

NT Environmental Protection Authority
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Environmental factor guidance:
Atmospheric processes

To Whom it May Concern,

Thank you for the opportunity to comment on the EPA's Environmental factor guidance: Atmospheric Processes. This submission is made by the Darwin and NT Parents for Climate Action group. We are affiliated with the national NGO - Australian Parents for Climate Action.

Our group represents many families in the Top End and we are united by our pressing concern about climate change and the harmful impacts it will have on young people in the NT now and into the future as they grow up in a hotter and more dangerous climate. We are dedicated to advocating for a safe and healthy environment and climate for our young people.

Our group has previously engaged with the EPA on key policies relating to Green House Gas (GHG) emissions in the NT, in particular the GHG Emissions Offsets Policy. And we have on a number of occasions expressed our disappointment that the 'Greenhouse Gas Emissions Management for New and Expanding Large Emitters' (Large Emitters Policy) policy was only released for targeted consultation.

Emission Thresholds

We have been clear in expressing our concern that the thresholds laid out in the Large Emitters Policy are too high which will in effect allow many projects generating significant emissions – or projects that increase emissions through land clearing – to proceed, and the policy will not apply.

The thresholds from the Large Emitters Policy have been transferred to the 'Environmental Factor Guidance: Atmospheric Process' document. We take this opportunity to again highlight that we are of the view these thresholds are set too high.

We are especially concerned about the Land Use threshold of 500 000 tonnes Co₂e. If the NT's annual emissions are 20.7million tonnes Co₂e and the threshold for land clearing activities is set at 500 000 tonnes Co₂e, that equates to 2.4% of the NT's emission profile. By that accounting it would only take 10 land use projects clearing 499 000 tonnes Co₂e worth of vegetation to increase our emissions by close to 24%.

If a proponent can clear a carbon sink and increase NT emissions by almost 2.4% without being required to go through any environmental assessment process, it is difficult to see how the this Guidance document or the Large Emitters Policy will be effective in ensuring the NTG meet their net zero by 2050 target.

We note the thresholds in the document discussed here are a guidance and it is stated that the EPA can, “call in a proposed action for environmental assessment even when the thresholds have not been met.” However, it is ventured that this would be a highly irregular practice.

Also of concern is the justification for there being two different thresholds – one for ‘Industrial Projects’ and one for ‘Land Use Projects’ – which is said to account for the difference in the potency or warming potential of the different GHGs. The document states:

The NT EPA recognises that land clearing actions contribute to the greenhouse gas emissions inventory for the NT, primarily as carbon dioxide (CO₂). As a greenhouse gas emission, CO₂ has less warming potential than other types of greenhouse gas emissions, such as methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride (associated with energy consumption and industrial processes) and the proposed threshold level reflects this difference.

As far as we can see this rationale lacks credibility given the thresholds are listed as ‘CO₂ equivalent’. The notion of ‘CO₂ equivalent’ was developed for the very purpose of comparing the different warming potential of different GHGs.

We recommend that:

- The Land Use threshold for this guidance document should be the same as that of Industrial Projects and lowered to 100 000 tonne CO₂e.
- And that the Large Emitters Policy is amended so there is no differentiation between Land Use and Industrial Project thresholds and both are set at 100 000 tonne CO₂e.
- That when the Large Emitters Policy is reviewed at its two year interval it is open for public consultation rather than targeted consultation.

Emissions Accounting

Another major concern with this guidance document and with the Large Emitters policy is that only scope 1 emissions are counted in the thresholds. This means that for heavily polluting projects – like gas developments that are dangerous to our climate – consumption of the gas (scope 3 emissions) will not be counted in the threshold triggers. Scope 3 emissions are by far the largest contributor to GHGs for fossil fuel industries. In 2020 the Australian Centre for Corporate Responsibility (ACCR) stated Santos’ scope 3 emissions account for approximately 80% of Santos’ carbon footprint¹.

We believe the NTG has a responsibility to Territorians and especially to our young people and future generations to ensure companies are responsible for scope 1,2

¹ ACCR website accessed July 2022 <https://www.accr.org.au/news/santos-targets-ignore-the-elephant-in-the-room/>

and 3 emissions. These are dangerous GHGs extracted from the NT that will have a devastating impact on our climate for generations to come. We are of the view that the NT should set the highest standard in carbon accounting and ensure scope 1, 2 and 3 emissions are included in minimum thresholds. It is within the NTG's control to act to ensure these gases are not released at all.

Implantation of the Pepper Inquiry

The comprehensive Pepper Inquiry into hydraulic fracturing recommended that there should be "no net increase in greenhouse gas emissions emitted in Australia from any onshore shale gas produced in the NT" and the NTG has repeatedly committed to this recommendation. We are yet to see how the NTG will ensure it is fully implemented.

However, it is clear to us that this guidance document and the Large Emitters policy are not evidence of the implementation of recommendation 9.8 because only scope 1 emissions are included and the notion of thresholds should not apply to fracking operations as there should be "no net increase in greenhouse gas emissions", that is to say all emissions produced in Australia should be offset.

Furthermore, we are concerned that fracking exploration activities in the Beetaloo are already generating emissions that are not being offset. This is already a failure on the part of the NTG to ensure recommendation 9.8 is met. Exploration activities should be halted immediately until recommendation 9.8 is fully implemented.

We recommend that:

- A proponent should be referred to the EPA for a proposed action if its emissions exceed 100 000 tonnes carbon dioxide equivalent (tCO₂-e) (scope 1, 2 and 3) in any financial year over the life cycle of a proposed action.
- All fracking related exploration activities should be halted immediately until recommendation 9.8 is fully implemented.

How will Net zero be achieved by 2050?

The supporting information provided in the Guidance document revealed some alarming trends. In particular that in 2019 NT had an "increase of 46.5% from 2005 emission levels" which is "attributed to the growth in mining and exports driving increases in fugitive emissions from fossil fuel extraction and stationary". This again highlights the difficult task ahead for the NTG to meet net zero by 2050 given our emissions over the last 17 years have increased at such a staggering rate.

We appreciate that the NTEPA is making an effort to close some of the loopholes and gaps in the patchwork of climate policies and guidelines we have seen since the NTG set their net zero by 2050 target. However, the approach seems adhoc and is difficult to navigate. And we are yet to see a clearly laid out strategy for how the NTG will achieve its 2050 target, or how the NTG will meet recommendation 9.8 of the Pepper Inquiry.

What is apparent from the emerging climate policy framework is that the NTG does not want to deter polluting industries from establishing or expanding in the NT. We also know the NTG has expressed commitment to enabling the development of fossil fuel industries in the NT.

We believe that if the NTG is serious about meeting its 2050 emissions target, climate policies and thresholds do actually need to deter polluters and industries that destroy our carbon sinks from operating in the NT. It is not possible to be committed to net zero by 2050 and be committed to expanding polluting industries like the expansion of Gas projects – as far as we are concerned the positions are irreconcilable.

Too much at stake

We understand economic development and jobs are important to the Territory and we wish to stress that we are not anti-industry. We want to see the NTG think creatively and pursue industries and developments that are not harmful to our climate and our young people.

Our primary concern is addressing the climate crises that we are currently experiencing, and for us in the NT being close to the equator in a wet bulb region, we are in an especially perilous position if we cannot limit global warming.

We already know that heat is a huge factor in driving people out of the NT. If we cannot retain a working population, jobs and industry are meaningless and there will be no economy to speak of. There is too much at stake for the NT and too little time to waste to implement industry appeasing policies and guidelines. We should be setting the best example in terms of emission reductions and policy standards.

Kind regards,

Darwin and NT Parents for Climate Action.