

Submission
No 38

INQUIRY INTO CLIMATE CHANGE (NET ZERO FUTURE) BILL 2023

Organisation: Sydney Knitting Nannas and Friends

Date Received: 24 October 2023



TO: The Hon Ms Sue Higginson, MLC, Committee Chair

RE: Inquiry into Climate Change (Net Zero Future) Bill, 2023

FROM: Sydney Knitting Nannas & Friends

DATE: 24 October 2023

The Sydney Knitting Nannas & Friends

The Sydney Knitting Nannas & Friends are a non-profit group who peacefully urge politicians and corporations to act responsibly and with urgency to preserve a habitable climate for humanity and other living creatures. Our Sydney Knitting Nannas ‘loop’ of 70 women includes members who live in nearby regional areas directly impacted by recent flood and fires, as well as the effects of CSG and coal mining activities. There are 20 Knitting Nannas groups (loops) across NSW and 20 more in other states. All our activities are informed by authoritative, peer-reviewed scientific research as well as local citizen-science data, and are carried out in consultation with affected communities. Sydney Knitting Nannas & Friends welcome the opportunity to make this submission to the Legislative Council Inquiry into the Climate Change (Net Zero Future) Bill 2023.

.....

We strongly support the intention of the Climate Change (Net Zero Future) Bill (hereafter ‘the Bill’), as outlined in the Statement of Public Interest, to set targets to reduce greenhouse gas emissions in order to achieve a goal of net zero emissions and to establish a Net Zero Commission to monitor and report publicly on the progress towards these targets. We hope this can be done as soon as possible.

We feel, however, that the Bill could be strengthened with some amendments.

(1) TARGETS

On the basis of the authoritative, peer-reviewed science on which we rely, we believe the targets are not strong enough. The targets in the Bill should be increased, to be at least equivalent to those of other jurisdictions, such as the state of Victoria. It is our view that NSW should aim for net zero emissions by 2035.

At the very least, the existing target of 70% emissions reduction by 2035 should be included in this Bill. As there is already cross-party support for this target, it is unnecessary and undesirable to abolish it. If the 70% emissions reduction by 2035 target is kept in place, this would guarantee earlier progress towards net zero than if there were no 2035 target.

Once stronger targets are set, we feel NSW will be motivated and able to take further advantage of opportunities that arise in the state to achieve greater emission reductions even earlier.

2. EMBEDDING TARGETS ACROSS GOVERNMENT

We believe this Bill should not lead to an Act which is isolated from other laws. Instead, this Bill should embed the climate change targets into other legislation so that each is required to

consider climate change in all its policies and decisions. This would ensure that the climate change targets are sustained rather than being undermined, even inadvertently, by actions in other government departments. Such a ‘whole-of-government’ approach has been modelled in the Victorian Climate Change Act (Part 3) which embeds climate considerations in seven other Acts.

3. MECHANISM TO REVIEW AND INCREASE TARGETS

This Bill should be amended to enable the government to review targets regularly. This should allow for these targets to be increased where opportunities present themselves, with a view of reaching the goal of net zero emissions as quickly as possible, in order to minimise the damage caused by worsening climate change.

4. DEFINITIONS

We note that there is no definition of ‘emissions’ other than ‘greenhouse gas emissions’.

(a) We believe it is important for this Bill to specify sectoral *methane* targets as these may not be identified in existing ranges of greenhouse gas emissions. Notably, rapid methane reductions from the energy sector are crucial to avoid climate tipping points. A new report from the UN International Energy Agency (IEA) says that “[t]argeted actions to tackle methane emissions from fossil fuel production and use are essential to limit the risk of crossing irreversible climate tipping points.” The IEA recommends a target which will cut methane emissions (particularly coal-mine methane emissions) by 75% by 2030.

(b) The Bill repeats a number of times that the greenhouse gas targets will be those ‘in NSW’. This implies that the Bill will only be seeking to reduce to net zero those emissions which are produced within the state of NSW. These would be identified, using the 2022 World Economic Forum definitions, as Scope 1 and Scope 2. That is, those which are produced by the mining and production process in order to export fossil fuels and the production of power within NSW using fossil fuels.

We believe there needs to be a clear definition of ‘emissions’ which states unequivocally that the term includes Scope 1, Scope 2 AND Scope 3 emissions. To use the World Economic Forum definition derived from COP 27, Scope 3 emissions include those which are generated by overseas customers when they utilise the fossil fuel products exported from Australia.

Currently, neither Federal nor State laws require Ministers to consider Scope 3 emissions – even as estimates – in the decisions they make about approving new or expanded mining facilities. As you will be aware, the Scope 3 emissions from Australia’s coal exports have been the subject of two important legal decisions, first by the Chief Judge of the New South Wales Land and Environment Court, Brian Preston, in the “Rocky Hill” case in 2019 and more recently by Justice Fleur Kingham, the President of the Queensland Land Court in a decision on 25 November 2022, relating to the Galilee Basin. The principle stated by Justice Kingham, although arising from a Queensland case, was crucially important for the whole of Australia. This is that Scope 3 emissions from Australian exported coal – even if they are emitted overseas – are still Australia’s responsibility.

We call on the NSW Government in its Climate Change (Net Zero Future) Bill to define explicitly that the ‘greenhouse emissions’ to be reduced are Scope 1, Scope 2 and Scope 3.

(c) In the Bill, there is no mention of the term ‘offsets’. Despite the absence of the term, the use of the phrase ‘net zero’ makes clear that some form of compensatory process must be

involved to achieve this 'net' result. Purchasing 'offsets' has been argued to offer the potential to sequester carbon to mitigate the harm done by the greenhouse gas emissions created from mining and production for export and from power generation. Mining companies have commonly used the strategy of purchasing offsets to allow them to continue to produce emissions in their mining and production facilities. Contributions to tree planting and plantation forests have been regarded as valid 'offsets'. We are concerned, however, that such offset strategies are contributing to the continued or even accelerated logging of native forests, which has severely reduced habitat for vulnerable species like koalas in NSW forested areas.

So, our submission is that the use of offsets should be explicitly discussed in this Bill – rather than simply being implied but not made explicit. Furthermore, we submit that any offset policy must be defined to exclude further damage to native forests and to the habitat of any vulnerable species of fauna or flora.

5. ENDING FOSSIL FUEL MINING & POWER GENERATION

We submit that the Bill needs to be strengthened in order to transition completely away from fossil fuel mining, production and power generation to renewable sources for all energy requirements as rapidly as possible and certainly by 2050.

The role and brief of the Bill and of the proposed Net Zero Commission offers no incentive and gives no direction towards ending approvals for any new or expanded fossil fuel mining or production nor for initiating or supporting a transition to renewable sources for all power generation. Its sustained use of the term 'net' indicates that even its 'net zero by 2050' target will allow continued fossil fuel mining, export and power generation as long as appropriate 'offsets' are purchased.

The functions of the Net Zero Commission should be amended so the Commission is required to provide advice on all new emission-intensive developments such as fossil fuel projects or on expansions to existing emission-intensive operations. The Bill as currently drafted has little to no impact on 13 proposed coal mine expansions in NSW which, if approved, would emit more than 2 billion tonnes of lifecycle greenhouse gas emissions. One of those projects is the biggest proposed in NSW since the Paris Agreement - the Hunter Valley Operations Coal expansion. Furthermore, a moratorium on proposed fossil fuel expansions should be in place until the Net Zero Commission, with functions amended in this way, is established.

Yours sincerely

Heather Goodall, PhD, FASSA, FRSN, PHA.
Professor Emerita, Faculty of Arts and Social Sciences,
University of Technology Sydney,
On Behalf of the Sydney Knitting Nannas and Friends.
Email:
Postal address: