



Climate Council of Australia

Submission to: Queensland-Hunter Gas Pipeline - Public Comment

Addressed to: Department of Climate Change, Energy, Environment and Water

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About the Climate Council

The Climate Council is Australia's own independent, evidence-based organisation on climate science, impacts and solutions.

We connect decision-makers, the public and the media to catalyse action at scale, elevate climate stories in the news and shape the conversation on climate consequences and action, at home and abroad.

We advocate for climate policies and solutions that can rapidly drive down emissions, based on the most up-to-date climate science and information.

We do this in partnership with our incredible community: thousands of generous, passionate supporters and donors, who have backed us every step of the way since they crowd-funded our beginning as a non-profit organisation in 2013.

To find out more about the Climate Council's work, visit www.climatecouncil.org.au.

Introduction

Climate Council of Australia welcomes the opportunity to provide feedback to the Department of Climate Change, Energy, Environment and Water (DCCEEW) on whether to review the 2008 decision not to consider the Queensland-Hunter Gas Pipeline project a 'controlled action' under the *Environmental Protection and Biodiversity Conservation Act* (EPBC Act).

It is our strong recommendation that this decision be urgently reviewed, and the Queensland-Hunter Gas pipeline be considered a 'controlled action' under the law. The project should be required to undergo a new environmental assessment.

The Queensland-Hunter Gas Pipeline is a proposed 833 kilometre new gas infrastructure project with immense environmental risk. It is intended to pipe fossil gas from the Wallumbilla gas hub in southern Queensland, through northern NSW and onto the Port of Newcastle (Santos, n.d.). In 2008, under the Rudd Government, it was determined that the project did not require federal environmental approval (Department of Environment, Water, Heritage and the Arts, 2008). Since then, significant new information about its potential environmental impacts on nationally protected matters has come to light. This includes potential impacts on a number of listed threatened species, such as the critically-endangered Regent Honeyeater and Spotted-tail quoll, that have been found living along the proposed pipeline corridor (Lock The Gate, 2022). These threatened species were missing from the proponent's original application, and were not considered as part of the original referral decision. Since that time, they have suffered extensive habitat loss from extreme weather events such as the Black Summer bushfires (Department of Agriculture, Water and the Environment, 2020).

Threatened species are among the specific Matters of National Environmental Significance (MNES) our national environment law seeks to protect, and doing so is one of the core functions of the EPBC Act. Failure to properly assess the Queensland-Hunter Gas Pipeline for its potential impacts on these nationally-listed threatened species would mean failing to properly protect our natural environment, wildlife, and ecosystems from harm. This should be enough to trigger a review of the original referral decision.

Further, many precious ecosystems along the pipeline corridor and across the country face sustained and increasing pressure from climate change. Caused by the burning of fossil fuels like coal, oil and gas, climate change is one of the biggest threats to our natural environment. Emissions from these polluting industries are driving an increase in more

dangerous and damaging extreme weather events such as bushfires, floods, storms, heatwaves and drought, all of which do serious environmental damage.

Unless we stop investing in new fossil fuel infrastructure, and get our greenhouse gas emissions to plummet this decade, our precious natural environment, and the plants, animals, insects, air and water we all depend on will face more frequent and severe extreme weather events. This puts our wildlife, biodiversity and natural heritage at ever-growing risk (Climate Council, 2023).

Summary of recommendations

Climate Council recommends the decision not to consider the Queensland-Hunter Gas pipeline a 'controlled action' under the Environmental Protection and Biodiversity Conservation Act (1999) be urgently reviewed.

Since the decision not to treat the Queensland-Hunter Gas Pipeline as a controlled action was made more than fifteen years ago, significant new information about the impact of the project on nationally protected environmental matters has come to light.

The Queensland-Hunter Gas Pipeline project should be required to undergo a new environmental assessment process, based on the most up-to-date information and science available.

The Australian Government is also in the process of drafting new environmental legislation, intended to better understand and assess the environmental impacts of new developments, and better protect critical species and ecosystems. As part of this, the Australian Government should additionally not approve **any** new expansion or development of fossil fuel projects while these reforms are underway.

Detailed answers to the Department's questions are submitted for your consideration, below.

1. Do you consider there is substantial new information available about the impacts the action has, will have or is likely to have on a matter protected under Part 3* of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)?

Yes. Substantial new information is now available which demonstrates that the Queensland-Hunter Gas pipeline could have significant environmental impacts on protected matters that have not been considered as part of the proponent's original referral application.

This includes at least six nationally threatened species, listed at the time of the original referral decision, that were missing from the environmental impact reports included in the original application. New evidence compiled by Lock the Gate (2022), including vegetation mapping and biodiversity assessments, suggests the following species - among others - have been found in the vicinity of the pipeline corridor since the time of the original decision:

- The **Regent Honeyeater** has been upgraded to critically-endangered since 2008 and its National Recovery Plan lists 'any breeding or foraging areas where the species is likely to occur' as habitat that is critical for the survival of this species (DCCEEW, 2016).
- The **Spotted-tail quoll** has been found to have important habitat in central parts of the proposed pipeline, near Muswellbrook, NSW.
- Sightings of the **Booroolong frog** are now rare, but the endangered species has been spotted post-2008 in creeks and waterways near Quirindi, NSW. This is an area that will be impacted by construction of the pipeline.
- There are now multiple records of the **Corben's long-eared bat** in the vicinity of the pipeline near Boggabri, New South Wales. This area has also been recognised as a national stronghold for the species.
- 66 hectares of **White Box-Yellow Box-Blakely's Red Gum Woodland and Derived Native Grasslands**, an ecologically significant community listed as critically endangered, has been found within the pipeline corridor.

The development of the Queensland-Hunter Gas Pipeline therefore has potentially significant environmental impacts on a number of critically-endangered and threatened species that have not yet been considered or assessed. The protection of these species is a Matter of National Environmental Significance under the EPBC Act. **On this basis alone, the original referral decision should be reviewed, and the Queensland-Hunter Gas Pipeline should be required to undergo full and rigorous environmental assessment.**

2. Do you consider there has been a substantial change in circumstances that was not foreseen at the time of the first referral decision and that relates to the impacts the action has, or will have or is likely to have on a matter protected under Part 3* of the EPBC Act?

Yes. Since the original decision not to consider the Queensland-Hunter Gas Pipeline a 'controlled action' under the EPBC Act, there has been a considerable change in the health of the local environment near the proposed pipeline corridor, and the status of many endangered species living in the vicinity. As was well documented in the most recent State of the Environment Report, much of this environmental decline can be attributed to sustained pressure from climate change (DCCEEW, 2022). This key threatening process will be exacerbated by the continued development of coal, oil and gas infrastructure in Australia.

In particular, over the summer of 2019-20, Australia experienced its worst bushfire season on record - our 'Black Summer'. Years of prolonged low rainfall combined with extremely hot weather led to catastrophic fire conditions and an unprecedented scale of destruction. More than 24 million hectares of land burned (CSIRO, 2021). One billion vertebrate animals were killed, with an estimated 800 million of these in NSW alone. According to initial assessments, 327 threatened species of plants and animals had at least ten percent of their range (where the species is known to occur) in areas that burned (Climate Council, 2020). The Australian Government officially named 119 threatened species as having lost at least 30 percent of their range throughout these unprecedented fires; and many lost substantially more habitat than that (DAWE, 2020). Critically, three of these species – the Regent Honeyeater, Spotted-tail Quoll, and Greg-headed Flying Fox – are reported to have been found near the proposed route of the Queensland-Hunter Gas pipeline (LTG, 2022).

These protected matters have experienced extreme habitat loss and a significant change in circumstances because of the Black Summer bushfires, as well as other extreme weather events and sustained ecological pressure from climate change (Climate Council, 2023). This has severe implications for their ongoing survival, and makes unburnt habitat for these species considerably more environmentally valuable. This is the area that could be cleared to make way for the Queensland-Hunter Gas Pipeline.

This is why the original 2008 referral decision must be reviewed. Any potential impact of the Queensland-Hunter Gas Pipeline on these species - or any other protected matters - must be urgently assessed in light of this change in circumstances .

3. If applicable, provide any other comments on whether you consider there are reasons to revoke the first referral decision and substitute a new decision.

In the 15 years since the first referral decision was made, new information about the severity and consequences of global heating has become widely known, and nationally accepted. The Intergovernmental Panel on Climate Change (IPCC) has published its Sixth Assessment report, underscoring the new speed and scale of climate action required to limit the impacts of catastrophic warming (IPCC, 2021). Australia has signed the Paris Agreement, which established a shared global goal of limiting global warming as close as possible to 1.5°C. Existing fossil fuel supplies are more than sufficient to tip us over this crucial temperature threshold, and the International Energy Agency (IEA) has made it clear that to keep this goal in sight, there can be no expansion of new fossil fuel developments, anywhere in the world (IEA, 2021). Yet the Queensland-Hunter Gas Pipeline's development enables and underpins the viability of the Narrabri Gas Project. Should this new gas project go ahead, it has the potential to add almost 130 million tonnes of harmful carbon emissions to our atmosphere over the life of the project (NSWIPC, 2020).

Santos claims that 100% of the gas set to be produced from the Narrabri Gas Project will be allocated for Australia's domestic market. But what they fail to recognise, or refuse to admit, is that Australia does not need new fossil fuel supply to meet our future energy needs. Rather, with the right policies in place, forthcoming analysis from the Climate Council demonstrates that gas could be completely phased out of our electricity system by 2035. When combined with support for technologies - such as renewable hydrogen - that will reduce gas use in emissions-intensive industries like iron and steel manufacturing, demand for the fossil fuel could be almost 80 percent lower across the entire economy by the same time. This means we can cut annual demand for gas in NSW by the same amount the Narrabri Gas Project is set to produce, making the polluting project completely unnecessary (Climate Council, 2021).

New gas supply projects like the Narrabri Gas Project – and by extension, the Queensland-Hunter Gas Pipeline, and any new fossil fuel development in Australia – are dangerous for our environment, unnecessary for our energy needs, and incompatible with a safe and liveable climate. Allowing this project to continue development will only put further stress on our already vulnerable ecosystems, wildlife, and environment, at a time when the Australian Government must be focused on genuinely cutting emissions, the transition to clean, renewable energy, and the creation of our thriving, net-zero economy.

Conclusion

The 2008 referral decision not to consider the Queensland-Hunter Gas Pipeline a 'controlled' action is out of date, and new, better information about the project's potential environmental impact on nationally protected matters is now available. These must urgently be assessed.

The Australian Government has committed to updating our national environment laws as part of its *Nature Positive* package. But it cannot recognise the urgent need to strengthen and reform the EPBC Act on one hand, while the other waves through this 15-year-old decision. The Queensland-Hunter Gas Pipeline is a massive new multi-state gas infrastructure project that has had no federal environmental oversight, despite clear evidence now showing it could impact on Matters of National Environmental Significance. This must be fixed, and the project must be required to secure new federal environmental approval.

Additionally, all federal environmental approvals for any new polluting fossil fuel projects or developments should be paused, until these reforms to our national environment law are complete.

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