

| Name       | Organization                                  | Comment Theme | Document section                       | Comment   |
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| Amy Warden | Association for Exploration and Mining (AMEC) |               |  |   |
|            |   |               | 1 Purpose                              | <p>When applying the guideline to 'amended activities' a definition of amended activities needs to be included. The current wording 'for new or amended activities in relation to GHG emissions' is not clear as to how and who the amended activities apply to. Is it all EAs broadly that require may make application for an amendments, or it is specific to those EAs that have specific GHG emission profiles only and the guideline is applied when and if an amendment is made.</p> <p>'For example if the EA amendment relates to an increases in thresholds only and there are no existing GHG or Air Quality considerations in the EA nor are three expected to be then does the guideline apply. Or is it only to those EA that currently consider GHG emissions?</p>   |
|            |   |               |  | <p>The opening line is misleading. "This guideline clarifies existing application requirements under the Environmental Protection Act 1994 (EP Act) and provides information about how to meet these requirements in relation to greenhouse gas (GHG) emissions".</p> <p>The only references to GHG in the EP act 1994 are as follows:<br/> GHG means greenhouse gas.<br/> GHG permit means a GHG permit under the GHG storage Act.<br/> GHG storage Act means the Greenhouse Gas Storage Act 2009.<br/> GHG storage activity see section 109.<br/> GHG storage tenure means any of the following under the GHG storage Act—<br/> (a) a GHG exploration permit (also called a GHG permit);<br/> (b) a GHG injection and storage lease (also called a GHG lease);<br/> (c) a GHG injection and storage data acquisition authority (also called a GHG data acquisition authority);<br/> (d) another approval under the GHG storage Act which grants rights over land.</p> <p>The drafting in the context of the above is completely different to the drafting stated within the 'Draft Guideline for GHG' given that the drafted guideline intended to be applied across all EAs new and amending.</p> <p>Existing application requirements are limited as well. Section 59 Required Content of Repot (for an EIS which would lead to a new EA, would "address the adequacy of any management, monitoring, planning or other measures for minimizing adverse environmental impacts for the project; and", so this could be reasonable to assume that GHG would come under the management, and monitoring and abatement under the planning aspects.<br/> For an EA amendment section</p> <p>What changes to the EP Act are proposed. Will there be a draft bill provided for industry comment on how GHG emissions will be considered?</p> |
|            |   |               | 1.1 Outline                            | <p>when referencing another prominent piece of legislation that had considerable weight it is suggested that a cross reference to the correct Act or act be included and footnoted.<br/> It is also noted that the Commonwealth Safeguard Mechanism is but one part of NEGERs for which corporations report against.</p>  |
|            |   |               | 2 Background                           |   |
|            |   |               | 2.1 Greenhouse gas emissions           | <p>the list is very limited. When considering the range of actual chemical compounds that are reported against for NEGERs, this list is basic.</p> <p>References for the terms Scope 1,2 &amp; 3 should be strongly aligned to the Clean Energy regulators website and definitions, there is no need to introduce additional definitions as suggested by the "GHG Protocol Corporate Value Chain (Scope 3) Accounting and Reporting Standard (World Resources Institute and the World Business Council for Sustainable Development, 2013) can be used as a guide to identify potential sources of scope 3 emissions" although this might be a good resources it should not cause confusion on domestic GHG policy for activities in Australia.</p>  |
|            |   |               | 2.2 National approach                  | <p>all three definitions are in direct conflict with the those provided by the Clean Energy Regulator. AMEC would like to know if the Clean Energy Regulator was consulted during the development of the QLD Policy document. As a link <a href="https://www.cleanenergyregulator.gov.au/NGER/About-the-National-Greenhouse-and-Energy-Reporting-scheme/Greenhouse-gases-and-energy">https://www.cleanenergyregulator.gov.au/NGER/About-the-National-Greenhouse-and-Energy-Reporting-scheme/Greenhouse-gases-and-energy</a> provides the definitions that currently apply. These have been taken across to the QLD document with the exception of the following:<br/> * the tone and language is indecisive, using terms such as "often expressed as' , 'best described as, and 'can be further categorized as'. There are specific compositions and methodologies for calculating GHG, this headline undermines the plain speaking and clear cut definitions developed under the NEGER Act. This action is a cut and paste, so it should also be clearly acknowledged if it is going to be so bluntly plagiarized.<br/> * taking the term facility that is used very clearly in the NEGER Act and interchanging this throughout the guidelines with the term 'operations', site/project etc. The NGER (measurement) Determination 2008 sets very clear boundaries about what is a facility and how to calculate GHG based on the emission and thereby threshold calculator. This guidelines is poorly descriptive and confusing. As an emitter it would be set asides. It holds zeros capacity and competency in providing guidance. it would be similar to just state that a copy of the NEGERs profile be provided as part of an EA amendment and copy of the emission reduction strategy. as part of the EA.</p>                    |
|            |   |               |  | <p>The National approach sections does not adequately identify the full context of the national approach. Nature Positive Plan: better for the environment, better for business 2022 - Department of Climate Change, Energy, the Environment and Water describes the expected approach detailed in the Samules Review. As part of the new proposed National Environmental Standards (NES) states the following:<br/> <br/> "In addition to our commitments to reduce national emissions to 43% below 2005 levels by 2030, and to achieve net zero emissions by 2050 (see Box 1), the government will integrate climate change considerations, where relevant, throughout national environmental law without duplicating existing mechanisms for reducing greenhouse gas emissions. This will include: 1. Improved transparency in project assessments"</p> <p>AMEC would like to see a review of the National Guidelines against the QLD Government current guideline for Climate action as the target percentages do not add up. they are both different and drafted differently depending on sector and land use. SO there is already a clear conflict between the actions plans and targets.</p>   |
|            |   |               | 3 Application requirements             | <p>Section 125: Guidelines states the following</p> <p>"to provide an assessment of the likely impact of each relevant activity on the environmental values, including details of any emissions or releases likely to be generated by each relevant activity, and the management practices proposed to be implemented to prevent or minimise emissions and adverse impacts. "</p> <p>Table 1 the identifies a series of steps presumable based on a properly made application.</p> <p>AMEC notes that for new variation application the following is the criteria or trigger if you will to apply the guideline<br/> Step 1: Identify the GHG emissions likely to be generated through the life of the project, only in relation to the variation to the standard conditions being sought.</p> <p>Is it fair to say then that if there are no current emission conditions relevant to the guideline (normally described as 'Air') under the EA then the guideline can be set aside. If there is not impact or variation to conditions 'Air' then the guideline can be set aside, and that on if the application generates an increases or introduces a new emission then the guideline is applied.<br/> is there consideration for the 10% increase principal similarly applied for land based impacts?</p>   |
|            |   |               | 3.1 Projected greenhouse gas emissions | <p>There are these broad sweeping statements about what is stated in the EP Act and therefore this translates to what is drafted into guidance. This is not strictly true. The EP act under section 125 clearly states the terms emissions, not GHG. GHG is one of many emissions that may be relevant to a project. To draw a line between those matters prescribed in Section 125 and the specific identification of the term GHG in the act is misleading. It implies there is a degree of autonomy that already exists, but if this were the case then the guideline would not be new to the policy framework and it would essentially not be required.</p>   |
|            |   |               |  | <p>3.1 dot point 2 : 'Identify the projected annual Scope 1 and Scope 2 CO2-e emissions over the life of the project. Include an estimate of both unabated emissions and predicted emissions after all avoidance and abatement measures have been accounted"</p> <p>AMEC would suggest amending the terms for unabated emissions and predicated emission to incorporate the terms more closely aligned with the National Standard, where emissions are calculated on an industry basis or site specific basis.</p>  |

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|  |  |  | 3.1.1 Scope 3 emissions   | <p>Why are Scope 3 emissions listed in isolation as opposed to Scopes 1 &amp; 2.</p> <p>Under downstream scope 3 emissions, is a commitment required to sell product to industries that align with the emissions calculated?</p> <p>E.g. if emissions are calculated for a vanadium mine on the assumption that the end product will be used for Vanadium batteries (VRFB), and the end product is instead sold to develop steel - is there a mechanism to prevent this bait and switch?</p>  |
|  |  |  |   | <p>Why are waste emissions not considered downstream Scope 3 emissions?</p> <p>Upstream emissions will be extremely difficult and costly to calculate. Can there be some boundaries placed around this? E.g. only scope 3 emissions generated within Australia need to be calculated</p> <p>Based on the figure, does a proponent need to consider the scope 3 emissions generated by an upstream supplier of materials. i.e. is there an endless loop of Scope 3 emissions to be calculated in the lifecycle</p>   |
|  |  |  | 3.1.2 Background greenhouse gas emissions                         | <p>We are not sure why background GHG emissions from neighbouring activities are relevant to an application. GHG emissions are relevant to state/national and international impacts; the local or regional emissions outside the project scope should not be relevant in GHG emissions. Air quality assessments (already prescribed by the EP Act) will assess whether there are local air contaminants that need to be assessed</p>  |
|  |  |  | 3.2 Determination of project emission category                    | <p>Table 3. Project greenhouse gas emission categories:</p> <p>AMEC Notes that the Criteria is &lt;25,000 tonnes (low), &gt;25,000 tonnes for medium and &gt;100,000 tonnes for High. Within these thresholds are listed ERAs with absolutely zero context as to how they have been selected irrespective of actual GHG or emission production and profiles. Furthermore this is in direct conflict with their reporting determinations under NEGERs, there thresholds are in kilotonnes as opposed to tonnes. It would be preferable that all factors are aligned. 25,000 tonnes however is not necessarily a reflection of emission profile, its threshold by which to then assess the facility or group facilities to determine at actual emission profile. The over simplistic thresholds does nothing to support the navigation and modeling of emission reduction and preparation for an abatement plant. that a rudimentary attempt at describing a complex system of emission calculations.</p> <p>NEGER thresholds are:<br/>Facility thresholds<br/>The facility threshold are:<br/><br/>25 kt or more of greenhouse gases (CO2-e) (scope 1 and scope 2 emissions)<br/>production of 100 TJ or more of energy, or<br/>consumption of 100 TJ or more of energy.<br/>Corporate group thresholds<br/>The corporate group thresholds are:<br/><br/>50 kt or more of greenhouse gases (CO2-e) (scope 1 and scope 2 emissions)<br/>production of 200 TJ or more of energy, or<br/>consumption of 200 TJ or more of energy.</p> |
|  |  |  |   | <p>Will there be a benefit placed on projects that have a net benefit on the State or Global GHG emissions? E.g. a silica sand mine that will be supporting the manufacturing of PV cells. The requirement to abate those direct emissions may impact the feasibility of the project and, consequently, the net benefit the project will have.</p>  |
|  |  |  | 3.3 Proposed management practices                                 | <p>Figure 1: GHG abatement hierarchy .</p> <p>AMEC notes this is just a stylized variation of the waste hierarchy. It is not really an effective tool, the explanatory comments on the right hand side of the diagram are confusing and impractical. This comes from applying a not fit for purpose strategy from the waste strategy, assuming there are like for like principals rather than taking time to properly develop policy that is reflective of the specific science associated with particular topic.</p> <p>If Low Emitters don't require a GHG abatement plan, why is it necessary to still adopt the hierarchy? Also, are low emitters expected to offset?</p>   |
|  |  |  | 3.3.1 Greenhouse gas abatement plan                               | <p>Paragraph 2 on page 11. reference the objective of transitioning long-standing project to low emission global economy onsite with Qld emission reduction targets. There needs to be a clear link i this document to where those targets live, and are published. There needs to be some form of transparency around these motherhood statements. Ironically tranaparecney is then identified as a requirement in the remainder of this section.</p>  |
|  |  |  | 3.4 Risks and likely magnitude of impacts to environmental values | <p>AMEC does not support this drafting. It was made clear in our submission on the <i>Draft Technical Report on Environmental Risks Assesments of Resource Activities</i> in August 2023. The approach proposed is not an appropriately scaled, nor an evidence based approach, for management of risk and risk categorisation. That process proposed in the draft report has gone dormant and there has been no feedback as to whether this plan has been adopted and/or become internal policy. AMEC cannot support something that was fundamentally flawed and remains fundamentally flawed.</p> <p>Won't every application detail the same information for impacts to EVs from GHG emissions? Isn't the science well accepted, and we don't need to repeat this for every application as it would add little value to individual assessments</p>  |
|  |  |  | 3.4.1 Potential impacts of GHG emissions on environmental values  | <p>Climate Change has the potential to impact most Environmental Values through direct and indirect processes. Further clarity around the explicit EVs that would be required to be addressed/excluded by proponents would be ideal.</p>  |
|  |  |  | 3.4.2 Likely magnitude of impacts                                 |   |
|  |  |  | 3.5 Amendment applications  |   |

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|  |  |  | 3.5.1 Assessment level decision   | <p>AMEC would suggest that this section is unclear to an applicant or a proponent navigating this space, for two main reasons, there is little detail in how the test of significance will be applied and also the test of what is reasonable and relevant to an application. This detail is incredibly important when determining those matters that need to be prescribed in an application in particular an EA amendment application. <i>Additional notes are provided below.</i></p> <p>Chapter 5 Part 7 Division 5 of the EP Act outlines the process if the proposed amendment is a minor amendment. Section 240 (2) states that the administering authority may approve the amendment application if it is satisfied the proposed amendment is necessary or desirable.</p> <p>Additionally, Section 240 (3) states that if the administering authority decides to approve the application it may make any other amendments to the conditions of the EA it considers relates to the subject matter of the proposed amendment; and is necessary or desirable. Necessary or desirable in this context, is not a head of power in itself and is intrinsically tied to the criteria for deciding an amendment application in Section 241.</p> <p>A condition imposed and the approval itself must be necessary or desirable in the context of the powers the administering has been given in the criteria for deciding minor amendment applications in Section 241. The decision to refuse, approve or approve with conditions is confined to the criteria for deciding the minor amendment application and the purposes of the EP Act.</p> <p>Section 241 provides the criteria for the administering authority to decide a minor amendment, this section requires that the administering authority must:</p> <p>a) <del>C</del>omply with any relevant regulatory requirement; and<br/> b) <del>S</del>ubject to paragraph<br/> c) <del>H</del>ave regard to each of the following –<br/> i) <del>T</del>he amendment application;<br/> ii) <del>T</del>he existing EA or PRCP schedule;<br/> iii) <del>T</del>he standard criteria.</p> <p>Relevant regulatory requirements are statutory obligations with which the administering authority must comply for making environmental management decisions in Chapter 4 of the Environmental Protection Regulation 2019 (EP Reg).</p> <p>An environmental management decision is defined in the EP Reg as a decision under the Act for which the administering authority making the decision is required to comply with a regulatory requirement, other than a PRCP schedule decision.</p> <p>Section 241 (a) (Criteria for deciding amendment applications) of the EP Act is such a requirement. However, Section 32 (2) (a) of the EP Reg states that an environmental management decision does not include a decision under the Act about, (among other things) an amendment application for an EA that is for a minor amendment of the authority.</p> <p>Therefore, if the administering authority decides this application is a minor amendment, the only assessment criteria for deciding a minor amendment are:</p> <p>a) <del>T</del>he amendment application,<br/> b) <del>T</del>he existing EA or PRCP schedule; and<br/> c) <del>T</del>he standard criteria.</p> <p>'Standard Criteria' to assist the administering authority in making its decision about an application is part of due process, but to introduce a new requirement, that did not exist before changes the necessary a desirable, as well as the potential for an assessment level decision to be considered in minor vs major. This again circulates back to the Major and Minor guidelines and the submissions and engagement held in this space.</p> |
|  |  |  |   | How would the department determine what is considered 'significant increase the level of environmental harm' when looking at GHG emissions from an EA amendment? For example, if an amendment to Resource EA results in an additional 10% of emissions on a National or Global basis, this would have a negligible or undetectable impact on environmental harm; therefore, how would this be considered?  |
|  |  |  | 3.5.2 Amendment application requirements                                    | <p>AMEC notes that any conditions imposed as part of an amendment are restricted to the matters the assessment manager can have regard to. Within those limitations, the decision to approve an application and apply any conditions, must also be necessary or desirable.</p> <p>AMEC understands commitments and existing EA conditions can be limited and it can be logical and sensible to devise alternative safe and non-polluting <b>solutions. T</b></p> <p>Providing an additional mechanism into the EA Amendment process which adequately mitigate GHG risks may be the preferentially mechanisms for the assessment team and the regulator, but there is very little in the way of actual beneficial outcomes for the EA Holders furthermore it has been demonstrated that timebound EA conditioning are not desirable due to imperfect forecasts events, policy and technology as well as climate and scientific advancements to list a few factors that create anomalies and drive change. It potentially places the EA holders in an ongoing position of repeatedly having to seek amendments or TEPs to existing approval to maintain long-term compliance which is inconsistent with the Department's Regulatory Strategy 2022-2026.</p>  |
|  |  |  | 4 How GHG emissions information will be used by the administering authority |  |
|  |  |  | 4.1 Assessment process  |  |
|  |  |  | 4.1.1 Regulatory requirements   | Will there be an update to the EPP (Air) to include GHG emissions and concentrations?  |
|  |  |  |   | AMEC notes that this will create direct conflict with calculation methodology particularly those described by Australian Standards and US:EPA methods compared to this methods described under the NEGERS Act .  |
|  |  |  | 4.1.2 Standard criteria   | To assess whether the inconsistency is outweighed by environmental, social, and economic benefits, will the department be requesting that social and economic impact assessments be undertaken as part of all site-specific EA applications? How does this assessment work in practice? To date, there needs to be more evidence of the department considering social or economic (or even downstream environmental) impacts on the assessment of SS EA applications (i.e. non-EIS applications).  |
|  |  |  | 4.2 Human rights considerations   |  |
|  |  |  | 4.3 EA conditioning   |  |
|  |  |  |   | How is the plan linked to QLD's Pathways to a climate resilient Queensland Climate Adaptation Strategy 2017–2030. It is important when setting targets that the State based targets and the National based targets have some form alignment especially over longer periods of time, for which a project will exist. When considering abatement it will surpassed the current policy framework as well as the current guidance material, and it is unclear how this intended to managed or resolved. The QLD strategy also leans on the National Greenhouse Accounts 2021 ( <a href="https://www.dceew.gov.au/climate-change/publications/national-greenhouse-accounts-2021#daff-page-main">https://www.dceew.gov.au/climate-change/publications/national-greenhouse-accounts-2021#daff-page-main</a> )   |
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|  |  |  | 5 Glossary  | Activity -   |
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|  |  |  | 6 References  |  |
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|  |  |  | Appendix A – Greenhouse gas abatement plan                                  | Will a standardised GHG inventory workbook be developed/required by the regulator (similar to the Estimated Rehabilitation Costs workbook) when proponents are calculating their emissions? If one is being developed, it would be ideal to include published emissions factors  |
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|  |  |  | Appendix B – Estimating GHG emissions                                       | AMEC would like this section described as general advice and suggestions only. This is not to be used as the only source of calculation methodologies for which the assessment of emission are to be based. The main reason is it is so incredibly limited and basic it fails to adequately explain and cover the majority of emission calculations and is very narrow on the calculation methodologies especially those methodologies that are developed as site and activity specific methodologies. The NEGERS Measurement Determination 2008 is referenced, however the legislation and Emissions and Energy Reporting System (EERS) are updated every year to remain current, so this guideline will need to be amended accordingly.  |

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|  |  |  | Appendix C – Example proportions of Scope 1, 2 and 3 emissions |  |