

NSW Environment Protection Authority
6 Parramatta Square
10 Darcy Street, Parramatta NSW 2150
Locked Bag 5022, Parramatta NSW 2124
Email: climatechange.review@epa.nsw.gov.au

3 November 2022

Dear Sir/Madam

The NSW EPA Climate Change Policy & Action Plan 2022-2025

Thank you for the opportunity for ARTC to provide feedback on the draft EPA Climate Change Policy (the Policy) and related Climate Change Action Plan 2022-2025 (Action Plan).

By way of background, ARTC is the rail infrastructure manager for the Defined Interstate Rail Network and Hunter Valley Coal Network, providing a one stop shop for freight rail transport across Australia. ARTC's purpose is to improve Australia's productivity by making rail the mode of choice in the national logistics chain¹.

ARTC is also the proponent of the Inland Rail Programme – a new 1700km freight rail line between Melbourne and Brisbane that will complete the spine of the national freight rail network. Utilising a faster, more efficient route that will traverse regional Victoria, New South Wales (bypassing the existing Sydney rail network) and southern Queensland, the Inland Rail Programme is intended to provide a road competitive service that will enhance Australia's existing national rail network and serve the interstate freight market.

In these roles, ARTC delivers a range of rail infrastructure projects and manages the operation of rail infrastructure for over 8,500 kilometres of standard gauge track in New South Wales, Queensland, Victoria, South Australia, and Western Australia.

ARTC provides the following comments on the draft Action Plan.

General comments

As acknowledged by the EPA in the draft Policy, the transport sector is responsible for 20% of total New South Wales emissions. Within the transport sector, road transport is responsible for ~86% of emissions and rail is currently responsible for 4% of emissions². However, while many activities in the rail transport sector are licenced under the POEO Act, road transport activities, including freight, passenger and road maintenance, do not require a license.

ARTC would like to identify that by limiting the application of the proposed Policy and Action Plan to licensed activities, the Policy and Action Plan will not facilitate reduction in broader transport sector emissions in line with the NSW Government target of 50% emissions reduction by 2050. Additional

¹ [ARTC Statement of Corporate Intent, 2022](#)

² Commonwealth of Australia National Inventory Report 2020

actions must be considered outside the scope of these documents in collaboration with other relevant regulators within NSW and Commonwealth Governments.

ARTC look forward to providing further feedback to the EPA under *New Action 2(a)* and discussing ARTC's planned actions to reduce GHG emissions.

ARTC would like to express in principle support for all actions proposing to increase resilience to climate change across the state.

New Action 2(b) - Progressively require and support our licensees to prepare, implement and report on climate change mitigation and adaptation plans

Draft *New Action 2(b)* mentions that the EPA will likely accept TCFD statements in the place of a Climate Change Mitigation and Adaptation Plan (CCMAP). Will the EPA only accept pre-existing TCFD statements or will the EPA support development of TCFD statements in place of CCMAP's?

Similarly, will EPA accept TCFD reports, or will EPA expect reports of a specific kind on specific aspects?

New Action 2(d) - Require and support all our licensees to specifically consider how a changing climate might increase their risk of pollution incidents, and require them to update their pollution incident response management plans accordingly

As *New Action 2(d)* applies to all licensees and not just *key industry sectors*, additional guidance should be provided to licensees to ensure this action is addressed consistently and in accordance with EPA's expectations.

New Action 7 - Develop a series of greenhouse gas emission reduction targets and related pathways for key industry sectors we license, to help guide our regulatory effort

For *New Action 7*, *New Action 8* and *New Action 9* it would be useful for licensees to know the criteria that will be used in determining what a *key industry sector* is and whether it's the whole sector (e.g. transport) or a subset of that sector to which the criteria would apply.

Additionally, as mentioned earlier, rail transport activities and road construction are the only activities within the transport sector that require a licence under the POEO Act and may be impacted by these targets. Given the current licensing construct within the transport sector, ARTC would expect limited benefit to be realised from introducing emissions reduction targets to this small subset of the broader transport sector.

New Action 8 - Prepare or adopt climate change mitigation guidance for key industry sectors we license, including the performance outcomes we seek

Under *New Action 8*, EPA should also consider preparing general guidance for licensees that are not in *key industry sectors*. This could help guide smaller licensees to take initial steps towards emissions reduction and ensure a consistent base level of guidance is provided to all licensees.

New Action 9 - Progressively place greenhouse gas emission limits and other requirements on licences for key industry sectors

EPA should consider and work with relevant road transport regulators to ensure that any emissions limits proposed to be implemented are consistent across the transport sector.

If you have any questions regarding this submission, please contact Brodie on 0438 790 544 or bmcDougall@artc.com.au.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'Stuart Ross'.

Stuart Ross
Corporate Environment Manager