

Environment Protection Reform Bill 2025 and six related bills

*Submission to the Australian Senate
Environment and Communications
Legislation Committee*

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About Doctors for the Environment Australia

Doctors for the Environment Australia (DEA) is an independent, non-government organisation of medical doctors in all Australian states and territories.

DEA's work is based on the premise that humans need a future with clean air and water, healthy soils capable of producing nutritious food, a stable climate, and a complex, diverse and interconnected humanity whose needs are met in a sustainable way. We are therefore interested in environmental protection and restoration to promote human health and social stability.

Acknowledgement of Country

Doctors for the Environment Australia's members live and work around Australia. We acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Owners of these lands, in the spirit of reconciliation.

We recognise that First Nations peoples have cared for Country and lived sustainably for millennia, and that sovereignty of this land was never ceded. We pay our respects to First Nations Elders past and present, and to emerging leaders.

Summary

Under the ***Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)***, the environment is defined broadly to include **people and communities** as integral parts of ecosystems, and to encompass the **social and economic aspects** of environmental change. Because environmental degradation and climate impacts can have direct and indirect consequences for **human health and wellbeing**, Doctors for the Environment Australia are committed to ensure that environmental assessments and decisions reflect the Act's purpose of achieving **ecologically sustainable development**, which requires integrating environmental, social, and human health considerations.

This submission addresses critical deficiencies in the proposed Environment Protection Reform Bill 2025 and related legislation, with particular focus on the omission of climate impact assessment mechanisms and the health implications of continued fossil fuel project approvals without climate scrutiny.

Recommendations

The Committee is urged to recommend amendments to:

1. Include human health harms to define unacceptable impacts, informed by currently available quantifiable data which measures the human health costs of individual energy projects.

2. Mandate comprehensive human health impact assessments for all major projects, explicitly incorporating the health effects of climate change, biodiversity loss, air and water quality, as well as the cumulative health burdens on affected communities.

3. Establish a mandatory climate trigger requiring environmental assessment and approval based on project greenhouse gas emissions (Scopes 1, 2, and 3), with power to refuse projects inconsistent with Australia's climate commitments and international obligations.

4. Remove all exemptions for 'prior authorisations' and 'continuations of use' that exempt activities with significant environmental impacts from EPBC Act assessment, including land clearing, native forest logging, and other destructive activities.

5. Ensure genuine independence of the National Environmental Protection Agency (NEPA) by removing provisions allowing ministerial direction of delegated decision-makers. Ensure NEPA decision-makers have experience and qualifications in environmental health and biodiversity protection, not just in business and development.

6. Require full emissions disclosure including Scope 3 emissions, with independent verification and mandatory consideration in approval decisions.

7. Prohibit fast-track assessment pathways for fossil fuel projects, while maintaining streamlined approvals for genuinely sustainable renewable energy projects.

8. Require projects to be consistent with Australia's Nationally Determined Contributions, climate targets, and remaining carbon budgets, with independent assessment published prior to approval decisions.

9. Strengthen National Environmental Standards with parliamentary oversight, public transparency, mandatory co-design with health and environmental experts, and protection against regulatory regression.

10. Ensure National Interest Proposals include the integral importance of human and planetary health as being within the scope of National Interest, by definition.

1. Introduction

1.1 Context for reform

The 2020 Samuel Review found that 'Australia's natural environment and iconic places are in an overall state of decline and are under increasing threat' and that the EPBC Act has failed to achieve its

objectives.¹ The State of the Environment Report 2021 confirmed Australia's environment is in poor and deteriorating condition.² Despite this documented environmental decline, the proposed reforms fail to address one of the primary drivers of environmental degradation: climate change caused by greenhouse gas emissions from fossil fuel extraction, processing, and combustion.

1.2 The health imperative

Doctors for the Environment Australia (DEA), representing thousands of Australian medical practitioners, has consistently identified climate change and environmental protection as critical public health issues.

Seven of nine planetary health boundaries now lie outside the safe operating zone for humanity, namely climate change, biosphere integrity (biodiversity loss), fresh water use, land systems change, ocean acidification, biogeochemical flows, ocean acidification and novel entities (plastics), with grave implications for the health of humanity.³

DEA's report 'Fossil Fuels are a Health Hazard' consolidates evidence demonstrating how fossil fuels endanger health through:⁴

Direct air pollution impacts

- Respiratory diseases (asthma, chronic obstructive pulmonary disease).
- Cardiovascular disease and stroke.
- Lung cancer.
- Premature mortality.
- Developmental impacts on children.

Climate change health impacts

- Heat-related illness and mortality during extreme heat events.
- Bushfire smoke exposure causing respiratory and cardiovascular harm.
- Mental health impacts including anxiety, depression, and post-traumatic stress disorder (PTSD) from climate disasters.
- Injuries and mortality from extreme weather events, such as extreme heat, bushfires, floods, and storms.
- Food insecurity from agricultural disruption.
- Water insecurity and waterborne disease.
- Altered patterns of infectious disease, especially those spread by vectors, water or food.

¹ Samuel, G. (2020). Independent Review of the EPBC Act 1999: Final Report. Australian Government. <https://epbcactreview.environment.gov.au/resources/final-report>

² Commonwealth of Australia (2021). Australia State of the Environment 2021. <https://soe.dcceew.gov.au/>

³ Planetary Health Check 2025: A Scientific Assessment of the State of the Planet. Planetary Boundaries Science https://publications.pik-potsdam.de/rest/items/item_32589_5/component/file_33151/content

⁴ Fossil Fuels are a Health Hazard. Doctors for the Environment Australia (2024). <https://dea.org.au/fossil-fuels-are-a-health-hazard-report>

- Healthcare system disruption during climate disasters.

Impacts of biodiversity loss

- Food insecurity and impaired nutrition from loss of pollinator species.
- Infectious disease spillover events from animals, with increased risk of pandemics.
- Reduced resilience to climate change and biodiversity loss.

We outline under section three the attribution science which quantifies health impacts that should be considered when defining acceptability for projects under the EPBC Act.

2. Critical deficiency: absence of climate trigger

2.1 The failure to assess climate impacts

The reforms' most serious deficiency is the absence of any mechanism requiring assessment of project greenhouse gas emissions and their climate impacts – this represents a fundamental failure of the proposed environmental protection law.

2.2 Scale of approved emissions under current framework

Over 25 years, more than 750 fossil fuel projects have been approved under the EPBC Act with no meaningful assessment of their climate pollution.⁵

The Albanese Government alone has approved 31 coal, oil and gas projects that will release over 10 million tonnes of domestic climate pollution annually—more than all domestic flights in Australia combined.⁶

2.3 Inadequacy of proposed section 84A

The proposed section 84A requires disclosure of Scope 1 and 2 emissions and abatement plans, but:

- this information is not required to be verified or independently assessed
- it is not factored into approval decisions
- Scope 3 emissions (often the largest component) are excluded
- there is no requirement for project consistency with climate targets or commitments

⁵ Climate Council (2025). 'EPBC: How Australia's national environment law measures up on climate.'
<https://www.climatecouncil.org.au/resources/epbc-fixing-australias-national-environment-law>

⁶ Climate Council (2025). 'Albanese Government's Fossil Fuel Approvals.'
<https://www.climatecouncil.org.au/resources/albanese-governments-fossil-fuel-approvals/>

- the mechanism applies only after approval, and therefore cannot prevent harmful projects from proceeding.⁷

2.4 The safeguard mechanism does not substitute for climate assessment

The government has claimed the Safeguard Mechanism addresses emissions from new projects. This is misleading. The Safeguard Mechanism:

- only applies after a project is operational
- does not determine which projects proceed
- does not require projects to fit within Australia's carbon budget or national targets
- allows highly polluting projects to proceed even if they exceed legislated carbon budgets.⁸

Expert legal analysis confirms that nowhere under federal law is the government required to assess a project's climate impact before approval.⁹

3. Attribution science: quantifying harm from individual projects

3.1 Scientific evidence on project-level attribution

Robust peer-reviewed research published in *npj Climate Action* has demonstrated that major socioeconomic and environmental consequences can be attributed to CO₂ emissions from individual fossil fuel projects, contrary to claims by project proponents that individual project emissions are negligible.¹⁰

They demonstrate that just like every cigarette is doing us damage, every tonne of carbon added to the atmosphere damages us too and that damage can be quantified.

3.2 The Scarborough Gas Project: case study in quantifiable harm

The peer-reviewed research examines Woodside Energy's Scarborough gas project and provides concrete evidence of health and environmental impacts attributable to a single project. This validated modelling can be readily applied to all energy projects to quantify environmental and human health impacts.

⁷ Environmental Defenders Office (2025). 'EPBC Act reforms make it to parliament – EDO's first impressions.'
<https://www.edo.org.au/2025/10/31/epbc-act-reforms-make-it-to-parliament-edos-first-impressions/>

⁸ Environmental Defenders Office (2025). 'EDO briefing note: Safeguard Mechanism and environmental approvals.'
<https://www.edo.org.au/wp-content/uploads/2025/01/EDO-briefing-note-Safeguard-Mechanism-and-environmental-approvals-January-2025.pdf>

⁹ Climate Council (2025). 'Expert Opinion: Our national environment law is fundamentally flawed.'
<https://www.climatecouncil.org.au/resources/expert-opinion-our-national-environment-law-is-fundamentally-flawed/>

¹⁰ Abram, N.J., Maher, N., Perkins-Kirkpatrick, S. *et al.* Quantifying the regional to global climate impacts of individual fossil fuel projects to inform decision-making. *npj Clim. Action* 4, 92 (2025).
<https://doi.org/10.1038/s44168-025-00296-5>

For Scarborough they demonstrate the following:

Project scale

- Expected to emit approximately 876 million tonnes CO₂ over its lifetime (including combustion emissions).
- Will raise global temperatures by 0.00039°C.

Quantified health impacts

- 516,000 people globally exposed to extreme heat conditions attributable to Scarborough's emissions.
- 356,000 people globally placed outside the 'safe-climate niche'.
- 484 (CI: 88-1324) additional heat-related deaths in Europe by the end of the century.

Impact on Australia's climate commitments

- By 2049, emissions from Scarborough production, processing, and domestic use alone will comprise 49% of Australia's entire annual CO₂ emissions budget under net-zero commitment by 2050
- All post-2050 emissions from this single project would require massive scale-up of carbon removal technologies

Impact on Great Barrier Reef

- Project emissions will contribute to continued mass coral bleaching events with an additional 16 millions corals lost in every bleaching event.
- The Great Barrier Reef has experienced six mass bleaching events in the past decade (2016, 2017, 2020, 2022, 2024, 2025) caused by heat extremes beyond natural climate variability.¹¹

3.3 Broader attribution research

A September 2025 study published in *Nature* demonstrated that climate change made 213 historical heatwaves over 2000-2023 more likely and more intense, with emissions from 180 carbon majors (fossil fuel and cement producers) contributing to half the increase in heatwave intensity. One-quarter of these events were virtually impossible without climate change. During 2010-2019, heatwaves became approximately 200 times more likely due to warming since 1850-1900.¹²

¹¹ Abram, N.J., Maher, N., Perkins-Kirkpatrick, S. *et al.* Quantifying the regional to global climate impacts of individual fossil fuel projects to inform decision-making. *npj Clim. Action* 4, 92 (2025). <https://doi.org/10.1038/s44168-025-00296-5>

¹² Quilcaille, Y., Gudmundsson, L., Schumacher, D.L. *et al.* Systematic attribution of heatwaves to the emissions of carbon majors. *Nature* 645, 392–398 (2025). <https://doi.org/10.1038/s41586-025-09450-9>

This research establishes that:

- individual project emissions have quantifiable climate impacts
- these impacts include measurable mortality and morbidity
- claims that individual project impacts are 'negligible' are scientifically unsupportable
- decision-makers can and must assess project-level climate risks.

3.4 Legal and regulatory implications

This attribution science provides:

- evidence that individual projects cause foreseeable harm to human health and the environment
- a framework for formal risk assessment of project emissions
- scientific basis for requiring climate impact assessment in environmental approval processes
- foundation for refusing projects with unacceptable climate and health impacts.

DEA would argue that as improvements in attributional science increasingly quantify the link between specific project emissions and tangible health and environmental harm, the standard of what is considered an 'acceptable' impact under the EPBC Act shifts and demands the need for a climate assessment within the Act.

4. Health impacts of climate change and fossil fuel developments

4.1 DEA's call for a 'health trigger'

DEA has advocated for a 'health trigger' requiring fossil fuel projects to be assessed for their health impacts, with the assessment conducted by appropriately qualified public health experts reviewing the latest health impact data.¹³ Current health impact assessments:

- are not compulsory
- are not necessarily conducted by appropriately qualified and experienced health professionals
- do not consider health harms from greenhouse gas emissions.

Polling shows 67% of Australians support requiring the government to consider health effects of fossil fuel projects, with 80% concerned about health impacts from pollution caused by extraction, processing, and burning of fossil fuels.¹⁴

¹³ Two-thirds of Australians back doctors' call for 'health trigger' for coal, gas projects

https://www.dea.org.au/two_thirds_of_australians_back_doctors_call_for_health_trigger_for_coal_gas_projects

¹⁴ The Australia Institute. (2023). *Polling—Climate change and health*. The Australia Institute.

<https://assets.nationbuilder.com/docs/naus/pages/396/attachments/original/1709511611/Climate-and-Health-Impacts-Polling-Brief-1.pdf?1709511611>

5. Australia's international obligations

5.1 International Court of Justice Advisory Opinion

The recent Advisory Opinion of the International Court of Justice (ICJ) outlined state obligations to prevent environmental harm including requirements to regulate all fossil fuel emitting activities in their jurisdiction.¹⁵ ICJ judges noted that environmental impact assessments for fossil fuel extraction projects must account for downstream combustion emissions. Australia's failure to assess climate impacts of fossil fuel projects before approval may be inconsistent with these international legal obligations as clarified by the ICJ.

5.2 Paris Agreement and Nationally Determined Contributions

Australia's current Nationally Determined Contribution (NDC) is a commitment to reduce greenhouse gas emissions by 62–70% below 2005 levels by 2035, as well as reaffirming the previous target of 43% below 2005 levels by 2030 and net zero by 2050.¹⁶

Approving fossil fuel projects without assessing consistency with these commitments undermines their achievability. The Global Carbon Budget 2024 data shows that with current emission levels, the remaining carbon budget for 50% likelihood of limiting warming to 1.5°C will be exhausted in approximately 6 years from 2025.¹⁷

5.3 Convention on Biological Diversity

Australia's obligations under the Convention on Biological Diversity are compromised by exemptions allowing environmentally destructive activities to proceed without federal assessment, as documented in the Environmental Defenders Office analysis of the reforms.¹⁸

¹⁵ Fahey, L. (2025, July 24). Prominent international courts agree states must address climate change. *Environmental Defenders Office*.

<https://www.edo.org.au/2025/07/24/good-things-come-in-threes-prominent-international-courts-agree-states-must-address-climate-change/>

¹⁶ International Climate Action, DCEEW, Accessed Nov 11, 2025

<https://www.dceew.gov.au/climate-change/international-climate-action#:~:text=Under%20the%20Paris%20Agreement%2C%20Australia,target%20for%20up%20to%202030>

¹⁷ Friedlingstein, P., et al. (2025). 'Global Carbon Budget 2024.' *Earth System Science Data*, 17, 965-1039.

<https://essd.copernicus.org/articles/17/965/2025/>

¹⁸ EPBC Act reforms make it to parliament. Environmental Defenders Office (2025).

<https://www.edo.org.au/2025/10/31/epbc-act-reforms-make-it-to-parliament-edos-first-impressions/>

6. Exemptions for environmentally destructive activities

6.1 Retention of prior authorisation exemptions

The reforms maintain exemptions for 'prior authorisations' and 'continuations of use' that have allowed environmentally destructive activities to proceed without EPBC Act oversight, including:

- large-scale agricultural deforestation and land clearing
- native forest logging under Regional Forest Agreements
- shark control programs
- other longstanding activities with significant impacts on matters of national environmental significance.¹⁹

6.2 Evidence of environmental decline from exempt activities

Environmental health has declined since the EPBC Act was passed in 1999. The impact of exempt activities therefore carries a greater significance than when the Act was written.

Research has documented:

- attrition of habitat critical for threatened species²⁰
- vulnerable species and ecosystems falling through cracks of environmental impact assessments²¹
- native forest logging pushing iconic species including greater glider, koala, and grey-headed flying fox toward extinction.²²

6.3 Health consequences of land clearing and biodiversity loss

Deforestation and land clearing impact health through:

- release of stored carbon, worsening climate change
- increased infectious disease spillover risk as wildlife is forced into closer human contact
- degraded water quality affecting downstream communities
- reduced ecosystem services, such as air purification, temperature regulation and flood mitigation
- loss of natural compounds for medicine development

¹⁹ EPBC Act reforms make it to parliament. Environmental Defenders Office (2025).

<https://www.edo.org.au/2025/10/31/epbc-act-reforms-make-it-to-parliament-edos-first-impressions/>

²⁰ Ward, M.S., et al. (2019). 'Lots of loss with little scrutiny: The attrition of habitat critical for threatened species in Australia.' *Conservation Science and Practice*, e117. <https://doi.org/10.1111/csp2.117>

²¹ Simmonds, J.S., et al. (2019). 'Vulnerable species and ecosystems are falling through the cracks of environmental impact assessments.' *Conservation Letters*, e12694. <https://doi.org/10.1111/conl.12694>

²² Lindenmayer, D., Ashman, K., & Hasham, N. (2024, February 13). 'New logging rules in NSW put the greater glider closer to extinction. When will we start protecting these amazing animals?' <https://doi.org/10.64628/AA.ij9uec5wc>

- reduced natural pest control, increasing agricultural chemical use.²³

6.4 Recommendations on exemptions

The Committee should recommend:

- immediate removal of all exemptions for activities with significant environmental impacts
 - comprehensive assessment of all activities affecting matters of national environmental significance
 - transition support for industries to adopt sustainable alternatives
 - cumulative impact assessment for regions affected by multiple exempt activities.
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7. NEPA independence and governance concerns

7.1 Compromised independence

The proposed National Environmental Protection Agency design includes critical flaws:

- Minister retains final approval powers
- Minister can delegate assessment functions to NEPA's CEO
- delegated decision-makers are subject to direction from the delegator
- this means NEPA must abide by Ministerial directions when making delegated decisions.²⁴

This represents significant weakening compared to earlier proposals for Environment Protection Australia.

7.2 Historical evidence of political interference

Australia's environmental regulation history includes numerous examples of ministerial decisions overriding scientific advice to approve environmentally damaging projects. The establishment of a genuinely independent regulator was a core recommendation of the Samuel Review.

7.3 International best practice

Most Western democracies have established national environmental regulatory authorities with genuine independence. England's Environment Agency, for instance works to 'protect people and the

²³ Doctors for the Environment Australia Biodiversity position statement
<https://assets.nationbuilder.com/docsenvaus/pages/524/attachments/original/1712818020/DEA-Biodiversity-Position-Statement-11-19.pdf?1712818020>

²⁴ EPBC Act reforms make it to parliament. Environmental Defenders Office (2025).
<https://www.edo.org.au/2025/10/31/epbc-act-reforms-make-it-to-parliament-edos-first-impressions/>

environment and support sustainable growth'²⁵ and is governed by a board and directors.²⁶ Australia remains a notable exception despite calls from environmental and health groups for an independent agency with power to rule on environmental matters comparable to the Reserve Bank's role on interest rates.²⁷

7.4 Recommendations on NEPA independence

The Committee should recommend:

- legislated protection from ministerial direction in all decision-making
 - clear statutory objectives prioritising environmental protection and human health
 - transparent appointment processes for NEPA CEO and senior officials
 - adequate resourcing to fulfil enforcement and compliance functions
 - public reporting requirements on regulatory decisions and outcomes.
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8. Streamlined approvals and assessment quality concerns

8.1 Risk of weakened environmental scrutiny

The reforms provide streamlined assessment pathways with concerning features:

- no limits on the scale of projects eligible for streamlined pathways
- large-scale fossil fuel projects could be fast-tracked with reduced scrutiny
- 'sufficient information' test lacks clear standards
- proposal to introduce AI in assessments risks, entrenching bias and poorer quality decisions.²⁸

8.2 Current assessment timeframes reflect complexity

The Environmental Defenders Office notes that current assessment timeframes reflect genuine complexity of environmental decision-making, not bureaucratic inefficiency. Given Australia's deteriorating environment, more thorough assessment is needed, not less.²⁹

²⁵ Environment Agency. (n.d.). *About us*. GOV.UK.

<https://www.gov.uk/government/organisations/environment-agency/about>

²⁶ Environment Agency. (n.d.). *Our governance*. GOV.UK.

<https://www.gov.uk/government/organisations/environment-agency/about/our-governance>

²⁷ David Shearman, *The Conversation* (2018). 'Why Australians need a national environment protection agency to safeguard their health.'

<https://theconversation.com/why-australians-need-a-national-environment-protection-agency-to-safeguard-their-health-93861>

²⁸ Environmental Defenders Office (2025). 'A critical moment for our national nature laws.'

<https://www.edo.org.au/2025/10/21/a-critical-moment-for-our-national-nature-laws/>

²⁹ EPBC Act reforms make it to parliament. Environmental Defenders Office (2025).

<https://www.edo.org.au/2025/10/31/epbc-act-reforms-make-it-to-parliament-edos-first-impressions/>

8.3 Recommendations on assessment pathways

The Committee should recommend:

- clear thresholds excluding high-impact projects from streamlined pathways
 - explicit prohibition on fast-tracking fossil fuel projects
 - maintenance of comprehensive assessment standards including mandatory health impact assessment
 - prohibition on AI use in environmental assessments until proven reliable and unbiased
 - protection of public participation rights in all assessment pathways.
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9. National Environmental Standards: transparency and content

9.1 Critical standards not yet released

The effectiveness of the entire reform package depends on content and rigour of National Environmental Standards, yet draft standards for key areas have not been released for public scrutiny:

- Standard for Matters of National Environmental Significance (protection thresholds)
- Standard for Restoration Actions and Restoration Contributions
- Standard for First Nations Engagement and Participation
- Standard for Community Engagement and Consultation

9.2 Concerns about standards development process

Without seeing draft standards, it is impossible to assess whether the reforms will genuinely strengthen environmental protection or facilitate faster approvals at the expense of the environment and public health.

9.3 Recommendations on standards

The Committee should recommend:

- immediate release of all draft standards for public consultation
 - extended consultation periods to enable comprehensive expert and community input
 - co-design processes with health professionals, environmental scientists and affected communities including First Nations peoples
 - standards as disallowable instruments subject to parliamentary oversight
 - 'no regression' principle with additional requirement that Standards be strengthened as scientific understanding evolves
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10. Cumulative impacts and strategic assessment

10.1 Failure to address cumulative impacts

The reforms inadequately address cumulative impacts from multiple projects affecting the same regions, species, ecosystems, or communities. A single project may have acceptable impacts in isolation, but multiple projects can cause devastating cumulative damage.

10.2 Particular concerns for cumulative health impacts

Cumulative impacts are particularly critical for:

- coal and gas basins with multiple extraction projects
- communities already experiencing health burdens from existing pollution sources and low socioeconomic status
- Aboriginal cultural landscapes experiencing multiple impacts
- regions facing combined climate change and development pressures.

10.3 Recommendations on cumulative assessment

The Committee should recommend:

- mandatory strategic regional assessments before project-specific approvals
 - cumulative impact frameworks at ecosystem and regional scales
 - health impact assessments explicitly incorporating climate change health effects, air and water quality impacts as well as cumulative health burdens on affected communities
 - health equity assessments identifying disproportionate impacts on vulnerable populations
 - carbon budget assessments showing how cumulative project emissions affect Australia's climate commitments.
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11. Devolution to states and territories

11.1 Risks of increased devolution

The reforms facilitate increased devolution of Commonwealth assessment and approval powers to state and territory governments, raising concerns about:

- a race to the bottom with jurisdictions competing to attract development
- inconsistent environmental standards across Australia
- loss of Commonwealth oversight for nationally significant matters
- conflicts of interest where state governments are project proponents

- some states have poor environmental protection track records.³⁰

11.2 Recommendations on devolution

The Committee should recommend:

- strong Commonwealth leadership and minimum standards for Matters Of National Environmental Significance
 - bilateral agreements only where demonstrably equal or higher protection than Commonwealth processes
 - independent verification and public transparency of bilateral agreement outcomes
 - retention of Commonwealth approval powers for all fossil fuel projects, given their significant climate implications.
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12. National interest proposal needs independence

The amendments allow a far reaching expansion of what can be deemed to be a national interest proposal that then falls under ministerial discretion, allowing the environment minister of the day to approve projects that are inconsistent with the proposed environmental standards. Exempt projects would not even have to demonstrate a net gain to the environment under the proposed net gain test.³¹

This is inconsistent with the intent of the EPBC Act and allows whoever is the environment minister to make unilateral decisions that can undermine environmental and human health. To protect humanity, the national interest must include the integral importance of human and planetary health.

13. Conclusion

The Environment Protection Reform Bill 2025 and related bills represent a pivotal opportunity to establish environmental law capable of reversing documented environmental decline in Australia and protecting public health from escalating climate change impacts. The current package contains positive elements but fails critically by:

1. **Failing to consider human health harms to define unacceptable impacts**, noting that by the EPBC Act (1999) definition people and communities are integral parts of ecosystems.

³⁰ Doctors for the Environment Australia (2021). Submission to Samuel Review.

<https://epbcactreview.environment.gov.au/submissions/irs0636>

³¹ Power, T., & Curl, F. (2025, November 5). Revolution or evolution? Key reforms proposed to Australia's national environmental laws. White & Case.

<https://www.whitecase.com/insight-alert/revolution-or-evolution-key-reforms-proposed-australias-national-environmental-laws>

2. **Omitting climate impact assessment** and so allowing continued approval of fossil fuel projects, undermining Australia's climate commitments and causing quantifiable harm to human health and the environment
3. **Retaining exemptions** for environmentally destructive activities that have contributed to Australia's environmental decline over 25 years
4. **Compromising NEPA independence** through provisions allowing ministerial direction
5. **Failing to mandate health impact assessment**, despite clear evidence of environmental and climate impacts on health
6. **Excluding Scope 3 emissions** from disclosure requirements, concealing the full climate impact of projects
7. **Allowing fast-tracking** of potentially high-impact projects without clear protections
8. **Withholding National Environmental Standards** from public scrutiny prior to legislative passage
9. **Expanding the scope of National Interest Proposals** such that a Minister for the Environment can allow projects that damage the environment.

The emerging science of climate attribution demonstrates unequivocally that individual fossil fuel projects cause measurable harm to human health and the environment. The Scarborough gas project case study shows a single project will cause hundreds of heat-related deaths and significantly impede Australia's ability to meet its climate commitments.

From a health perspective, the reforms as drafted fail public health: they do not prevent foreseeable harm from known hazards. Just as medical professionals called out the health harms of tobacco which lead to comprehensive regulation, health professionals are now calling for regulation of fossil fuels—identified by DEA as causing 11,105 premature deaths annually in Australia from air pollution alone, before considering climate change impacts.

The Committee has the opportunity and responsibility to recommend amendments that will genuinely protect Australia's environment and the health of current and future generations. The recommendations provided in this submission are supported by peer-reviewed scientific evidence, international legal obligations, public health expertise, and the demonstrable failure of current legislation.