

**Submission
No 32**

**MINERALS LEGISLATION AMENDMENT (OFFSHORE DRILLING AND
ASSOCIATED INFRASTRUCTURE PROHIBITION) BILL 2023**

Organisation: Climate Action Network Australia

Date Received: 31 August 2023

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NSW Legislative Assembly Committee on Environment and Planning

Dear Assembly Members

Submission to the NSW Legislative Assembly Committee on Environment and Planning - Minerals Legislation Amendment (Offshore Drilling and Associated Infrastructure Prohibition) Bill 2023

Climate Action Network Australia (CANA) welcomes the opportunity to participate in this consultation process. CANA is a member-based organisation made up of over 150 climate-focused civil society organisations advocating for Australia's rapid transition to a zero-emissions country. We seek a fair Australia, free of climate pollution, where people and nature are protected from dangerous climate change.

The latest Intergovernmental Panel on Climate Change Report (Sixth Assessment Report 2023) has made it abundantly clear that no more fossil fuel projects can go ahead if the world is to meet the science aligned 1.5 degree celsius target.¹ The consequences of not meeting this target are already evident in the record wildfires, floods and storms across the globe over the last few weeks. Closer to home, predictions indicate that Australia's south-eastern ocean could experience a marine heatwave that could be "literally off the scale".² Approvals of any fossil fuel (oil and gas) projects in NSW waters will undermine both the state's ability to meet its goal of 50% emissions reduction by 2030 (compared to 2005 levels) and net zero emissions by 2050.

The exploration of offshore oil and gas often includes methods such as air-gun blasts and seismic testing that are incredibly harmful to marine life.³ The Commonwealth Scientific and Industrial Research Organisation in its submission to the Senate Environment and Communications Reference Committee highlighted that anthropogenic sounds (such as those from fossil fuel exploration) in marine environments "can mask vocal communication, disrupt normal behaviours, and cause temporary and permanent shifts in hearing". Further, in extreme cases these anthropogenic sounds can cause "physical damage to tissues and organs".⁴ This is particularly important for NSW coastal waters which are a vital seasonal and annual migration route for whales, dolphins, sharks and sea birds.

¹ Intergovernmental Panel on Climate Change AR6 Synthesis Report (2023) <https://www.ipcc.ch/report/ar6/syr/>

²

<https://www.theguardian.com/australia-news/2023/aug/27/south-east-australia-marine-heatwave-forecast-to-be-literally-off-the-scale>

³ Commonwealth Scientific and Industrial Research Organisation submission 19/684; Impact of seismic testing on fisheries and the marine environment - Senate Environment and Communications Reference Committee (2019)

⁴ Ibid (pg. 11)

Offshore oil and gas infrastructure also introduces the risk of accidents, spills and leaks, which can have catastrophic environmental and socio-economic impacts on communities that rely on the coast for their livelihoods.⁵ This is particularly important considering that the NSW Environment Protection Agency has identified 47 marine species that are already listed as ‘threatened’ under NSW legislation.⁶

There is significant local opposition to offshore oil and gas proposals in NSW and high public concern in Australia about climate change. The Australia Institute’s Climate of the Nation report (2022) found that 75% of Australians are concerned about climate change and 57% want no new gas, oil or coal projects approved.⁷

We welcome the Legislative Assembly’s inquiry into amending the NSW Offshore Drilling and Associated Infrastructure Prohibition Bill 2023 as a great step forward in helping NSW and Australia reduce climate pollution from fossil fuel infrastructure while protecting our vibrant coastal environment. A ban would also position NSW as a leader, setting a precedent for other states and territories to follow.

As part of this inquiry, CANA makes the following recommendations;

1. Prohibit the granting of exploration licences for fossil fuels – oil and gas – in the State’s coastal waters;
2. Prohibit the granting of extraction/recovery licences for fossil fuels in the State’s coastal waters;
3. Prohibit the granting of pipeline construction licences that may lie within the State’s coastal waters that could be used for the extraction/recovery of fossil fuels;
4. Prohibit the maintenance, repair, provisioning or fuelling of vessels, aircraft or any other equipment/machinery used for the development of new fossil fuel infrastructure;
5. Prohibit the handling, refining, processing, unloading or transportation of fossil fuels within the State’s coastal waters, including by pipeline.

We welcome the opportunity to work with the NSW Legislative Assembly on its proposal to ban offshore oil and gas infrastructure in the state’s coastal waters.

⁵ See Doctors for the Environment literature review on the health impacts of oil spills in marine environments
<https://dea.org.au/wp-content/uploads/2021/01/DEA-Oil-Spills-fact-sheet-final-06-19.pdf>

⁶ <https://www.soe.epa.nsw.gov.au/all-themes/water-and-marine/coastal-estuarine-and-marine-ecosystems#threatspecies>

⁷ <https://australiainstitute.org.au/wp-content/uploads/2022/11/Climate-of-the-Nation-2022.pdf>

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Sincerely,

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