News

Murray Watt, known for his effectiveness, is confident he can deliver long-delayed environmental reform. His first and most consequential task is the ‘carbon bomb’ project awaiting approval. By *Mike Seccombe*.

Murray Watt’s first task as environment minister



Environment Minister Murray Watt is sworn in by Governor-General Sam Mostyn on May 13.

Credit: AAP Image / Lukas Coch

Murray Watt’s appointment as environment minister gives Kelly O’Shanassy a measure of hope.

“I do think that he’s a good appointment,” says the chief executive of the Australian Conservation Foundation, “because he has a reputation for fixing really hard things.”

It’s true. Watt has come to be seen as one of the government’s foremost fixers, prepared to take on powerful, even dangerous, vested interests. As agriculture minister he took on the farming lobby and steered legislation through parliament, ending the live sheep export trade.

As minister for employment and workplace relations, he pushed through laws cracking down on corruption in the construction industry, involving bikie gangs and the CFMEU, over the objections of that union and others with strong links to the Labor Party. He was given extra police protection at the time.

Now, though, he confronts an even more intractable – if less physically dangerous – problem: reforming Australia’s main national environment law.

The *Environment Protection and Biodiversity Conservation Act*, legislated in 1999 by the Howard government, has been, to quote the prominent businessman and former Australian Competition & Consumer Commission chairman Graeme Samuel, “an abysmal failure”.

In October 2019 then environment minister Sussan Ley appointed Samuel and an expert panel to review the *EPBC Act*. A year later the Samuel review came back with a damning report and called for a radical overhaul.

Among its 38 recommendations were: legally binding national standards to protect wildlife, critical habitats and heritage sites; independent oversight and enforcement of those standards; the prioritisation of Indigenous engagement and protection of cultural heritage; better data collection; and reform of the environmental offsets regime, which did not adequately protect critical habitat from development.

Nothing came of it. Just as nothing came of a previous independent review by eminent bureaucrat Allan Hawke 10 years earlier.

“EPBC reform has been promised, and not been delivered, for nearly a decade and a half now,” says O’Shanassy.

Now it has been promised again. As an indication of his intent to get it done this time, the prime minister has appointed the fixer. And as an indication of *his* intent, Watt almost immediately jetted off to Western Australia, a state whose Labor government stymied the most recent reform effort.

“I wanted to make Western Australia my first interstate trip,” he tells *The Saturday Paper*from Perth on Wednesday.

“You know, obviously there are some major decisions pending about projects, but my main job, as I see it, in this role, is to shepherd through reforms to the EPBC legislation. And I think everyone recognises that those laws were a particular flashpoint in Western Australia.”

His trip west was a whirlwind of consultations: with Premier Roger Cook, with various state ministers whose responsibilities intersect with his, with mining groups, business groups, environment advocates and First Nations organisations.

The breadth of Watt’s engagement with environmental organisations is impressive; among them O’Shanassy’s venerable ACF, as well as the Pew Charitable Trusts, Marine Conservation Society, Greenpeace, WWF and the Australian Climate and Biodiversity Foundation, chaired by former Treasury secretary and banker Ken Henry.

“I’ve very deliberately chosen to meet a broad range of stakeholders because I’m genuinely interested in everyone’s point of view on these reforms,” he says.

“I’m committed to being seen as an honest broker.”

How he comes to be judged will of course depend in substantial part on whether or not he can land those reforms. Initial impressions, however, will depend on another decision he must take first. Watt has committed to making a call by the end of this month on a proposal to extend the life of Woodside Energy’s North West Shelf fossil gas project to 2070, which will in turn facilitate the opening up of new gas fields in the Browse Basin.

“It is a slow-moving Juukan Gorge. If you want any credibility on First Nations rights in Australia, you really cannot be approving this gas processing plant.”

If he waves it through, he will effectively detonate what O’Shanassy calls a “carbon bomb”, which will release the equivalent of an estimated 4.3 billion tonnes of carbon dioxide into the atmosphere. That is roughly 10 times Australia’s current total yearly emissions.

Watt nevertheless considers his “main job” to be reform of the *EPBC Act*.

Political machinations have always trumped environmental concerns, most risibly in 2022 when – literally on election eve – Labor’s shadow minister, Terri Butler, under challenge by the Greens in her Brisbane seat of Griffith, promised that, if elected, Labor would establish an independent environment protection agency. She lost her seat, although Labor won the election.

In what was widely seen as a vindictive act, the new prime minister, Anthony Albanese, appointed his leadership rival Tanya Plibersek to the environment portfolio.

Last November, Plibersek was close to striking a deal with the Greens and independent Senator David Pocock to get legislation through the Senate establishing an EPA. The Greens had dropped a demand for a climate trigger to be incorporated in the so-called Nature Positive legislation.

This was a big concession on the Greens’ part. A climate trigger would have meant proposed developments would have been assessed on the basis of their greenhouse gas emissions and the effect on climate change. There was an agreement in writing.

Without first informing Plibersek, however, Albanese summoned the then Greens leader Adam Bandt and environment spokesperson Sarah Hanson-Young to tell them the deal was off.

Premier Roger Cook claimed credit for pranging it, in the interests of his state’s powerful mining industry.

Just ahead of this year’s election, Albanese also shot a large hole in the *EPBC Act* to protect the Tasmanian salmon farming industry.

Under the law, the environment minister had the power to reconsider a decision to permit an activity if “substantial new information” came to light about its environmental impact. Conservation groups had called for such a reconsideration, on the basis that industrial fish farming in Tasmania’s Macquarie Harbour threatened the extinction of the Maugean skate.

In order to prevent the loss of a relative handful of jobs in the industry and to improve Labor’s chances of winning a couple of seats in north-west Tasmania, the government pushed through legislation to amend the *EPBC Act*, severely limiting the reconsideration power. Environmental lawyers say the change has implications far beyond the fish-farming industry.

The net result is that despite Plibersek’s efforts, Australia’s environment laws were arguably even weaker at the end of the Albanese government’s first term than they were at the start, when they already were clearly in urgent need of repair. As the 2021 state of the environment report summarised, conditions were “poor and deteriorating as a result of increasing pressures from climate change, habitat loss, invasive species, pollution and resource extraction.”

Says O’Shanassy: “There’s an extinction crisis. More than 2000 species, plants and animals are threatened with extinction.”

This is the mess Watt inherits.

Under Plibersek, the reform process was broken into several tranches, an approach that was opposed by environment groups, for good reason.

The bills Plibersek failed to get through parliament last year aimed to create two new bodies to inform decisions – Environment Protection Australia and Environment Information Australia – and establish better compliance and enforcement mechanisms. But as Justine Bell-James, an expert in environmental law at the University of Queensland, wrote in *The Conversation* this week, “the centrepiece of the initial reforms – the new environmental standards themselves – were missing”.

O’Shanassy seconds this criticism.

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“We certainly prefer the reforms to be done together,” says O’Shanassy, “because they’re interconnected. If you create a national EPA without creating national environmental standards – which are essentially the rules that determine nature protection – then the EPA is going to be overseeing a broken act.

“So our big ask of Murray is to get this done this year and make sure that we’ve got an EPA [with] national environmental standards.”

It appears that is what Watt intends to do.

“One thing I am considering is whether we broaden out the reforms beyond what was in the bill that we put to the parliament,” he says. “There seems to be quite a degree of support for doing that, across the spectrum.”

“What was known as stage three of the reforms would have picked up things like setting national environmental standards … streamlining approvals processes, trying to eliminate duplication between the federal government and the state processes. So they’re the types of things that could potentially be rolled in to a broader package.”

Watt suggests the post-election political climate might be conducive to more sweeping reform given the changes to the leadership of both the Greens and Liberal Party.

“Sussan Ley was the minister for the environment who commissioned the Samuel review, that really kickstarted this reform process and if you look back at what she said at the time, you’d be able to find statements from her that she was supportive of the reforms. She wanted to legislate for national environmental standards,” he says.

“Equally, I’ve noticed the comments from Larissa Waters, as the new Greens leader, that she wants to be a bit more constructive with the government than what we saw under Adam Bandt.”

One thing Watt definitely won’t do, though, is incorporate in the reforms a “climate trigger” that would require the assessment process to consider the greenhouse gas emissions of new projects.

Interestingly, right back at the start, 13 environment ministers ago, the main architect of the *EPBC Act*, then Liberal senator Robert Hill, wanted the legislation to include a such a mechanism, which he called a “greenhouse trigger”.

An almighty fight ensued. Powerful members of the Howard government’s right wing, principally Nationals leader John Anderson and industry minister Nick Minchin, along with industry groups, were vehemently opposed.

Hill lost the battle, but proposals for a climate trigger have since been periodically revived. The Greens tried to amend the *EPBC Act* to include it in 2020 and again 2022, without success. The Labor shadow environment minister, one Anthony Albanese, introduced a private member’s bill, the Avoiding Dangerous Climate Change (Climate Change Trigger) bill 2005.

It was, frankly, not a terribly ambitious proposal, in that it would have required only proposed developments emitting more than 500,000 tonnes of carbon dioxide or carbon dioxide equivalent a year to be assessed for their climate change impact as part of any approval process.

In any case, it lapsed.

Watt argues the government’s safeguard mechanism, which requires big emitters of greenhouse gases to progressively lower those emissions, has gone “a long way” towards achieving the same end.

“We do think the safeguard mechanism really achieves a lot of what people are seeking from a climate trigger,” he says.

This is only a partial truth, however, based on the way in which carbon emissions are accounted for under international climate change reduction agreements, says O’Shanassy.

“The safeguard mechanism only addresses scope one and two emissions – domestic emissions in Australia – not the emissions coming from burning our coal and gas overseas. That’s the knockout punch for nature,” she says.

The logic of her argument is unassailable. Greenhouse gas emissions do not respect international borders. Burning of Australia-sourced fossil fuels has the same impact on the environment – including in Australia – regardless of where it takes place.

In the case of the North West Shelf proposal, for example, the WA government granted approval on the basis that domestic emissions would progressively phase down to zero by 2050 – in part through the purchase of carbon offsets – and would total less than 140 million tonnes.

That’s a lot, but it is dwarfed by the amount of greenhouse gas that would result from the burning of that gas overseas. The West Australian EPA’s approval document calculated that would be “approximately” 80.19 million tonnes *every* *year*, out to 2070.

The safeguard mechanism might ensure that Woodside meets its domestic reduction obligations but it does nothing about the global impact of its massive greenhouse gas emissions.

The distinction made between emissions produced by the burning of Australian fossil fuels domestically and abroad is so obviously artificial, O’Shanassy says, “that at some point in time we’re going to win that in the court of law”.

Be that as it may, the impact of the extension of the North West Shelf project on the global climate will not factor in Watt’s decision, to be announced by May 31.

Watt politely but firmly refuses to talk about it, although he acknowledges it is a matter of enormous interest. “If you believe the local media, I’ve been here to talk about and consult people about the North West Shelf. In fact, I’ve explicitly said to people in meetings that I can’t discuss that,” he says.

“I haven’t met with the Western Australian Conservation Council and I haven’t met with Woodside because, you know, each of them have got various applications in for this decision and it’s not appropriate for me to meet at this point in time.”

Nor, he says, is it appropriate even to mention the pros and cons of the proposal. But he does tacitly acknowledge one big con, when I raise it.

The Burrup Peninsula, on which the Woodside gas hub sits, is the site of what is probably the world’s largest collection of rock art, more than a million petroglyphs across an area of more than 37,000 hectares, some of them 40,000 or more years old.

The Murujuga petroglyphs are rapidly being degraded by emissions of nitrogen oxides and “volatile organic compounds” from the Woodside plant. In its report to the WA government, the state’s Environmental Protection Authority warned of potential “serious or irreversible damage to rock art from industrial air emissions”.

It said the extension should be conditional on Woodside cutting those emissions by at least 40 per cent by 2030.

That’s not enough, says O’Shanassy, noting opposition by traditional owners of the land to the extension of the project.

“It is a slow-moving Juukan Gorge,” she says, referencing Rio Tinto’s destruction of ancient rock shelters in 2020. “If you want any credibility on First Nations rights in Australia, you really cannot be approving this gas processing plant.”

The Australian government nominated Murujuga Cultural Landscape for inscription on the World Heritage List January 2023. A decision is due to be made by UNESCO’s World Heritage Committee in July.

The government, Watt says, is “absolutely committed to seeking World Heritage listing of what is a very special and important place”.

We’ll know soon enough whether he prefers jobs, mining company profits and government tax revenues to ancient culture and global climate. The portents don’t look good on this issue, O’Shanassy concedes.

If he grants Woodside its extension, she says, “it would be devastating, particularly for the traditional owners of Murujuga, but for everyone who needs to live on the planet.

“But we can’t blame Murray Watt. It’s the Labor Party’s policy to support fossil fuels.”

She will still think him a good choice as minister. “We do need a serious reformer and by all accounts that’s what Murray Watt is.”

For his part, Watt is prepared to wear opprobrium in this portfolio, as he has in his previous jobs. That is the fixer’s lot.

“I do see this role as being, if you like, a guardian of Australia’s natural environment, while also having responsibility for facilitating sustainable development, given my role in granting or rejecting approvals. It’s a really contested space politically,” he says.

“Every big decision I make, I know that I’m going to be making some people unhappy, whichever way I go, but that’s just … that’s the role.”

*This article was first published in the print edition of The Saturday Paper on May 24, 2025 as "The fixer is in".*