

First Nations Clean Energy Strategy: consultation paper

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About ACOSS

The Australian Council of Social Service (ACOSS) is a national voice in support of people affected by poverty, disadvantage and inequality and the peak body for the community services and civil society sector.

ACOSS consists of a network of approximately 4000 organisations and individuals across Australia in metro, regional and remote areas.

Our vision is an end to poverty in all its forms; economies that are fair, sustainable and resilient; and communities that are just, peaceful and inclusive.

Climate change disproportionately impacts people who face disadvantage, including people on low incomes, people living with disability, people with chronic health issues and First Nations individuals and communities.

A rapid transition to net zero emissions, consistent with limiting global warming to 1.5 degrees C, is therefore critical to reducing the impact on people facing disadvantage. This will require Australia prioritising emission reductions this decade and aiming for net zero emissions by 2035.

However, to achieve benefits for everybody, the transition to net zero emissions must be fair and inclusive. Putting people with the least at the centre of policy design means we can rapidly reduce emissions, poverty and inequality in Australia.

Discussion

ACOSS strongly welcomes the development of a First Nations Clean Energy Strategy and the welcomes the opportunity to make a submission to the [First Nations Clean Energy Strategy: Consultation Paper](#). Our submission aims to reinforce the development of a First Nations Clean Energy Strategy and supports the submission of the First Nations Clean Energy Network. Any recommendations in this submission should undergo further consultation with First Nations people, communities and organisations. ACOSS believes the development of the strategy should ultimately be driven by First Nations people, communities and First Nations controlled organisations.

Climate change threatens the human rights of First Nations People

ACOSS acknowledges that Aboriginal and Torres Strait Islander people and their cultures have endured despite too many experiencing entrenched disadvantage, political exclusion, intergenerational trauma and ongoing institutional racism. Climate change and an inequitable and non-inclusive transition to a clean economy directly threaten the human rights of First Nations people and communities. This includes their rights to water, food, health, housing, employment, cultural practice and life itself.

Aboriginal and Torres Strait Islander people are already behind when it comes to many economic and social determinants of health and wellbeing. The climate crisis means more respiratory and cardiovascular disease, injuries and premature deaths related to extreme weather events, changes in the prevalence and geographic distribution of food and water-borne diseases, implications for food and water security, changes in the prevalence of infectious diseases, and potential impacts on the mental health of First Nations people.¹

This situation is worsened by limits on First Nations peoples' customary access to, and control or ownership of, land and water resources, and failure to include First Nations people and communities in decision making and exercising self-determination.

Access to affordable, clean reliable energy and homes can help close the gap.

Access to affordable clean, reliable energy, including homes that are energy efficient, electric and have onsite renewable energy, makes a significant difference to financial wellbeing, health outcomes and general wellbeing.

Most remote First Nations communities are reliant on expensive and polluting diesel for power. First Nations people are also less likely to live in homes that have access to affordable reliable energy and are efficient and resilient to extreme temperatures and extreme weather.

Many First Nations people have no choice and control over their energy, energy savings and energy and climate-related health measures because they rent. More than 68% of First Nations adults are renters, with 34% living in social housing and 34% private renters or renting from another type of landlord. The statistics change considerably when looking at First Nations populations in remote and very remote areas, with 89% renting, including 71% living in social housing.²

¹ Pat Turner, CEO NACCHO, <https://www.acoss.org.au/wp-content/uploads/2021/08/Community-Climate-Action-Stories.pdf>

² <https://www.aihw.gov.au/reports/australias-welfare/indigenous-housing>

Many First Nations people live in remote areas, where they are more likely to experience extremes in temperatures. As climate change continues to accelerate, more days over 50 degrees are predicted to increase. In some regions in northern Australia, high temperatures above 35 degrees are relentless for months. For example, daily temperatures reach 35 degrees in Kununurra for more than half the year. Temperatures at or above 35 degrees are dangerous to human health and wellbeing, especially when combined with humid conditions.

A report by the Kimberley Community Legal Services *Stuck in the Heat: lived experience of public housing tenants in the Kimberley*,³ states that “Living in the Kimberley region means extreme heat and humidity are part of life. For six months of the year the heat is enduring, it does not cool down at night and there is very little respite. For those without access to air-conditioned houses the temperature can make life unbearable.” Tenants in the Kimberley described their homes as a ‘heat box’, ‘sweat box’, ‘oven’, ‘incinerator’ or ‘tin box’. The report notes that the effects of extreme heat in inadequate housing impacts not only the health of tenants but their social, mental, and financial well-being.

The report found that a third of public housing tenants surveyed who had children said their children have been unwell 10 or more times in the past year due to the heat.⁴

According to the Australian Institute of Health and Welfare (AIHW) thermal comfort was the lowest rated amenity in Aboriginal households across Australia.⁵

Further, many remote Indigenous communities rely on pre-paid metering cards to access electricity and can go days or weeks without electricity because they cannot afford a new metering card. This means no access to refrigeration for foods and medicines, no ability to cool homes in the heat, and problems staying digitally connected for work, study, health and family connection; all of which puts people’s health and wellbeing at significant risk.

Access to affordable clean, reliable energy, including homes that are energy efficient, electric, and with onsite renewable energy would make a significant contribution to Closing the Gap targets around health and financial wellbeing.

The clean energy transition also provides significant opportunities for First Nations business and employment opportunities, across the supply chain and associated

³ Kimberley Community Legal Services (2022) *Stuck in the Heat: lived experience of public housing tenants in the Kimberley*, <https://static1.squarespace.com/static/56aae0e04d088e4dfa68396f/t/6385f2f85f679917d0fb7b2e/1669722882386/Stuck+in+the+Heat+2022.pdf>

⁴ Kimberley Community Legal Services (2022) *Stuck in the Heat: lived experience of public housing tenants in the Kimberley*, <https://static1.squarespace.com/static/56aae0e04d088e4dfa68396f/t/6385f2f85f679917d0fb7b2e/1669722882386/Stuck+in+the+Heat+2022.pdf>

⁵ Australian Institute of Health and Welfare (2019) Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness <https://www.aihw.gov.au/reports/housing-assistance/indigenous-people-focus-housing-homelessness/contents/summary>

industries. It also presents financial benefit sharing opportunities for First Nations communities.

First Nations people and communities are self-determining in their responses to climate change and energy transition

First Nations people have a deep knowledge of their Country that can valuably address climate change, increase their own resilience, and develop solutions for their communities and the broader community.

ACOSS believes Governments must support and resource First Nations' decision making, self-determination and free prior and informed consent in climate change mitigation and adaptation, and environmental management. This includes through redistributive justice measures.

Further, First Nations people should drive full control over First Nations lands and resources and have access to adequate resources to manage their own local responses in their communities, to build appropriate housing and infrastructure, to undertake their own environmental health programs and protect their waters, and drive their own health initiatives.

Recommendations

Guiding principles

ACOSS broadly supports the guiding principles proposed in the Consultation Paper but recommends some amendments.

Amend principle 1 to include "affordable"

Principle 1 currently reads "Access to reliable clean energy is a human right." The explanatory text for this principle references the Sustainable Development Goal 7 to "ensure access to **affordable**, reliable, sustainable and modern energy for all", but does not include "affordable" in the proposed principle.

Recommendation 1. Amend principle 1 to be consistent with Sustainable Development Goal 7 by inserting "affordable", so it reads as follows "Access to **affordable**, reliable, clean energy is a human right."

Rewrite principle 5 to focus on building genuine partnerships and collaboration

Currently principle 5 reads "Everyone is responsible for building genuine partnerships and collaboration, underpinned by monitoring and reporting." The focus on this principle appears to be that "everyone is responsible" to build genuine partnerships and collaborations. However, historically First Nations

people and communities have been systematically left out of partnerships and collaboration and often lack access to mechanisms and resources to participate, let alone be responsible for building genuine partnerships and collaboration. Further, the principle puts too much emphasis on “responsibility” and not enough emphasis on what has been missing and what is needed - “genuine partnership and collaboration”.

Recommendation 2

Amend principle 5 to focus on what is needed rather than who is responsible, so it read as follows *“Genuine partnership and collaboration between First Nations peoples, broader community, industry and government is required, underpinned by monitoring and reporting.”*

Goals and Objectives

ACOSS broadly supports the guiding principles but recommends some amendments.

Amend Goal 2 to include a measurable target

Goal 2. First Nations peoples’ lives and livelihoods are improved.

ACOSS is concerned the goal lacks a reference to the “extent” of improvement. ACOSS notes that the Closing the Gap framework includes a range of specific and measurable targets. A similar measurable target should also be included in the First Nations Clean Energy Strategy goal.

Recommendation 3: Amend goal 2 to include a specific and measurable target, in dialogue with First Nations people.

Amend Objective 1 to include ‘access to affordable and reliable energy’.

Proposed wording for the first objective is *“Governments address existing policy and regulatory barriers: to enable First Nations households in a range of housing types and community infrastructure to access the benefits of renewable energy. This includes rooftop solar, electrification and energy efficiency measures.”*

ACOSS notes that many remote Indigenous communities currently do not have access to affordable and **reliable** energy because they are reliant on pre-paid meters. The objective should ensure that First Nations households have “access to affordable and reliable energy”, as well as the benefits of renewable energy, electrification and energy efficiency.

The new addition should be reflected in the corresponding explanation.

Recommendation 4.

Amend objective 1 to include “access to affordable and reliable energy”, to read as follows *“Governments address existing policy and regulatory barriers: to enable First Nations households in a range of housing types and community*

infrastructure to access **affordable and reliable energy, as well as the benefits of renewable energy. This includes rooftop solar, electrification, energy efficiency measures and metered energy.**"

Targets, timelines and measurable outcomes should be set

We recommend in addition to goals and objectives that targets be set.

Targets should be aligned with the following:

- Closing the Gap objectives and targets.
- Achieving emissions reductions to limit global warming to 1.5 degrees, and Australia doing its fair share.

Once actions and policies are identified, a reporting framework should be developed with specific, time-bound actions, linked to measurable outcomes.

Targets, timelines and measurable outcomes should be developed in consultation and collaboration with First Nations people and communities.

Recommendation 5

Develop targets, specific timebound actions, and measurements in collaboration with First Nations people and communities, that are aligned to Closing the Gap targets and emission reduction targets in line with limiting global warming to 1.5 degrees.

Annual report on progress

ACOSS supports First Nations Clean Energy Networks call for the production of a public Annual Report on progress towards implementing actions under the First Nations Clean Energy Strategy and that the *Annual Report* should be presented to the Energy and Climate Change Ministerial Council (ECMC).

Recommendation 6

Develop and publish an Annual Report outlining progress towards agreed actions under the First Nations Clean Energy Strategy.

Actions and policies that should be considered in First Nations Clean Energy Strategy

ACOSS supports the policies and actions put forward by the First Nations Clean Energy Network in their submission for further consideration, consultation and refinement.

Recommendation 7: Work with First Nations people, communities and First Nations organisations to consider and further refine the policies and actions put forward by the First Nations Clean Energy Network.

ACOSS also recommends the following be considered in the Strategy:

Facilitate First Nations development and self-determination rights through regional transition planning and Net Zero Authority

1. As the Australian Government plans and engages in regional transition to a clean economy, through its interim Net Zero Economy Agency and Net Zero Authority (from 1 July 2024), First Nations people must be supported to engage in regional transition decision making and planning. The anticipated substantial investment in the regional energy transition has significant implications for local jobs, industries, social services, and environmental outcomes – all of which impact on First Nations communities. Further, there is significant potential to develop clean energy projects where First Nations communities hold land interests and to involve First Nations organisations in clean energy business developments and projects. We note that much of the areas across the country identified as suitable for large scale renewable projects are in areas where First Nations communities hold extensive land interests.

2. Enable First Nations people and organisations to engage in regional transition planning through membership on the Net Zero Authority’s Board, regional transition reference groups, regional and local planning processes.

3. Enable First Nations people and organisations to participate in clean energy projects where they hold land interests that to ensure such projects meet their goals for employment, access to clean energy, cultural practice, environmental protections (including food and water security), and improved health outcomes.

Acknowledgements

This submission was prepared in consultation with the First Nations Clean Energy Network.

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