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Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
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CANBERRA ACT 2600

By email: ec.sen@aph.gov.au

13 October 2022

Dear Sir/Madam,

RE: Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2022 Senate Inquiry

Humane Society International (**HSI**) welcomes the opportunity to provide this submission to the Senate Standing Committees on Environment and Communications for the inquiry into the Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2022 (**Climate Trigger Bill**).

HSI is the world's largest conservation and animal welfare organisation with over 10 million supporters globally. We have more than 25 years' experience in Australia, working to achieve an ecologically sustainable and humane world for animals. In 2001, HSI successfully nominated "Loss of terrestrial climatic habitat caused by anthropogenic emissions of greenhouse gases" as a key threatening process under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**). We have been disappointed by the failure of successive governments to develop a threat abatement plan for this key threatening process and the ongoing inadequate consideration of climate change in the EPBC Act.

HSI strongly supports the better integration of climate change considerations into the EPBC Act. Climate change is a significant and growing threat to Australia's natural environment and the failure to directly account for climate change impacts under the EPBC Act has long been a significant gap in our national environmental legislation.

The Sixth Assessment Report from Working Group I of the Intergovernmental Panel on Climate Change (**IPCC Assessment Report**)[1] was unequivocal – "human influence has warmed the

[1] IPCC, 2021: Summary for Policymakers. In: Cli*mate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou

atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred".[2] This warming has occurred at a rate that is unprecedented in at least the last 2,000 years and is being driven by greenhouse gas emissions from human activities. The IPCC Assessment Report tells us that "(h)uman-induced climate change is already affecting many weather and climate extremes in every region across the globe."[3]

The IPCC Sixth Assessment Report from Working Group II (**WG II Report**) identifies that "Climate trends and extreme events have combined with exposure and vulnerabilities to cause major impacts for many natural systems, with some experiencing or at risk of irreversible change in Australia (*very high confidence*)".[4] The WG II Report goes on to state that "(w)idespread and severe impacts on ecosystems and species are now evident across the region (*very high confidence*)" and "(s)ome of the observed changes may be irreversible where projected impacts on ecosystems and species persist… In the near term (2030–2060), climate change is projected to become an increasingly dominant stress on the region's biodiversity, with some ecosystems experiencing irreversible changes in composition and structure and some threatened species becoming extinct (*high confidence*)".[5]

In recent years, Australians have lived through the consequences of climate change and the impacts on people and our wildlife have been devastating, with an estimated 3 billion animals killed or displaced during the Black Summer bushfires. Australia has already lost at least one species as a direct result of climate change[6] and the *2021 State of the Environment Report* tells us that "(p)ressure from climate change is increasingly recognised as a key threat to terrestrial ecosystems and species and is projected to become more important in driving changes in terrestrial biodiversity into the future".[7]

Regardless of the actions we take to reduce emissions now, the IPCC has concluded "global surface temperature will continue to increase until at least mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in CO_2 and other greenhouse gas emissions occur in the coming decades."[8] Global average surface temperatures have already risen by approximately 1.1-1.2^{o}C, but Australian average surface temperatures have risen by 1.4^{o}C. Global average surface temperature rises of between 1.5°C to 2°C above 1850-1900 levels will equate to Australian average surface temperature rises of between 2.1°C to 2.8°C.[9] This will have serious

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(eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 3−32, doi:10.1017/9781009157896.001.

[2] IPCC Assessment Report, p. 4

[3] IPCC Assessment Report, p. 8

[4] Lawrence, J., B. Mackey, F. Chiew, M.J. Costello, K. Hennessy, N. Lansbury, U.B. Nidumolu, G. Pecl, L. Rickards, N. Tapper, A. Woodward, and A. Wreford, 2022: Australasia. In: Climate Change 2022: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 1581–1688, doi:10.1017/9781009325844.013, p. 11.

[5] WG II Report, p. 1591

[6] http://www.environment.gov.au/biodiversity/threatened/species/pubs/64477-listing-advice-22022019.pdf

[7] Murphy H & van Leeuwen S (2021). *Australia state of the environment 2021: biodiversity*, independent report to the Australian Government Minister for the Environment, Commonwealth of Australia, Canberra, DOI: 10.26194/ren9-3639, p. 78

[8] IPCC Assessment Report, p. 14

[9] CSIRO/BOM (2020) State of the Climate 2020, Commonwealth of Australia

consequences for Australia's biodiversity and ecosystems. It is therefore vitally important that Australia's decision making frameworks are appropriate equipped to manage and respond to climate change.

In this context, the lack of a direct consideration of climate change in the EPBC Act is untenable. A climate trigger will be an important first step in addressing this gap. This trigger should operate at both a strategic level and at the individual project level. Strategic considerations would include the role of regional planning in supporting climate change adaptation, responses to extreme events, wildlife corridors and climate refugia. Climate change also needs stronger integration into conservation planning tools such as recovery plans and conservation advices. HSI supports the proposal to require individual project climate change impacts to be directly considered as part of the EPBC Act assessment process, and the requirement that projects that would result in unacceptable climate impacts be rejected. It is appropriate that where projects emit substantially more emissions that predicted during project assessment, the Minister has the ability to re-consider the appropriateness of an approval.

Another important component of the Climate Trigger Bill is the introduction of a carbon budget for Australia. Understanding our available carbon budget will help to ensure that Australia's emissions remain consistent with limiting warming to 1.5°C above pre-industrial levels, and particularly that any new high emissions projects are consistent with that budget. Former Australian Chief Scientist, Prof Penny Sackett has described the carbon budget as "a conceptually simple and scientifically sound method to estimate the speed and magnitude by which emission reductions must occur in order to meet a designed warming target… The goal is to ascertain the remaining amount of carbon (in the form of CO_2) that humans can still release into the atmosphere without exceeding global warming at a prescribed level, for example warming of 1.5°C".[10] Prof Sackett writes that at current greenhouse gas emission rates, only about 8 years remain before the global carbon budget to hold warming to 1.5°C with at least a 67% chance is exhausted. Further, Australia's notional `share' of this budget would be exhausted in 3 years.[11] Australia must reduce greenhouse gas emissions, and prevent new greenhouse gas emissions, consistent with a fair carbon budget based on our international commitments to keep global warming under 2 degrees and pursue a limit of 1.5 degrees.

However, the Australian environment will not only experience the impacts of greenhouse gas emissions generated within Australia. Climate change is a global problem and greenhouse gas emissions will cause harm to Australian biodiversity and ecosystems, wherever they are emitted. For this reason, HSI recommends that the Committee consider further amendments to the EPBC Act to include mandatory consideration of a project's downstream or 'scope 3' emissions.

HSI also recommends that the objects of the EPBC Act should be amended to expressly include:

- The impact of climate change on MNES, including the increased risk of catastrophic events which impact on MNES.
- The need to reduce emissions to protect World Heritage sites, threatened species and other MNES.
- The need to promote and support adaptation and resilience in the face of climate change.

[10] Prof Penny Sackett *Expert Report to the NSW IPC on the Greenhouse Gas and Climate Implications of the Glencore Glendell Continued Operations Coal Project 9SSD 9349 and SSD 5850 Mod 4)* 28 March 2022, pp. 74-75
[11] Prof Penny Sackett *Expert Report to the NSW IPC on the Greenhouse Gas and Climate Implications of the Glencore Glendell Continued Operations Coal Project 9SSD 9349 and SSD 5850 Mod 4)* 28 March 2022, p. 8

- The contribution of biodiversity and functioning ecosystems to climate change mitigation and adaptation.

HSI would like to thank the Committee for the opportunity to present these views. For further information on this submission please contact me by email: [redacted] or phone: [redacted].

Yours sincerely,

[redacted]

Dr Megan Kessler
Nature Campaigner
Humane Society International