

Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024

*Submission to Australian Senate
Economics Legislation Committee*

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About Doctors for the Environment Australia

Doctors for the Environment Australia (DEA) is an independent, self-funded, 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 would like to 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

DEA strongly objects to inclusions in the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024 (the Bill) that attempt to exempt accreditations under it from forthcoming, long overdue improvements to the Environment Protection and Biodiversity Conservation (EPBC) Act.

Further fossil fuel development can only accelerate global heating and destruction of the environment that we depend on for the most basic determinants of life, our health and wellbeing and our economy.

The Australian Government can best provide certainty to the fossil fuel industry through a policy and regulatory environment that makes it clear that further fossil fuel developments are inappropriate in the current climate crisis and will not be approved.

The Bill and Provisions relating to the EPBC Act Accreditation.

DEA wishes to express our dismay at the inclusion of provisions in the Bill that exempt fossil fuel developments from forthcoming improvements to the EPBC Act. This is particularly alarming given the current and accelerating climate crisis.

The current policy and regulatory framework has manifestly failed to protect both the health and wellbeing of Australians and the environment upon which we depend for the most basic determinants of health. The

many failures of the current iteration of the EPBC Act are well documented in its independent review by Prof Graeme Samuel.¹ The inquiry showed that:

The EPBC Act is ineffective. It does not enable the Commonwealth to effectively protect environmental matters that are important for the nation. It is not fit to address current or future environmental challenges.²

Accordingly, the EPBC Act is currently undergoing review, with a view to major, necessary improvements (Nature Positive Reforms) to make it fit for purpose.³ It is not appropriate to contemplate any changes to other Acts that would circumvent the forthcoming upgrades to the EPBC Act, given its current failures.

Amendments to the EPBC Act should automatically trigger appropriate review and scrutiny of developments approved under other Acts, including accreditation under the Offshore Petroleum and Greenhouse Gas Storage Act. Such review should be done by an **independent EPA, as proposed in the new Nature Positive reforms, with the non-regression principle explicitly applied.**

Given the worsening climate crisis and the urgent need to decarbonise the economy, the **Australian Government can best provide certainty for the fossil fuel industry by a policy and regulatory environment that clearly states that further fossil fuel developments are inappropriate and will not be approved.** This would be in Australia's national interest and assist the fossil fuel industry to instead invest in areas that do not accelerate humanity's trajectory to climate disaster. It would give such industries clear indications that further delay in decarbonisation is unwise investment.

Climate change

The heating of our planet is accelerating and is caused by human activity, particularly the burning of fossil fuels – 'every increment of global warming will intensify multiple and concurrent hazards'.⁴ The projected increase in frequency of extreme weather events is already being seen in Australia and globally, with significant harm to people, nature and economies.⁵ In addition, continued approval of fossil fuels developments will make it impossible for Australia to meet its obligations under the Paris Agreement, UN Sustainable Development Goals or to limit global warming to within humanity's ability to adapt to it.

Just like every cigarette is doing us damage, every fossil fuel project damages us too, by worsening the climate health emergency.

Climate change is a health issue

The current regulatory framework for fossil fuel developments (including offshore resource activities) does not consider local or global effects on human health, which are highly dependent on a sufficiently intact natural environment. Social disruption due to climate change is an ongoing challenge in Australia, our near neighbours and globally. **Any legislative amendment that neutralises long overdue improvements to**

¹ [Independent review of the EPBC Act](#)

² [Executive summary | Independent review of the EPBC Act](#)

³ [EPBC Act reform - DCCEEW](#)

⁴ [AR6 Synthesis Report: Summary for Policymakers Headline Statements](#)

⁵ [The State of Weather and Climate Extremes 2023](#)

environmental protections under the EPBC Act can only harm our people, the nature upon which we depend as well as our economy and national interest.

Climate change is a current and future threat to human health and well-being. The World Health Organisation has described climate change as the defining issue for public health in the 21st Century and warns that ‘The severity of impacts of climate change on health are increasingly clear and threaten to undermine the last 50 years of improvements in health.’⁶ The relationship between human health and global heating is summarised in the DEA briefing document ‘How climate change affects your health: the facts’.⁷

Briefly, climate change affects human health in many ways. Directly, this is through physical trauma, illness and mortality caused by extreme weather events such as floods, storms, bushfires and heatwaves. Indirect harm to health is through changing patterns of infectious diseases, changing patterns of air pollution, exposure to bushfire smoke and allergens, rising sea levels with coastal inundation, biodiversity loss, and threats to secure shelter, food, and water. A warming climate is clearly and inextricably linked to the disruption of environmental conditions that provide the very fundamentals for our physical and mental health – clean air, clean water, reliable sources of healthy and nutritious food, adequate shelter, and stable climatic conditions.

Given the immensity of the challenge of the current climate crisis to our health, environment and economy, the long overdue major improvements to the EPBC Act need to be given the widest effect rather than circumvented through amendments to legislation such as the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024.

⁶ [COP24 special report: health and climate change | WHO International](#)

⁷ [How Climate Change Affects Your Health: The Facts - DEA](#)