia.
- The integration of climate change and energy policy, including the impact of state-based policies on achieving an effective national approach.
- The role and operation of the Emissions Reduction Fund and its safeguard mechanism.
- Complementary policies, including the National Energy Productivity Plan.
- The role of research and development and innovation.
- The potential role of credible international units in meeting Australia's emissions targets.
- A potential long-term emissions reduction goal post-2030.

In the meantime, there are a number of States and Territories that have been progressing or initiating significant action in relation to emissions reductions, renewable energy or energy efficiency.

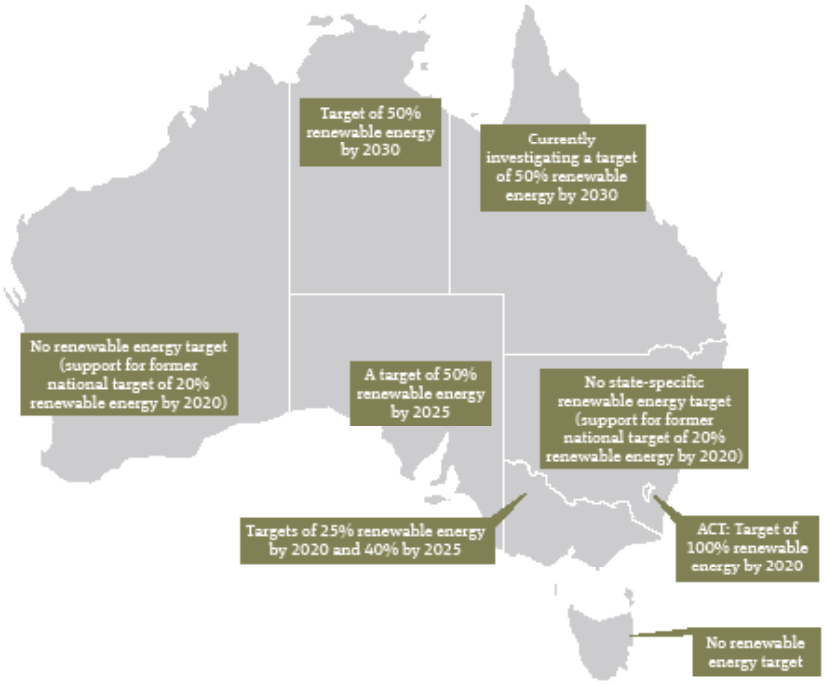
As most national corporations or organisations would attest to, having different regulatory and policy regimes across different jurisdictions in which they operate is neither desirable nor ideal. However, for the present time it seems inevitable that this approach will continue to emerge in the climate change arena.

In light of this, we have prepared this publication to provide business with an insight into the current status of policy and legislative regimes with respect to emissions reduction, renewable energy and energy efficiency in each State and Territory. It is hoped that these snapshots will provide an indication of the investment settings operating, or likely to develop, as we move towards 2020 and the commencement of Australia's formal obligations under the Paris Agreement.

State and Territory snapshot

Emissions reduction targets

Renewable energy targets



Australian Capital Territory

Electricity generation currently comprises over half of ACT's emissions, with other significant emissions sectors being transport and natural gas. However, it is currently projected that by 2020, transport will contribute the highest level of emissions. Accordingly, it is intended to focus on this sector, in addition to natural gas and waste, over the next few years.

Emissions reduction

The Australian Capital Territory (ACT)'s emissions reduction targets are

- A long term goal to achieve zero net emissions by June 30, 2050.
- An interim target to reduce emissions to 40 per cent below 1990 levels by 2020.

These are some of the most ambitious targets in Australia and are enshrined in the Climate Change and Greenhouse Gas Reduction Act 2010 (ACT) (CCGGR Act). In addition to target setting, the objects of the CCGGR Act are to provide for monitoring and reporting on progress made to meet the targets, facilitate government action and encourage the private sector to take action to address climate change.

In 2012, the ACT Government released AP2 "A new climate change strategy and action plan for the Australian Capital Territory" (AP2). AP2 is the second action plan and an update of the Territory's 2007 Climate Change Strategy: Weathering the Change. It provides a pathway to achieve the Territory's legislated 2020 greenhouse gas reduction targets.

The action areas are

- Reducing residential sector emissions – Energy Efficiency Improvement Scheme (EEIS), building standards for residential buildings and community engagement on climate change.
- Reducing non-residential sector emissions – expanding the EEIS, energy advice for small to medium sized businesses and mapping for low-carbon energy networks.
- Reducing transport sector emissions – Transport for Canberra policy and Low Emissions Vehicle Strategy.
- Reducing waste sector emissions – ACT Waste Management Strategy.
- Transitioning to large-scale renewable energy – reverse auctions and network mapping.
- Adapting to a changing climate – Territory-wide Risk Assessment, built environment climate response and impacts on environmental management.
- Monitoring, reporting and future decision-making.

Renewable energy

In 2016, the ACT Government committed to two ambitious renewable energy targets

- A target of 100 per cent renewable energy by 2020 – the highest incremental renewable energy target in Australia.
- The installation of 36MW of energy storage by 2020 – the first energy storage reverse auction in Australia.

The previous goal, introduced in 2011, was 25 per cent renewable energy generation by 2025.

It is intended to meet the renewable energy targets through

- Rooftop solar and GreenPower purchases for Canberra homes, businesses and communities.
- ACT's share of the national Renewable Energy Target scheme.
- Reverse auctions for large-scale renewable energy projects.

The ACT Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011 provides the legal framework for the ACT reverse auction Feed-in Tariff (FiT) and the objects of the Act are to

- Promote large-scale renewable electricity in the ACT.
- Develop the ACT's renewable energy industry.
- Reduce the ACT's greenhouse gas emissions.
- Reduce the ACT's reliance on fossil fuelled power while also minimising cost to electricity consumers.

The ACT Sustainable Energy Policy: Energy for a sustainable city is the overarching policy for renewable energy and energy efficiency. The policy has a strong focus on smarter energy use for homes, buildings and appliances by using behaviour change and fuel switching approaches. The policy was introduced in 2011 and sets objectives up to 2020.

The Sustainable Energy Policy has four outcomes

- Reliable and affordable energy – regulatory reform, smart meters and support for low income households.
- Smarter use of energy – target setting, energy efficiency, minimum standards for appliances and transport emission reduction.
- Cleaner energy – target setting, FiT, distributed generation and energy from waste.
- Growth in the clean economy – local business capability, skill development and research.

The ACT was the first Australian jurisdiction to use a reverse auction process to promote large-scale renewable energy. Since 2012, the ACT government has held five reverse auctions for large-scale renewable energy totalling 640MW of capacity for solar, wind and energy storage. It is anticipated that the reverse auctions will enable the ACT to reach three quarters of its 100 per cent renewable energy target by 2020.[1] The reverse auctions set obligations on successful recipients of the FiT to deliver benefits to the local economy, for example through local employment.

Since the reverse auction schemes began, the ACT has attracted over A$1.5 billion in renewable energy investment and increased jobs in the renewable sector by 400 per cent.[2] Nationally, ACT policies have influenced the large-scale renewable energy market and led to lowering prices with each auction round, with some of Australia's cheapest prices for wind and solar power bid in the scheme.

Energy efficiency

In the ACT, targets for energy efficiency are set and achieved through the Energy Efficiency Improvement Scheme (EEIS), a compulsory scheme for energy retailers.

The EEIS is legislated through the *Energy Efficiency (Cost of Living) Improvement Act 2012*. The Act contains the legal obligations and options that electricity retailers have under the scheme, one of which is to undertake eligible energy savings activities. Participating retailers must achieve an Energy Savings Target of 8.6 per cent per year from 2016 to 2020. Retailers incur penalties if they do not meet their targets.

Investment opportunities

The ACT Government has established a A$12 million Renewable Energy Innovation Fund which will be allocated over five years and be directed to

- Trades training innovation
- Energy research partnerships
- Energy innovation precinct
- Technology demonstration

Clean transport presents opportunities for investment through a A$180 million ACT Government investment in hydrogen energy storage, including bringing a hydrogen fuelled car fleet and service station to the Territory.[3]

1 https://www.climatecouncil.org.au/uploads/95fce776143c514aec9663427f7122ac.pdf p8

2 http://www.investcanberra.com/opportunities/renewable-energy.aspx

3 http://www.environment.act.gov.au/energy/growth-in-the-clean-economy/hydrogen-power-coming-to-canberra

New South Wales

The New South Wales (NSW) Government released its new climate change policy, NSW Climate Change Policy Framework on the eve of the Paris Agreement coming into force on November 4, 2016.[4] Two draft policies to implement the Climate Change Policy Framework, the Draft Plan to Save NSW Energy and Money and the Draft Strategic Plan 2017 to 2022, were also released at that same time for public consultation.

The next steps in the implementation of the NSW Climate Change Policy Framework are to finalise these two draft plans and

- Develop a value for emissions savings and apply this consistently in Government economic appraisals.
- Develop action plans on accelerating advanced energy (which is defined as combining clean energy generation and storage technologies with existing infrastructure), energy efficiency and climate change adaptation to implement the policy directions in the policy framework and give effect to potential actions in the Draft Strategic Plan.
- Undertake additional policy investigations by
  - NSW Office of Environment and Heritage regarding energy efficiency.
  - Division of Resources and Energy regarding fugitive emissions.
  - NSW Department of Primary Industries regarding primary industries' emissions and adaptation.
  - NSW Ministry of Health regarding health and wellbeing.

Emissions reduction

The release of the NSW Climate Change Policy Framework means that the NSW Government has now joined Victoria, South Australia and the Australian Capital Territory by setting an ambitious long-term emissions reduction objective of achieving net zero emissions by 2050.

The long-term aspirational impacts and adaption objective set by the NSW Climate Change Policy Framework is for NSW to be more resilient to a changing climate.

The NSW Government's long-term objectives are directed at

- Attracting investment by providing policy certainty.
- Guiding public sector and private sector decision making, particularly for long-lived assets.
- Ensuring consistency of NSW Government policy with the international and national policy content and the likely long-term direction of government and private sector action on climate change.

Under the Draft Strategic Plan, the NSW Government proposes to spend A$500 million of new funding from the A$1.4 billion Climate Change Fund (CCF) over the next five years. This is proposed to be spent as follows

- Advanced energy: A$200 million to accelerate the innovation and use of advanced energy, being the combination of clean energy generation and storage technologies and existing infrastructure, to provide investment certainty for up to 540 MW of new renewable energy capacity, which is estimated to attract up to A$1.1 billion in private investment.

4 However, also in November, the NSW Parliament passed new land clearing legislation which will replace the State's current native vegetation laws, originally enacted to protect vegetation from extensive clearing. The new legislation relaxes the State's land-clearing regulations through the introduction of codes. As this is expected to increase land clearing, thereby increasing greenhouse gas emissions, the move has come under criticism from the Climate Council as contrary to the Government's assertion that it is supportive of taking action on climate change. See ps://www.climatecouncil.org.au/emissions-to-jump-under-bairds-land-clearing-laws.

- Energy efficiency: A$200 million to deliver the remaining 1363 GWh towards the 16,000 GWh target set in 2011, with an estimate of up to A$1.9 billion in private investment.

- Climate change adaptation: up to A$100 million to prepare for changing climate by managing hazards, developing 100 years of climate modelling and enhancing adaptation in primary industries.

The CCF was set up in 2007 under the *Energy and Utilities Administration Act 1987* to address the impacts of climate change, encourage energy and water saving activities and increase public awareness and acceptance of climate change. Money is payable to fund all or any part of a measure that the Minister for the Environment is satisfied will promote the specified purposes of the CCF. Over the 2015–2016 financial year, the CCF's expenditure towards various programs was A$253.2 million.

Renewable energy

NSW currently has the three largest operational solar plants by generating capacity in Australia, at Nyngan, Moree and Broken Hill. The plants at Nyngan and Broken Hill alone are expected to produce approximately 360,000 MWh of renewable energy, powering more than 50,000 average Australian homes, and the Moree Solar Farm is expected to generate enough power for 15,000 homes.

The NSW Renewable Energy Action Plan, released in 2013, supports the achievement of the former national target of 20 per cent renewable energy by 2020 but does not set a State-specific renewable energy target. The Clean Energy Council reports that in 2015, NSW (including the ACT) generated 7.7 per cent of its total energy from renewable sources in 2015.[5]

The NSW Renewable Energy Action Plan contains the following three goals

- Attracting renewable energy investment and projects.

- Building community support for renewable energy.

- Attracting and growing expertise in renewable energy technology.

These 3 goals are supported by 24 actions grouped under each goal. According to the 2015 Annual Report, 12 of the 24 actions had been completed while nine more had been progressed. Some of the completed actions include introducing the NSW Energy from Waste Policy Statement, facilitating the Solar Flagships Project (which involved the construction of the solar plants at Nyngan and Broken Hill), developing a draft NSW Smart Meter Policy, and working on the implementation of the NSW wind energy planning guidelines. Like the NSW Energy Efficiency Action Plan, the NSW Renewable Energy Action Plan is funded by the CCF.

The January 2015 NSW Energy from Waste Policy Statement supports the thermal treatment of waste to recover the embodied energy from waste, offset the use of non-renewable energy sources, and avoid methane emissions from landfill. The Government has also provided funding for the development of energy from waste projects through the NSW Environment Protection Authority's Waste Less Recycle More initiative.

Since 2014, there has been a voluntary State-wide rollout of "Smart Meters", that is, meters that measure the amount of electricity being used at any given time and permit customers to switch between retailers more easily, and reduce electricity bills. The national regulatory framework for smart metering has been finalised and will be rolled out in December 2017. Competitive metering is expected to support the transition of 146,000 customers once the NSW Solar Bonus Scheme expires at the end of 2016.

In December 2016, the NSW Government released a final Wind Energy Planning Framework, replacing the Draft NSW Planning Guidelines Windfarms released in December 2011. The Wind Energy Planning Framework is the new overarching planning assessment policy for the determination of wind energy projects under the Environmental Planning and Assessment Act 1979. The Framework aims to be more transparent, clear and consistent than the former Draft Guidelines.

5 Although the NSW Renewable Energy Action Plan Annual Report 2015 puts the number at 10.8 per cent in 2014.

Energy efficiency

The Government considers NSW a national and international leader in energy efficiency. In 2011 the NSW Government set a target to realise annual energy savings of 16,000 GWh by 2020, which is the equivalent of saving enough energy to power over 2.6 million NSW homes for a year. This is outlined in the 2013 NSW Energy Efficiency Action Plan which is currently funded by the CCF.

The NSW Energy Efficiency Action Plan was designed to be implemented alongside the NSW Renewable Energy Action Plan (also released in 2013), recognising the common policy intent of these plans in attracting investment, building community support and reducing electricity costs for customers.

The Energy Efficiency Action Plan contains 30 actions to strengthen the energy efficiency market and help NSW households, business and government to use energy more efficiently. It aims to reach three goals

- Achieve 16,000 GWh in energy savings per year by 2020.
- Support 220,000 low income households to reduce energy use by up to 20 per cent by 2014.
- Assist 50 per cent of NSW commercial floor space achieve a four-star National Australian Built Environment Rating System (NABERS) energy and water rating by 2020, through the delivery of high-standard building retrofit programs.

Past and current NSW and national programs are expected to deliver 14,637 GWh of electricity savings. The Draft Plan to Save NSW Energy and Money, which largely seems to continue the goals of the Energy Efficiency Action Plan, identifies several options to deliver the remaining 1363 GWh towards the 16,000 GWh target.

The Government estimates that under the Draft Save NSW Energy and Money Plan, energy users would save approximately 239 GWh a year in 2020 and deliver A$2.7 billion in bill savings between now and 2050. The Draft Plan to Save NSW Energy and Money flags the development of a new Energy Efficiency Action Plan following consideration of comments on the feedback to the Draft Plan to Save NSW Energy and Money. The NSW Government has proposed using the CCF to support achieving this energy efficiency target.

The NSW Energy Savings Scheme established under the Electricity Supply Act 1995 creates financial incentives for organisations to invest in energy savings projects. When businesses invest in reducing their energy use, an Accredited Certificate Provider creates energy savings certificates from each MWh of energy the project saves. Electricity retailers, who are mandatory scheme participants, then buy the energy savings certificates.

The Local Government Act 1993 authorises local councils to enter into environmental upgrade agreements (EUAs) with building owners and finance providers to upgrade or retrofit non-residential, or multi-residential buildings of more than 20 lots, as a way of funding improvements to improve the resource efficiency or environmental sustainability of these buildings. Finance of up to a total of A$80 million is available through the National Australia Bank, the Clean Energy Finance Corporation (providing up to A$30 million) and Eureka Funds Management for retrofits to improve performance of commercial buildings. EUAs provide an alternative financing mechanism that does not affect the personal debt of building owners and supports a payback mechanism.[6]

The Government Resource Efficiency Policy provides targets for cost-effective actions to save energy by government agencies, but is currently voluntary for local councils. So far, some larger councils have implemented energy efficiency upgrades. The Draft Plan to Save NSW Energy and Money is exploring options to expand the Government Resource Efficiency Policy by helping local councils be more energy efficient. In the Draft Strategic Plan, the Government has flagged building on the 50 MW solar power purchase agreement created to encourage the deployment of solar PV on government buildings, by expanding PPAs to cover all of the renewable energy procurement commitment under the Government Resource Efficiency Policy.

Investment opportunities

The solar plants at Nyngan, Broken Hill and Moree are 3 of the 93 projects in NSW which are currently receiving or have been completed with funding from the Australian Renewable Energy Agency (ARENA). AGL's solar plants at Nyngan and Broken Hill received A$166.7 million funding from ARENA and A$64.9 million from the Government. Both of these two plants were constructed as part of the A$440 million Solar Flagship Project, a partnership with First Solar, Bogan Shire Council (Nyngan) and Broken Hill City Council, and local communities. ARENA also provided A$101.7 million toward the Moree Solar Farm.

6 https://www.cleanenergyfinancecorp.com.au/media/76243/cefc-factsheet-nab-cefc-ef_eua_lr.pdf

NSW businesses have also shown a strong interest in financing through the CEFC for clean energy projects. By 30 June 2016, the CEFC had A$195 million of investment commitments in NSW. The CEFC contributed approximately A$46 million in senior debt finance to Moree Solar Farm.

TransGrid, the manager and operator of the high voltage electricity transmission network, has received a funding commitment from ARENA and the NSW Government to develop a "renewable energy hub" in the New England region in NSW to unlock renewable energy resources and optimise the network. A feasibly study will be prepared to test the model for bringing several renewable energy producers together in the National Electricity Market and in the New England region, where there are several high quality renewable energy resources likely from the White Rock, Sapphire and Glen Innes wind farms. A "knowledge sharing" report will also be released to recommend future opportunities for projects. The renewable energy hub is expected to allow for more than 700 MW of renewable energy generation. Based on TransGrid's data, this renewable energy hub would have an investment value of A$1.5 billion, generate 2 million MWh and displace 2.2 million MT of carbon dioxide.

In early 2016 Transport for NSW released a tender for the procurement of 137 GWh of electricity from a new renewable energy project in NSW to reduce the operational emissions of the Sydney Metro Northwest rail link project. It is unclear, however, which organisation has won that tender. The tender is expected to play a key role in delivering the Government's commitments under the NSW Renewable Energy Action Plan to increase renewable energy, and may serve as a model to offset future infrastructure projects.

Northern Territory

Emissions reduction

In 2012 the Northern Territory's carbon emissions were approximately 15 MtCO2e. On a per capita basis, the Northern Territory has one of highest carbon emissions levels in Australia, although it should be recognised that its emissions profile is quite unique given its large land mass, small population, high rates of bushfires, large cattle industry and emissions intensive industries.

Under the previous Labor government, the Northern Territory had an aspirational goal to reduce carbon emissions by 60 per cent by 2050 from 2007 levels. However in 2012, the Country Liberal Party minority government was elected which abandoned this target and during its term, had no formal climate change policy. In August 2016, the Labor party was elected to government. The new government has not yet announced any policy details concerning emissions reduction targets or climate change more generally.

Renewable energy

At present, less than 1 per cent of the Northern Territory's energy comes from renewable energy sources with the main source being solar PV. Notwithstanding the low generation of renewable energy, the Territory has some of the best solar resources in the world and major sources of geothermal and tidal power are currently untapped.

Prior to the recent election, the Labor party released its Roadmap to Renewables initiative, a plan to transition the Northern Territory to renewable energy. As part of its plan, the Northern Territory Government has promised to adopt a renewable energy target of 50 per cent by 2030, with the first step being the preparation of the Roadmap to Renewables Report which will set out the options to achieving the renewable energy target and strategies to attract investment and job creation in the transition to renewable energy. In mid-December 2016, the Northern Territory Government announced the appointment of the Expert Panel which will deliver the Roadmap to Renewables Report, chaired by Alan Langworthy.

An example of a small-scale renewable energy framework that already exists is the solar feed-in tariff scheme which provides non-commercial electricity consumers who have renewable energy systems with the ability to receive payment for surplus energy generated.

While the Roadmap to Renewables report is being developed, the Northern Territory Government has guaranteed that the solar feed-in tariff scheme will remain as a means of ensuring the solar industry and households have certainty about the operation of this scheme in the short to medium term.

A dedicated Renewable Energy Unit is soon to be established to provide advice to the Northern Territory Government on technological, financial, regulatory and legal requirements to meet the renewable energy target.

The Northern Territory Government has promised ongoing research and development funding to support the roll out of renewable energy sources as well as to boost rooftop solar installation across the Northern Territory.

Alice Springs is currently home to one of the country's large-scale solar PV farms, the Uterne project which has a capacity of 4.1 MW. The construction of the project was facilitated by finance provided by the Clean Energy Finance Corporation. The Northern Territory Government is looking to further develop Alice Springs as a centre for excellence for solar energy and it is hoping that its pledge of A$5 million will leverage further private sector and Commonwealth funding.

Queensland

Renewable energy

Despite currently having the lowest installed capacity of large scale renewables in the National Electricity Market, Queensland is likely to see a considerable investment in renewable energy over the next few years. There is a current project pipeline of around 2,500 MW of proposed large scale renewable energy capacity in the State, the majority of which is solar and wind located in regional Queensland.

Six of the new large-scale solar photovoltaic (PV) plants chosen as part of the Australian Renewable Energy Agency's (ARENA) most recent large-scale solar PV competitive funding round are located in Queensland. Through its Solar 150 initiative the Queensland Government is providing additional financial support to four of those projects, adding up to 148 MW, by way of long term contracts for difference (CFDs). Government–owned network operator Ergon Energy is undertaking a tender process to purchase up to 150 MW from large-scale renewable energy suppliers in Queensland to help meet its liabilities under the National Large-scale Renewable Energy Target.

For the longer term, the Queensland Government has committed to investigating a renewable energy target of 50 per cent by 2030. To this end, it established the Renewable Energy Expert Panel in January 2016 to advise on credible pathways for reaching its proposed target. The primary tasks of the Expert Panel are to

- Investigate and report on the costs and benefits of adopting a target of 50 per cent renewable energy in Queensland by 2030.
- Determine how the adoption of a renewable energy target and other complementary policies can drive the development of a renewable energy economy for Queensland.

The Expert Panel's draft report, released in October 2016, did not recommend a preferred pathway, but assessed three alternative post-2020 pathways to meeting a 50 per cent target by 2030, each with different costs and benefits. It found that in order to reach a 50 per cent target, 4,000 to 5,500 MW of new large scale generational capacity will be needed between 2020 to 2030. The Panel found that the Queensland Government should encourage the market to contract and deliver the requisite capacity required to deliver the 50 per cent target, only providing support when the requisite level of renewable generation is not being developed. If additional State-based incentives are required to encourage the development of renewable energy projects in Queensland post 2020, the Expert Panel found that reverse auctions for CFDs appear to be the most effective policy mechanism.

The Panel also identified opportunities for Queensland to develop a competitive advantage in the supply chain components of development and design, fabrication and construction, operations and maintenance and power system ancillary services, that would allow it to capture a larger portion of the overall investment in the renewable energy supply chain.

In terms of small-scale renewables, the Queensland Government has set a target of one million solar rooftops (or 3,000 MW of solar generation capacity) by 2020. There has already been a high participation in the Small-scale Renewable Energy Scheme (SRES) in the State, with over 1,500 MW of small scale solar PV capacity installed to date. That level of uptake is also attributable to the Queensland's Government's 2008 Solar Bonus Scheme, which offered a feed-in tariff of 44 cents per kilowatt-hour (c/kWh) for all surplus electricity generated by eligible solar PV systems and exported into the electricity grid. Only certain existing customers remain eligible for the premium 44 cent feed-in tariff however, with the scheme now closed to new solar customers (although they can access lower tariffs). It will otherwise expire on July 1, 2028.

The Queensland Productivity Commission undertook an inquiry into solar feed-in pricing in Queensland but its final report, provided to the Queensland Government in June 2016, has not yet been made publicly available. The Expert Panel found that there is no need for additional financial incentives to support investment in small scale renewables in Queensland.

Biofuels mandate

The Liquid Fuel Supply (Ethanol and Other Biofuels Mandate) Amendment Act 2015 passed on 1 December 2015 mandates minimum requirements for the sale of biobased petrol such as E10 (an ethanol-blended petrol) and biobased diesel. The mandates commenced on 2 January 2017. The biobased petrol mandate requires 3 per cent of the total volume of regular unleaded petrol sales and ethanol blended fuel sales by liable retailers to be biobased petrol. This will increase to at least 4 per cent 18 months from commencement. The biobased diesel mandate requires 0.5 per cent of all diesel fuel sold to be biobased diesel.

The Queensland Government has also launched an "E10 OK" consumer education campaign and has committed to fueling the Queensland Government vehicle fleet with E10, where practical to do so.

Other emissions reduction and energy efficiency initiatives

Queensland is currently the largest producer of greenhouse gas emissions of any State in Australia, with the single largest source of emissions being the electricity generation sector. The Queensland Government's 2016 discussion paper titled "Advancing climate action in Queensland" cites a range of initiatives including

- Developing a network of 'electric super highways' with fast-charging service stations for electric vehicles the length of Queensland.
- Encouraging public transport as mode of choice in SEQ with new rail and ferry infrastructure.
- Use of Managed Motorways technologies to reduce stop-start travel, leading to lower emissions.
- Investigating new policy options to improve energy efficiency in new and existing government buildings.

Vegetation management measures implemented by landholders that go beyond regulatory requirements may potentially be credited under the Federal Emissions Reduction Fund. The greatest potential is seen in mapped "Category X" areas (for which clearing restrictions do not apply) and areas that are not currently vegetated or have been used for cropping or grazing.

Proposed amendments to Queensland's vegetation clearing laws contained in the Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016, introduced in March 2016, were intended to reduce clearing rates and consequential carbon emissions but failed to pass through the Queensland Parliament.

South Australia

South Australia has been a leader among the States in terms of setting and legislating emissions and renewable energy targets. These, together with its supportive policy regimes, have seen it lead the country in terms of investment in, and generation and utilisation of, renewable energy.

Emissions reduction

The enactment of the Climate Change and Greenhouse Emission Reduction Act 2007 (Climate Change Act) made South Australia the first state in Australia to have legislated emissions reduction targets.

Apart from setting emissions reduction targets, the Climate Change Act commits the South Australian Government to develop policies and programs for the reduction of greenhouse gas emissions, encouraging energy efficiency, the commercialisation of renewable energy and to support measures to facilitate adaptation.

This mandate has resulted in initiatives such as climate change sector agreements and the adaptation framework: "Prospering in a Changing Climate: A Climate Change Adaptation Framework for South Australia".

The Climate Change Act provides the Minister with the ability to recognise, promote or facilitate emissions offset programs which are voluntarily established.

There are three targets within the Climate Change Act

- A long-term target of reducing greenhouse gas emissions within South Australia by at least 60 per cent, to an amount that is equal to or less than 40 per cent of 1990 levels by December 31, 2050.
- Increase the proportion of renewable energy generated so that it comprises at least 20 per cent of electricity generated in the South Australia by December 31, 2014.
- Increase the proportion of renewable energy consumed so that it comprises at least 20 per cent of electricity consumed in South Australia by December 31, 2014.

Data from the Commonwealth Government indicates that South Australia's emissions have been reducing since 2005/6 and that South Australia was on track to meet the 60 per cent reduction target given its net greenhouse gas emissions were 29.25 million tonnes of CO2 equivalent in 2012/3, which equates to a 9 per cent lowering of the 1990 baseline figure.

Reductions in emissions have largely occurred through a combination of factors including a significant increase in renewable energy generation, modified agricultural practices and increased waste recycling.

Given the progress to date, the South Australia Government has recently set a new target to achieve net zero greenhouse gas emissions by 2050 and it plans to amend the Climate Change Act to enshrine this new target in that Act. While the Climate Change Act provides a mechanism for interim targets to be set, none have been set to date

In November 2015, to co-incide with the Paris climate change negotiations, the Premier and Minister for Climate Change released a framework for reducing emissions in South Australia called "South Australia's Climate Change Strategy 2015-2020 – Towards a Low Carbon Economy".

The Strategy is arranged around six key themes:

South Australia taking the lead on climate change action by strengthening its leadership in climate change and attract investment in clean technologies. New initiatives include the net zero emissions target, signing the Global Climate Leadership Memorandum of Understanding, advocating for a national emissions trading scheme and decarbonising the government's electricity supply.

Achieving net zero emissions through energy efficiency, decarbonising electricity generation, increasing electrification of transport, buildings and industry and reducing non-energy emissions by implementing best practice farming and improving industrial processes.

Showcasing Carbon Neutral Adelaide: the aim is for the entire Adelaide City Council area to become carbon neutral through a variety of measures including increasing the energy efficiency of city buildings, shifting to more sustainable transport options, reducing emissions from waste, decarbonising electricity supplies and offsetting emissions.

Innovating to drive a resilient and competitive low carbon economy: the South Australian Government is aiming to stimulate innovation and growth of the renewable energy and clean technology sectors through initiatives such as supporting the uptake of electric vehicles, establishing a dedicated investment agency to attract capital from overseas and interstate and facilitating partnerships between industry, universities and research organisations to facilitate information and data sharing.

Creating a prosperous and resilient state through the development of a whole of government adaptation action plan that will provide for priority adaptation actions by the South Australia Government.

Building the capacity of the community to take action on climate change through initiatives such as inviting design solutions on making Adelaide the first carbon neutral city, developing a targeted communication and behaviour change program to educate the community on implications of the net zero emissions target and how they can take appropriate action.

Renewable energy

South Australia has been one of the leading States in terms of renewable energy largely as a result of the State Government's decision to position itself as such.

In 2009, the South Australian Government committed to a target of 35 per cent of South Australia's electricity generation coming from renewable energy by 2020.

More recently, the South Australia Government has set a revised state renewable energy target of 50 per cent by 2025 when the earlier target was surpassed. It is quite likely that the revised target will be met ahead of schedule given current trajectories. At present more than 40 per cent of South Australia's electricity generation comes from renewable energy.

In 2009, coinciding with the announcement about South Australia's renewable energy production target, Renewables SA was established by the South Australian Government to support further growth of renewable energy in South Australia to assist in removing barriers to investment through regulatory and policy changes.

The agenda for the growth of the renewable energy sector in South Australia is contained within the Renewable Energy Plan for South Australia which was released in October 2011. The Renewable Energy Plan is focussed around five key strategies for supporting investment and generation of renewable energy including providing quality information, having the most efficient and certain regulatory environment, selectively intervening to address market failures, government leadership and positioning South Australia to take advantage of national policy settings.

Coinciding with the release of the Renewable Energy Plan was the release of a planning policy framework for wind farms which saw South Australia become the first jurisdiction to introduce specific planning guidelines for wind farms. In 2012, the state wide "Windfarms Development Plan Amendment" which seeks to balance the interests of both developers and the communities was approved by the Minister for Planning. In essence, it introduced new and amended policies for windfarms at the Council wide level and in zones where such facilities are appropriate (i.e. rural type zones where there are low population densities). One of the key policies was that wind farms are generally assigned category 2 public notification status such that third party appeal rights are not available in relation to wind farm developments.

A Low Carbon Investment Plan was released by the South Australian Government on December 1, 2015 which sets out how South Australia will achieve an investment target of A$10 billion in low carbon generation by 2025. The four key strategies outlined in the plan for supporting low carbon generation investment in South Australia include

- Having clear policy and a regulatory environment.
- Information being available (such is a bio-energy roadmap, diesel data directory) to inform investment.
- Sponsoring the uptake and government procurement to support wider market deployment.
- Facilitating projects to leverage funding and support.

Energy efficiency

South Australia's Strategic Plan includes a target of improving energy efficiency of government buildings by 30 per cent by 2020 and of dwellings by 15 per cent by 2020.

In January 2015 the Retailer Energy Efficiency Scheme was introduced which requires that energy retailers assist households and businesses to reduce their energy use and costs and lower greenhouse gas emissions. In order to achieve this, energy retailers are required to meet energy efficiency and audit targets that have been set for them. The energy efficiency target is an annual amount of energy savings that must be achieved by retailers through the carrying out of energy efficiency activities which comply the Electricity (General) Regulations 2012 and the Gas Regulations 2012. Similarly, an audit target is the number of energy audits which must be undertaken by retailers annually.

The Building Upgrade Finance mechanism will facilitate building owners' access to funds to improve energy, water and environment efficiency of commercial buildings. Under amendments to the Local Government Act 1999 (which have been assented to but have not yet commenced), funding can be provided through a voluntary agreement between a council, building owner and a finance provider where money provided for building upgrade works by a finance provider are recouped through the levying of a charge on the relevant land. Agreements can by made in relation to buildings prescribed by regulation that were constructed at least two years before the making of the proposed agreement.

Recently, the South Australian Government has also launched the Energy Productivity Program which will provide electricity users which use more than 160MWh of electricity per year with subsidies to cover energy audits, implement audit recommendations to use energy more efficiently and to identify major energy saving opportunities.

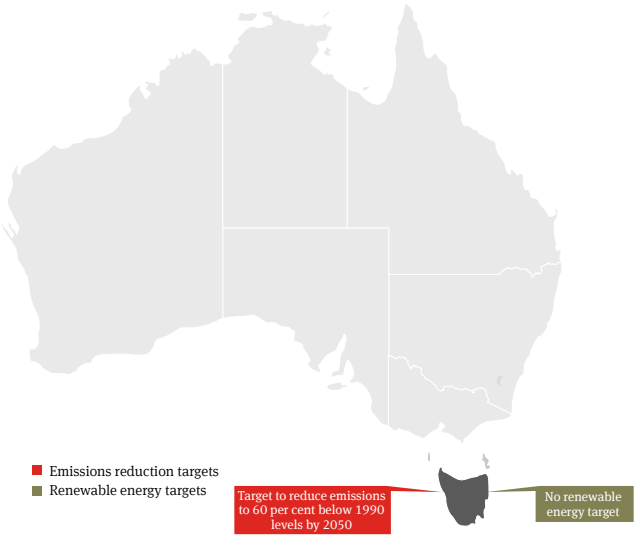
Other emissions reduction and energy efficiency initiatives

The Electricity (Feed-in Scheme – Solar Systems) Amendment Act 2008 was enacted to promote the uptake of residential roof-top photovoltaic systems through the provision of a tariff for electricity fed back into the grid and was the first of its kind to do so. The enactment has proved very successful, with South Australia having one of the highest rates of installation of roof top solar panels of approximately one quarter of households.

The Pastoral Land Management and Conservation (Renewable Energy) Amendment Act 2014 enables wind farm developers to apply for a licence to build and operate a wind farm on Crown land that is subject to a pastoral lease while co-existing with the pastoral uses of the land. It also expedites access to pastoral land for solar projects. The Act ensures that 95 per cent of the licence payment is received by pastoral lessees and native title holders.

The South Australia Government is currently looking at how procurement mechanisms could be used to promote the deployment of and uptake of energy storage which will be a key part in South Australia realising its net zero emissions target and addressing grid stability and electricity generation issues.

Tasmania



Emissions reduction

The Climate Change (State Action) Act 2008 (CCSA Act) drives the Tasmanian Government's response to climate change, both in terms of emissions reduction and adaptation. An independent review of the CCSA Act is currently underway, and will be tabled in Parliament this year. The review is examining

- The extent to which the objects of the CCSA Act are being achieved.
- The extent to which additional legislative measures, if any, are considered necessary to achieve the targets set by the CCSA Act.
- The appropriateness of Tasmania's 2050 emissions reduction target, given the target has already been exceeded.
- Other legislative and policy measures that might be required for the Tasmanian Government to meet its commitments to address climate change.

Tasmania has a legislated target of reducing greenhouse gas emissions to 60 per cent below 1990 levels by 2050. Tasmania's emissions have declined from over 18,500 kt CO2e in 1990 to under 1,600 kt CO2e in 2014 which is well below the 2050 emissions target (7,400 kt CO2e), and represents just 0.3 per cent of Australia's emissions. This reduction is primarily due to changes in forestry management practices. The Tasmanian Government is reviewing whether a revised target should be introduced.

The Tasmanian Government has released its draft action plan, Embracing the Climate Challenge, which sets out its response to climate change through to 2021 and sets policy directions and priorities for managing risks and capitalising on Tasmania's reputation as a low emitter.

Renewable energy

Tasmania does not have a renewable energy target. However, rainfall permitting, Tasmania does have sufficient renewable energy capacity to turn its fossil fuel generators off and run on 100 per cent of renewable electricity, including hydro, wind and solar power.

Tasmania's renewable energy supply has the ability to contribute to meeting peak demand levels interstate. The construction of a second Bass Strait interconnector is being evaluated, and could promote further investment into the renewable energy market in Tasmania. In particular, the wind resource in Tasmania is exceptional, meaning that there are still significant opportunities for the development of new wind farms.

The Tasmanian Government has also invested funding into investigating opportunities for bioenergy in Tasmania, including biofuels and biomass for heating and energy.

Energy efficiency

The Tasmanian Energy Efficiency Loan Scheme was established in 2016. Up to A$10 million in funding is available for interest-free loans for up to five years to households and small business to install approved energy efficient equipment and appliances.

Victoria

Emissions reduction

The Climate Change Act 2010, which is set to be replaced by the Climate Change Bill 2016 (CC Bill), provides a high-level policy framework for adaptation and mitigation, including the requirement that all Government decisions take appropriate account of climate change. A recent review of the CC Act resulted in 33 recommendations being made to strengthen Victoria's action on climate change. A number of these recommendations are set to be implemented through the CC Bill.

The current Victorian Government has announced a long-term target of net zero greenhouse gas emissions by 2050. This is due to be enshrined into legislation via the CC Bill. If passed, the CC Bill will impose a statutory obligation on the Premier and Minister for Climate Change to ensure that Victoria achieves this target. The target of net zero greenhouse gas emissions will be able to account for the deduction of any eligible offsets from outside of Victoria, although there is not currently any clarity around the type of eligible offsets which will be accepted, with this aspect to be prescribed in subordinate legislation.

The CC Bill also provides for interim targets to be set and assessed every 5 years. Although the first target is not required to be set until March 31, 2020, the Victorian Government has indicated that it will be working to announce the first two targets (which will cover the period January 1, 2021 to December 31, 2030) by 2018.

The targets will be informed by independent expert advice, and will based on 2005 as the baseline year. Of note, each interim target must be tighter than the previous target. An interim target can only be amended if the Premier and the Minister consider that exceptional circumstances justify the amendment and reasons are required to be provided as to why the amendment is necessary.

The CC Bill also introduces a pledge model. The pledges, which will match the five yearly interim target periods, will specify actions which will be taken to reduce emissions and a reasonable estimate of the reduced emissions. The Bill requires

- A whole of government pledge, which sets out emissions reduction activities from all Victorian Government departments as well as public entities with significant emissions profiles (these entities will be prescribed in future regulations).
- Sector pledges, which include policy and regulatory measures to be implemented to drive emissions reductions in key sectors such as agriculture, waste and energy (the covered sectors will also be set out in future regulations).

The CC Bill does not impose any mandatory requirements on local government, but does enable councils to opt in to the pledge system.

To ensure that Victoria understands and is well prepared for the inevitable impacts of climate change, the CC Bill also requires a series of plans and reports to be prepared every five years, including

- A climate science report, which provides an update on the implications of climate change for Victoria.
- Adaptation action plans for systems that are either vulnerable to the impacts of climate change or essential to Victoria being prepared for these impacts (such as the natural and built environments, the water cycle, and primary production).
- A climate change strategy, which includes a statement of priorities relating to both adaptation to, and mitigation of, climate change.

Victoria's Climate Change Framework is under development and is set to be released in the coming months. It will include a vision for a climate-ready Victoria and the key priorities for Victoria in mitigating and adapting to climate change.

Renewable energy

Victoria has traditionally relied upon brown coal from the Latrobe Valley and oil and gas from the Bass Strait; only 14 per cent of Victoria's electricity is currently obtained from renewable sources. In June 2016, the Victorian Government announced renewable energy targets of 25 per cent by 2020 (replacing a target of 20 per cent) and 40 per cent by 2025. These targets, which are expected to be enshrined in legislation in the first half of this year, will bring forward an estimated A$2.5 billion in investment and create an additional 4,000 jobs in Victoria's renewable energy sector at the peak of construction.

Victoria's wind resource is particularly competitive – wind farms are the dominant source of large-scale renewable energy in the State. Victoria's planning scheme has been amended to support the development of wind farms in Victoria, such as through reducing the allowable distance from a turbine to a dwelling to 1 km.[7] The Minister for Planning is the responsible authority for all new planning permit applications for wind farms, meaning that planning decisions are made consistently across Victoria. At present, there are 22 major operating wind farms with a total capacity of 1,249 MW. A further 19 wind farms have received approval. Once operational, these will supply a further 2,616 MW in capacity.

To date, 22 projects in Victoria are currently receiving or have been completed with funding from the Australian Renewable Energy Agency (ARENA). Many of these projects are aimed at further developing commercial-scale solar and use of biofuels. ARENA also contributed A$11 million to the Port Fairy Pilot Wave Energy Project, which involves ocean-testing a 250kW bioWAVE unit installed in December 2015. This project is intended to inform the design of a larger 1MW commercial-scale unit.

Victoria's Renewable Energy Road Map, released in August 2015, outlines a number of initiatives aimed at accelerating the development of renewable energy projects. There are four priority areas

- Transforming the wholesale electricity market toward renewable energy.
- Reducing the barriers to continued development of distributed generation (solar and small scale wind power) and energy storage.
- Encouraging household and community development of renewable energy generation.
- Government support for renewable energy development.

The Victorian Government has committed to supporting renewable energy development through the New Energy Jobs Fund, a A$20 million fund which provides targeted financial support to businesses, research institutes or communities to facilitate the development or uptake of new energy technology. Applications for the second round of grants close on March 1, 2017, with up to A$6 million in funding available.

The Victorian Government has also announced an auction scheme, which includes both technology-neutral and solar auctions, to be introduced to assist Victoria in meeting its renewable energy targets. The scheme is modelled on the ACT's reverse auction scheme. Successful bidders will win long-term contracts for the electricity generated by their projects, increasing certainty for investors. The Victorian Government has undertaken a consultation process to inform the design of the scheme. The first auctions are expected to be held in 2017 and the aim of the Victorian Government is to have 1,800 MW of new capacity built by 2020, and 5,400 MW over the next decade.

Energy efficiency

Victoria has yearly targets for emissions avoided through energy efficiency measures. The 2016 target is 5.4 million tonnes of carbon dioxide equivalent, increasing to 5.9 million tonnes in 2017 and 6.1 million tonnes in 2018.

The Victorian Energy Efficiency Target scheme is designed to assist Victoria in meeting its energy efficiency targets.

Under the scheme, large energy retailers are required to surrender a certain number of Victorian Energy Efficiency Certificates (VEECs) each year, with each VEEC representing 1 tonne of CO_2e emissions abated. VEECs are created when accredited entities help energy consumers make selected energy efficiency improvements to their homes, businesses or other non-residential premises. Eligible activities include the installation of high efficiency hot water and lighting systems, window treatments and the purchase of high efficiency appliances. Entities can create VEECs directly, or purchase certificates in a competitive market. The revenue generated through sale of VEECs to large energy retailers allows the improvements to be made at a reduced cost to consumers.

Environmental upgrades are also encouraged through Environmental Upgrade Agreements (EUAs), which are administered by local councils. Originally piloted by the

7 http://www.planning.vic.gov.au/policy-and-strategy/wind-energy-facilities

City of Melbourne, these have been available through all local councils since November 2015. EUAs are designed to facilitate access to finance for environmental upgrades to existing non-residential buildings. Under an EUA, lenders provide finance to a building owner, and the local council imposes repayments for the loan through its rates system. This gives lenders a greater level of security in their loan, which allows them to offer long-term loans at more competitive rates. A number of loans have been made through this scheme, including a A$7 million investment into a commercial site in Melbourne's CBD.

Western Australia

Western Australia (WA) has the fastest growing population of all states and territories in Australia and, between 2008 and 2012, increased its consumption of electricity at an average of 6 per cent per year, significantly faster than the average increase across Australia of 1.1 per cent.

In October 2012 the WA Government published its climate change strategy, "Adapting to our Changing Climate". The strategy establishes a high-level strategic framework to support WA state agencies to adapt to the effects of climate change. The strategy indicates that decisions on the design, implementation and timing of the regulation of greenhouse gas emissions, and support for new low emission technology, are primarily matters for the Australian Government and the Federal Parliament. As a result, WA does not currently have state-based emission reduction or renewable energy targets.

Emissions reduction

In 2013 carbon emissions in WA stood at around 77Mtpa, a figure expected to double by 2020 with the raft of new LNG and other industrial projects under construction.

A Low Emissions Energy Development Fund to provide financial support for the demonstration and commercialisation of innovative, low greenhouse gas emissions energy technologies in WA was introduced in 2008. The fourth and final round of funding has now been completed, with a number of projects being supported by funding of up to 25 per cent, including mallee harvesting, wave energy, biomass and bioenergy projects.

Renewable energy

In 2011-2012, renewable energy accounted for 9.2 per cent of all electricity consumed on Western Australia's main electricity grid, the South West Interconnected System (SWIS), amounting to an estimated 6 per cent of all electricity consumed in Western Australia. The WA Government has expressed a general desire to contribute to the national renewable energy target of 20 per cent renewable generation by 2020 by continuing to support investment in renewable energy.

The Strategic Energy Initiative, Energy2031 (Energy2031) sets out WA's energy policy framework and covers the supply, planning, delivery and use of energy. The overarching goals of Energy2031 include affordable energy, secure energy, reliable energy and cleaner energy. It envisions a diverse and secure energy supply in WA by 2031, with a significant proportion of WA's energy needs being met from renewable energy sources.

Energy2031 sets out a number of potential actions to promote the development of renewable energy supplies within WA including

- Establishing renewable energy precincts to reduce the cost to develop and demonstrate the commercial viability of emerging technologies.
- Ensuring market arrangements and regulatory frameworks address and facilitate continued uptake of small-scale renewable energy generation.
- Scoping opportunities for leveraging of funding available through the Commonwealth Government.

WA's Renewable Energy Buyback Scheme is an example of a small-scale renewable energy framework already in place. The scheme was established under the Electricity Industry (Licensing Conditions) Regulation 2005 and requires Government-owned electricity retailers to offer eligible customers who own renewable energy systems a buyback of their excess energy. The retailers establish their own terms and conditions (including rates) and are responsible for running the scheme with the terms and conditions of the buyback being approved by the Public Utilities Office to ensure they are fair and reasonable.

Western Australia has some of the best renewable energy potential in the world. The South west coastal areas between Geraldton and Esperance have average wind speeds of around 27 kilometres per hour and most of this area is also close to Western Australia's largest electricity network, the SWIS. Australia also has the highest average solar radiation per square metre of any continent and several areas of Western Australia are particularly prospective for solar development.

Other emissions reduction and energy efficiency initiatives

WA is party to the Council of Australian Governments' National Energy Productivity Plan and initial Work Plan (NEPP). The NEPP seeks to establish a nationally-consistent approach to improve Australia's energy productivity by encouraging more productive consumer choices, through measures which make consumer energy choices easier, help business compete and provide more efficient incentives, and promoting more productive energy services, through measures which support innovation, competitive modern markets and consumer protection.

The NEPP contains measures seeking to advance the National Construction Code and improve compliance with building energy efficiency regulation. To this end, WA has made 6 star energy efficiency requirements (including lighting efficiency) mandatory for new residential buildings and any alterations, renovations and additions to existing residential buildings. Further, owners of commercial office spaces of 2,000m^2 or above are required to disclose energy efficiency information when they sell, lease or sub-lease the space.

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