

18 February 2026

Senator the Hon Murray Watt
Minister for the Environment and Water
PO Box 6100
Senate
Parliament House

By email: minister.watt@dcceew.gov.au

Dear Minister Watt

Request for reconsideration of decision under s 78A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth): Browse to North West Shelf Development (EPBC No. 2018/8319)

A. Introduction and summary

1. We are instructed by the Australian Conservation Foundation (**ACF**) to request, pursuant to s 78A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**), that you reconsider the decision of the Minister's delegate made under s 75(1) of that Act, in respect of the Browse to North West Shelf Development (EPBC No. 2018/8319) (the **Browse project**), dated 22 February 2019 (the **controlled action decision**).
2. ACF is Australia's national environmental organisation, representing a community of more than 700,000 people who are committed to achieving a healthy environment for all Australians. For more than 50 years, ACF has been a strong advocate for Australia's forests, rivers, people and wildlife. ACF promotes awareness, lobbies government and is committed to taking advantage of any lawful right or privilege to raise awareness of environmental issues.
3. This reconsideration request is made on the basis of substantial new information which identifies the impacts that the Browse project will, or is likely to, have on the environment in the Great Barrier Reef Marine Park (**GBRMP**) and its protected values as a declared World Heritage property –matters protected under Part 3 of the EPBC Act.¹
4. As you are already aware, there are several controlling provisions attached to the project including: National heritage places (ss 15B and 15C), listed threatened species and

¹ We note that the Great Barrier Reef Marine Park comprises approximately 99% of the Great Barrier Reef World Heritage Property. For reference, our reference to the Great Barrier Reef Marine Park in this reconsideration request also includes a reference to the Great Barrier Reef World Heritage Property.

communities (ss 18 and 18A), listed migratory species (ss 20 and 20A) and Commonwealth marine area (ss 23 and 24A).² Neither the environment of the GBRMP nor its protected values are listed as controlling provisions (ss 24B and 24C and ss 12 and 15A).

5. The substantial new information enclosed as **Annexure A** with this request comprises a report from Professor Sarah Perkins-Kirkpatrick dated 12 February 2026 (**Report**) which demonstrates that the emissions from the Browse project are likely to have significant physical effects on the environment in the GBRMP and its protected values, namely the additional loss of approximately 29.35 million individual coral colonies on the GBRMP during each future mass bleaching event.
6. The Report at Annexure A is novel. It draws on established principles of attribution science but extends them in a significant and new direction, providing a scientifically grounded causal chain linking project emissions to measurable climate impacts. It uses the detailed methodology set out in the 2025 publication by Abrams et. Al, *Quantifying the regional to global climate impacts of individual fossil fuel projects to inform decision-making*.³ A copy of this publication is enclosed as **Annexure B**.
7. For the reasons set out in this reconsideration request, you should be satisfied that the conditions in s 78(1)(a) are met and that you would:
 - a. Revoke, in accordance with s 78(1)(a) of the EPBC Act, the controlled action decision by the Minister's delegate setting out the controlling provisions for the Browse project.
 - b. Substitute, in accordance with 75(1) of the EPBC Act, a new decision which includes ss 24B and 24C and ss 12 and 15A of the EPBC Act as controlling provisions (the **GBRMP controlling provisions**).
8. This reconsideration request is structured as follows:
 - a. **Part B** addresses, by way of background, the details of the Browse project (see [9] below), the relevant controlled action decision (see [11] below) and the legislative context (see [18] below).
 - b. **Part C** provides an overview of the request, including the materials provided with this request, namely the report of Professor Perkins-Kirkpatrick enclosed as **Annexure A**. It also addresses why this is a valid request for reconsideration which you, as the responsible Minister, are now bound to determine (see [32] below).

² Australian Government Department of the Environment and Energy, *Notification of Referral Decision and Designated Proponent – controlled action and Decision on Assessment approach – environmental impact statement: Browse to North West Shelf Development, Indian Ocean, WA [EPBC 2018/8319]* (22 February 2019) <<https://epbcpublicportal.environment.gov.au/all-referrals/project-referral-summary/project-decision/?id=06ce8ddd-26e9-e811-a978-005056ba00a8>> (the **controlled action decision**).

³ Abrams et al, *Quantifying the regional to global climate impacts of individual fossil fuel projects to inform decision-making* (2025) npj Climate Action 4(1) (**Annexure B**).

- c. **Part D** addresses the relationship between this reconsideration request and the approval of the Browse project (see [52] below).

B. Background

B.1 The Browse Project

9. The Browse project proposes to develop and extract gas from the Browse Basin until 2068. The proposal seeks to extract LNG from the Browse reservoir and transport the extracted gas via a 900km pipeline to the Karratha Gas Plant for processing. The designated proponent is Woodside Energy Ltd (ACN: 005 482 986).
10. The proponent estimates that the lifetime scope 1 and 3 greenhouse gas emissions (GHG) resulting from the Browse project will total 1,602 Mt CO₂-e.⁴

B.2 The controlled action decision

11. On 22 February 2019, a delegate of the Federal Minister for the Environment and Water determined that the Browse project was a controlled action under s 75 of the EPBC Act. At that time, the decision-maker determined that the controlling provisions for the Browse project were:
 - a. National heritage places (ss 15B and 15C).
 - b. Listed threatened species and communities (ss 18 and 18A).
 - c. Listed migratory species (ss 20 and 20A).
 - d. Commonwealth marine area (ss 23 and 24A).⁵
12. At the time the decision-maker determined the controlling provisions for Browse, the delegate's referral brief noted that the protected matters in ss 24B and 24C as well as ss 12 and 15A were not controlling provisions because "[t]he proposed action is located off the coast of Western Australia, therefore this controlling provision [being, the GBRMP controlling provision] does not apply"⁶ and that no identified "World Heritage properties [were] located within or adjacent to the proposed action area, therefore this controlling provision does not apply."⁷
13. Furthermore, following the controlled action decision, the proponent published its final Environmental Impact Statement (**EIS**)⁸ consisting of the Environmental Impact Assessment (published December 2019)⁹ and the Supplement to the EIS (published July

⁴ [Proposed Browse to NWS Project, Draft Environmental Impact Statement](#) (Woodside Energy Ltd., 2019) (Table 7-5 (Scope 1) and Table 7-9 (Scope 3)), pp. 686-688: estimates that the lifetime Scope 1 emissions will total approximately 272 Mt CO₂-e and lifetime Scope 3 emissions will total approximately 1,330 Mt CO₂-e. Together, this amounts to 1,602 Mt CO₂-e or around 1.6 billion tonnes Mt CO₂-e.

⁵ The controlled action decision, above n 1, p 1.

⁶ Department of Environment and Energy, [Referral Decision Brief – Browse to North West Shelf Development, Indian Ocean, Western Australia](#) (EPBC 2018/8319), p 36.

⁷ Ibid.

⁸ [Publication of final Environmental Impact Statement](#) under s 104(4) of the EPBC Act.

⁹ Woodside Energy, [Proposed Browse to North West Shelf Project Draft Environmental Impact Statement/Environmental Review Document](#) (EPBC 2018/8319).

2022).¹⁰ In the Supplement to the EIS, the proponent noted that “It is important to acknowledge that anthropogenic climate change impacts cannot be directly attributable to any one project...”¹¹

14. As outlined above at paragraphs [5]-[6] of this request, the Report relies on methodology published in October 2025 which represents a significant and novel expansion of established climate attribution science and disproves the assertion that it is not possible to attribute anthropogenic climate change impacts to individual fossil fuel projects.
15. The Report establishes that it is now scientifically possible to link GHG emissions from individual fossil fuel projects (like the Browse project) with additional global warming and quantify the ecological and human impacts of that warming at global and regional scales.¹² This is possible regardless of the location of the proposed action.
16. The Report demonstrates that there are real, quantifiable and significant impacts to the environment and values of the GBRMP associated with the additional warming attributable to the Browse project.
17. The existence of this new evidence warrants the revocation of the original controlled action decision and the substitution of a new controlled action decision which includes the GBRMP controlling provisions because it demonstrates that there are real, quantifiable and significant impacts to the environment and values of the GBRMP associated with the additional warming attributable to the Browse project.

B.3 Legislative framework

18. Section 78A(1) provides that a person may request that you reconsider a decision made under s 75(1) on the basis of a matter in s 78(1)(a) to (ca). The requirements for a valid request under s 78A(1) are set out in s 78A(2) and Pt 4A of the *Environment Protection and Biodiversity Conservation Regulations 2025* (Cth) (**EPBC Regulations**).
19. Section 78C provides that, upon receipt of a request under s 78A and following you taking steps to seek information and comment as required by s 78B, you must:
 - a. reconsider the controlled action decision; and
 - b. either:
 - i. confirm the decision; or
 - ii. revoke the decision in accordance with s 78(1), and substitute a new decision for it.
20. Section 78(1)(a) provides that you may revoke a controlled action decision under s 75(1) and substitute a new decision if you are satisfied that the revocation and substitution is warranted by the availability of substantial new information about the impacts that the

¹⁰ Woodside Energy, [Proposed Browse to North West Shelf Project Supplement Report to the Draft Environmental Impact Statement](#) (EPBC 2018/8319) (**Supplement EIS**).

¹¹ Supplement EIS, p 110.

¹² Expert Report of Professor Sarah Perkins-Kirkpatrick dated 12 February 2026, [51] (**Annexure A**).

action has or will have, or is likely to have, on a matter protected by a provision of Pt 3 of the EPBC Act.¹³

21. “Substantial information” is information that is real or of substance, and not trivial or inconsequential.¹⁴ Information is “new” if it was not before the Minister (or the Minister’s delegate) at the time of the making of the controlled action decision, even if it was in existence at the time.¹⁵
22. A controlled action decision under s 75(1) is made on the basis of whether the proposed action, if taken without relevant approval, would be prohibited by a provision of Pt 3 — namely, whether the action “has”, “will have” or “is likely to have” a significant (adverse) impact on any of the matters protected by Pt 3. Whether revocation and substitution of the controlled action decision is warranted by substantial new information, for the purposes of s 78(1), should therefore also be determined by reference to the same test (in light of the substantial new information). One consequence of the fact that decision-making under s 78(1) involves asking the same question as under s 75(1) — namely, whether the action has, will have or is likely to have a significant (adverse) impact on any of the matters protected by Pt 3 — is that you are required to have regard to the precautionary principle in making a decision under s 78(1).¹⁶
23. An “impact” of an action can include an event or circumstance that is an indirect consequence of the action, provided the action is a substantial cause of that event or circumstance and, where relevant, the requirements in s 527E(2) are met.¹⁷ As the Department’s Policy Statement acknowledges, an impact that evidence strongly suggests might manifest itself many years later, or occurs at a substantial geographic distance from the location of the original action, may still be an indirect consequence that is substantial enough to be considered an impact.¹⁸
24. A “significant” impact is an impact that is important, notable or of consequence, having regard to its context or intensity.¹⁹ A significant impact is “likely” if it is a real or not remote chance or possibility.²⁰
25. If you receive a valid request for reconsideration, the steps prescribed by ss 78B (concerning informing the proponent and inviting comments and other information) and 78C (which requires you to reconsider the relevant s 75 decision) apply.

¹³ The Department’s policy provides that the original decision will be revoked if any of the grounds in s 78(1) are satisfied: Department of Environment and Energy, *Environment Protection and Biodiversity Conservation Act 1999* (Cth) Policy Statement — Reconsideration: Implementing the requirements of sections 78, 78A, 78B and 78C of the EPBC Act, 4, 6, 9.

¹⁴ EPBC Act Policy Statement for Reconsideration Requests, 6.

¹⁵ EPBC Act Policy Statement for Reconsideration Requests, 6.

¹⁶ EPBC Act, s 391.

¹⁷ EPBC Act, s 527E(1)(b).

¹⁸ EPBC Act Policy Statement on “Indirect Consequences” of an Action, 2.

¹⁹ *VicForests v Friends of Leadbeater’s Possum Inc* [2021] FCAFC 66; 389 ALR 552 at [62]; Significant Impact Guidelines 1.1, 3.

²⁰ *Polaris Coomera Pty Ltd v Minister for the Environment* [2021] FCA 254, [212]-[226]; Significant Impact Guidelines 1.1, 3.

26. The matters protected by Pt 3, and the relevant controlling provision for each MNES, are listed in tabular form in s 34 of the EPBC Act. With respect to the GBRMP controlling provisions, we note the following:
27. Sections 24B(2) and 24C(5) prohibit a person from taking an action (in the Australian jurisdiction) that has or will have or is likely to have a significant impact on the environment in the GBRMP.
28. Section 528 of the EPBC Act defines 'environment' as 'includ[ing]':
- (a) ecosystems and their constituent parts, including people and communities; and
 - (b) natural and physical resources; and
 - (c) the qualities and characteristics of locations, places and areas; and
 - (d) heritage values of places; and
 - (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).
29. 'Ecosystem' is further defined to mean a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit. The GBRMP has been recognised as the largest coral reef ecosystem in the world.²¹ Accordingly, it is our submission that the environment in the GBRMP includes corals.
30. The definition of environment also includes the heritage values of a place which is defined to include the place's natural and cultural environment having aesthetic, historic, scientific or social significance, or other significance, for current and future generations of Australians. Furthermore, ss 12 and 15A of the EPBC Act protects the World Heritage values of the GBRMP. Section 12(3) of the EPBC Act defines World Heritage values as 'the natural heritage and cultural heritage contained in the property' which have the meaning given by the World Heritage Convention.²² As you are aware, almost the entire ecosystem of the GBRMP, including its coral reefs, is included on the World Heritage List, having been recognised as having Outstanding Universal Value in all four natural criteria.²³ In that regard, the collection of coral reefs within the GBRMP are central to the protection and fulfillment of its identified World Heritage values. For example, these values include the recognition of the GBRMP as the largest single collection of coral reefs in the world²⁴ of which the heterogeneity and interconnectivity of the reef assemblage²⁵ and the abundance and diversity of shape, size and colour of marine fauna and flora in the coral reef ²⁶ encompasses the "fullest possible representation of marine environmental processes."²⁷
31. An identified significant impact on the coral reef ecosystems in the GBRMP will encompass a significant impact on both the heritage values and the World Heritage

²¹ Great Barrier Reef Marine Park Authority, [Great Barrier Reef Outlook Report](#) (2024), p 22 (**GBR Outlook Report**).

²² EPBC Act, s 12(4).

²³ Department of Environment, '[EPBC Act referral guidelines for the Outstanding Universal Value of the Great Barrier Reef World Heritage Area](#)' (May 2014) pp 9, 31-36.

²⁴ UNESCO, Statement of Outstanding Universal Value (1981), criterion (VIII).

²⁵ Ibid, criterion (IX).

²⁶ Ibid, criterion (VII).

²⁷ Ibid, criterion (IX).

values of the GBRMP. In light of this, if you were satisfied that there was substantial new information available about the impacts that an action has or will have or is likely to have on the GBRMP and its protected values, it is our submission that ss 24B and 24C, and ss 12 and 15A would be relevantly engaged as controlling provisions. Where there are identified impacts to the coral reef ecosystems of the GBRMP, you should consider the consequential effects on other values in the GBRMP given the significance of coral reef ecosystems to the broader marine environmental processes of the GBRMP.

C. Request for reconsideration

32. This request relies on the independent expert report of Professor Sarah Perkins-Kirkpatrick dated 12 February 2026 (**Annexure A**) and the underlying methodology of the Report set out in the 2025 publication by Abrams et. al (**Annexure B**). In summary, the Report confirms that:

- a. It is now scientifically possible to link GHG emissions from the Browse project (and other fossil fuel projects) with additional global warming and quantify the ecological and human impacts of that warming at global and regional scales.²⁸
- b. The CO₂-only emissions of the Browse project are estimated to be a total of 1,597.41 Mt CO₂ over the extended field life of the project.²⁹
- c. The best estimate of additional global warming attributable to the emissions of the Browse project is 0.00072°C.³⁰
- d. The additional warming attributable to the Browse project is estimated to produce the following impacts on the GBRMP:
 - i. **an incremental increase in accumulated thermal exposure in the GBRMP of 0.003165°C-weeks** (likely range 5–95%: 0.0012–0.0067 °C-weeks) during marine heatwave events; and
 - ii. a corresponding incremental **coral cover loss of 0.0111%** (likely range 0.0034–0.0252%) during each future mass bleaching event, equivalent to the **loss of approximately 29.35 million individual coral colonies** (likely range 9.04–66.78 million colonies) across the 1.06 million hectares of shallow (0-20 m) coral habitat in the GBRMP.³¹
- e. Other stressors such as ocean acidification, extreme weather events, and ecological shifts are not included in this calculation. Consequently, the **estimates of the impacts on the GBRMP represent the incremental impact of the**

²⁸ Annexure A, paragraph [51].

²⁹ Annexure A, paragraphs [19]-[20].

³⁰ Annexure A, paragraphs [21]-[22].

³¹ Annexure A, paragraph [24].

Browse project's emissions alone on coral loss during marine heatwave events.³²

The Report is substantial new information about the impacts that the Browse project will have or is likely to have on the GBRMP

33. This material satisfies the statutory requirement of “substantial new information” because:
- 1) it was not before the decision-maker, the Minister’s delegate, at the time the s 75 decision for the Project was made, and is novel for the reasons set out at [6] above (that is, it is “new”); and 2) it addresses, in a detailed and authoritative manner, matters relevant to decision-making under ss 75 and 78 (that is, it is “real” and “of substance”) with respect to the Browse project.
34. The methodology underlying the Report, from the peer-reviewed Abrams et. al publication, makes a significant contribution to the field of climate attribution science. Previous attribution studies have tended to be retrospective and high-level in nature, focused on attributing extreme weather events to anthropogenic climate change as a general phenomenon. This Report develops a method of analysis that is both forward-looking and granular. It establishes the causal relationship between project-level emissions and projected ecological and human impacts. Because of its use of novel methodology and its implications for decision-making, the Report is information that is real and of substance, not trivial or inconsequential.
35. We note that in the assessment of other fossil fuel projects, you and your Department have previously reasoned on the basis that the physical effects of climate change are, if anything, an indirect consequence of the action pursuant to s 527E(1)(b).³³
36. This is not necessarily the case, since the Report establishes a clear causal relationship (with no intervening factors) between the emissions from the Browse project and the ultimate environmental consequences to the GBRMP, which can be characterised as a direct impact of the Browse project pursuant to s 527E(1)(a). In our submission, the chain of causation can be characterised as follows:
- a. The action proposed by the Browse project is the processing of gas, primarily LNG, for sale.
 - b. The only possible use for the gas is that it is burned to produce energy, which results in greenhouse gas emissions.
 - c. Increased concentrations of greenhouse gas emissions result in an increase in global temperature (a phenomenon known as climate change or global warming). In the case of the Browse project, the likely range of additional global warming

³² Annexure A, paragraph [26].

³³ For example, the Minister recently deployed this type of reasoning when making a decision pursuant to ss 78 and 78C(1) of the EPBC Act with respect to the North West Shelf Project <<https://epbcpbpublicportal.environment.gov.au/all-referrals/project-referral-summary/project-decision/?id=b2b05d5f-d79c-f011-bbd2-6045bdc274b1>>.

attributable to its emissions is 0.0005 – 0.0010°C, with the best estimate being 0.00072°C.

- d. The additional global warming attributable to the Browse project is estimated to impact the GBRMP by producing changes in thermal stress in the GBRMP and corresponding coral mortality during future mass bleaching events.
37. Therefore, the identified environmental impacts, including the additional loss of approximately 29.35 million coral colonies in the GBRMP during each future mass bleaching are a **direct impact** or consequence of the emissions from the Browse project.
 38. In light of this, in your determination of this reconsideration request we urge you to determine that the additional loss of millions of coral colonies on the GBRMP during each future mass bleaching event is properly characterised as a “direct impact” of the action pursuant to s 527E(1)(a).
 39. Alternatively, if you determine that the identified impacts are an indirect consequence of the Browse project pursuant to s 527E(1)(b) of the EPBC Act, the distinction between “direct” and “indirect” impacts does not matter as both types of impacts must be assessed by you and your Department. What is important is that the Report provides a clear and scientifically grounded link between the Browse project’s emissions and their real-world consequences on the GBRMP, which warrants the reconsideration of the original decision for the Browse project and the making of a new decision which includes the GBRMP controlling provisions.
 40. We also note that the impacts identified in the Report are “significant” and “likely” to occur.
 41. The impacts of climate change on the GBRMP are extensively documented, including by your Department, with scientific consensus identifying it as the most significant threat to the ecosystem’s long-term survival.³⁴ The *GBRMP Outlook Report 2024 (GBR Outlook Report)* identifies that most of the outcomes of steadily rising GHG concentrations are experienced as extreme events in the GBRMP: the most pressing and inevitable of these being widespread marine heatwaves that can cause mass bleaching and death of corals on a Region-wide scale.³⁵ The occurrence of a mass bleaching event has been identified as severely affecting the GBRMP ecosystem, including coral reef habitats.³⁶ These mass bleaching events are expected to increase in frequency and intensity. The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report predicts that it is virtually certain that ocean warming will continue over the 21st century resulting in increasingly frequent and intense marine heatwaves along with corresponding mass coral bleaching events.³⁷ The Browse project’s contribution to increased coral mortality during each future mass bleaching event represents an impact that is significant and of consequence to the GBRMP.
 42. The impact is also “likely”, in the sense that there is a real and not remote chance of it occurring. The Report gives a probabilistic range of likely outcomes in order to account for the uncertainty in predicting future outcomes. The best estimate is that an additional

³⁴ For example, see: GBR Outlook Report, 295 and 503.

³⁵ GBR Outlook Report, p 503.

³⁶ GBR Outlook Report, pp 37, 103, 105, 287, 448.

³⁷ GBR Outlook Report, p 105 and Intergovernmental Panel on Climate Change, Sixth Assessment Report, *Climate Change 2022: Impacts, Adaptation and Vulnerability* (28 February 2022), [3.2 Observed Trends and Projections of Climatic Impact-Drivers in the Global Ocean](#), p. 393 – 412.

29.35 million coral colonies will be lost in each future mass bleaching event, but the likely range is from 9.04 million to 66.78 million.³⁸ “Likely ranges”³⁹ as defined in the report represent the central 90% of the probability distribution, meaning there is a 90% chance that the outcomes will fall within that range. This is a much higher degree of certainty than the legal test for “likely”. We note that even at the lower end of the range, there is a measurable and significant impact on the GBRMP caused by the emissions of the Browse project.

43. Accordingly, it is our submission that the Report is substantial new information that would satisfy you, in accordance with s 78(1)(a), that the Browse project will have, or is likely to have, a significant impact on the GBRMP.

The Report has implications for how your Department is able to reason with respect to the climate impacts of fossil fuel projects

44. This Report also has consequences for the way in which you or your Department is able to reason with respect to climate impacts. In assessing fossil fuel projects to date, your reasoning has typically relied on two limbs for finding that the physical effects of climate change are not “impacts” of the action:
- a. the information does not demonstrate that the proposed action will cause any net increase in global GHG emissions and global average temperature (because the net increase is subject to multiple variables); and
 - b. any contribution from the proposed action to global average temperature would be very small and that it is therefore not possible to say that the proposed action is a substantial cause of the physical effects of climate change.
45. The methodology in the Abrams et. al. paper represents a scientific development with significant implications for policy and decision-making. It is now possible to draw a clear and scientifically-grounded link between project-level emissions and their real-world consequences.
46. The “no net increase” limb of your previous reasoning reflects a concern with the uncertainty inherent in predicting future scenarios. Your use of “variables” in previous reasoning was an attempt to determine whether the proposed action was a “substantial cause” of the event or circumstance. The information contained in this request demonstrates that the action is a direct or, if indirect, substantial cause of the event or circumstance. The methodology in the Abrams et. al. paper, as used in the Report, now allows you to understand the consequences of the Browse project’s emissions. As outlined above, the paper’s methodology makes use of multiple and independent lines of high-quality evidence, together with confidence intervals, to account for uncertainty. It uses the simple but robust Transient Climate Response to CO₂ Emissions (TCRE) metric, which is accepted by the Intergovernmental Panel on Climate Change (IPCC) and is used for scenario modelling and to calculate global carbon budgets. The TCRE connects CO₂ emissions to increases in global surface temperature. The paper notes that the metric

³⁸ Annexure A, paragraph [24] and diagram at [26].

³⁹ Annexure A, paragraph [43].

holds regardless of the intensity of future emissions, and includes emissions reduction pathways required to limit warming to well-below 2 degrees. The paper also notes that even in future zero-emission scenarios, the global warming caused by past CO₂ emissions persists over many centuries. Therefore, it is not possible to avoid the consequences of the emissions of a project by relying on future emissions-reduction or carbon offset claims. The confidence intervals used in the paper allow for the residual uncertainty inherent in predicting future emissions scenarios and global warming. This is the same uncertainty which forms the basis of the “variables” used in your previous reasoning. Confidence intervals allow uncertainty to be addressed by providing a range of possible outcomes. The methodology in the Abrams et. al. paper, and in the Report, now provides you with a clear indication of the range of outcomes resulting from the emissions attributable to the Browse project. We note that even at the lower end of the range, there is still a measurable effect from the Browse project on the GBRMP. The causal chain is transparent and scientifically grounded. It would not be rational, in light of this development, to selectively choose “variables” which sidestep the causal chain.

47. It would also not be appropriate to reason by reference to a world in which the project does not go ahead. As noted by Justice Horan in *Environment Council of Central Queensland Inc v Minister for the Environment and Water*, “the Minister was required to identify the direct and indirect consequences of the proposed action, and not to hypothesise what might happen in a future “world” in which the proposed action is not taken”.⁴⁰ Although the Court in that case accepted that it was permissible to have regard to “variables” as part of the predictive exercise of determining which climate effects would be caused by the proposed action, the information now provided makes the use of those variables redundant. It is irrelevant to hypothesise about what might happen if the Browse project does not proceed. The information and methodology provided in the Report simplifies the predictive exercise you are required to undertake.
48. In relation to the “very small contribution” limb of your previous reasoning, this Report makes it clear that even marginal additions to warming translate into quantifiable increases in coral mortality. It is now no longer possible to sustain the proposition that project-level emissions cannot be linked to measurable climate impacts.
49. As evidenced by the 2025 Abrams paper and the Report, the field of attribution science has changed. We submit that it will now be necessary for the Department’s reasoning to change with it. The Report demonstrates that there are real, quantifiable consequences associated with the additional warming attributable to a single fossil fuel project.
50. The precautionary principle requires that where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason to postpone measures to prevent environmental degradation. As noted above at [40], your Department has already extensively documented the very serious threat that climate change poses to the GBRMP ecosystem and its heritage values.⁴¹ The 2024 GBR Outlook Report identifies that current and predicted climate change impacts will have far-

⁴⁰ *Environment Council of Central Queensland Inc v Minister for the Environment and Water* [2024] FCAFC 56 at [175].

⁴¹ GBR Outlook Report, p 477.

reaching and irreversible consequences to the GBRMP with “every increment of additional global warming...further compromis[ing] the Reef’s unique biodiversity, with continuing consequences for cultural heritage, social and economic benefits, and the broader ecosystem services of the Reef.”⁴²

51. In light of the compelling link drawn by the new information in this request between the Browse project’s emissions and increased coral mortality on the GBRMP, it is our submission that the precautionary principle is engaged in this instance and requires that you, at minimum, assess the impact of the project on the environment and the protected values of the GBRMP. To the extent that there is uncertainty in the extent of the threat identified in the Report (i.e. coral mortality in future bleaching events), a precautionary approach requires that you do not use this to avoid taking measures to prevent that harm.

D. Consideration of the relationship between this reconsideration request and approval of the Browse Project

52. For the avoidance of doubt, it is submitted that this request meets each of the statutory requirements for a valid reconsideration request, because:

- a. It is in writing.⁴³
- b. It explains the basis on which the controlled action decision should be reconsidered,⁴⁴ and identifies s 78(1)(a) as the ground relied upon to make the request.⁴⁵
- c. It includes the sources of information provided and the details of when that information became available: Professor Perkins-Kirkpatrick’s report was finalised on 12 February 2026. Further, the methodology relied upon in the report of Professor Perkins-Kirkpatrick was published in October 2025.⁴⁶
- d. It contains new information that was not considered when the controlled action decision was made because that information did not exist at the time the decision was made by the Minister’s delegate.⁴⁷
- e. As outlined above and detailed in the Report, the new information demonstrates that a change in the potential impacts of the action is likely to happen with a high degree of certainty.⁴⁸

53. Consequently, upon receipt of this request, you will be required to take the steps required by ss 78B and 78C of the EPBC Act.

⁴² GBR Outlook Report, pp v, 344, 416.

⁴³ EPBC Act, s 78A(2)(a).

⁴⁴ EPBC Act, s 78A(2)(b).

⁴⁵ EPBC Regulations, reg 4AA.01(2)(a).

⁴⁶ EPBC Regulations, reg 4AA.01(2)(b)-(c).

⁴⁷ EPBC Regulations, reg 4AA.01(3)(a).

⁴⁸ EPBC Regulations, reg 4AA.01(3)(b).

54. Finally, and in relation to how this reconsideration request impacts on the approval process for the Browse project, we draw your attention to the Department's Policy Statement. In particular, we highlight the Department's Policy Statement wherein it provides that in circumstances where a reconsideration request is made and the approval decision has not yet been made:⁴⁹

- a. the reconsideration request will be dealt with **before** the approval decision; and
- b. such a situation may involve the Minister extending the time for making the approval decision in accordance with the EPBC Act.

55. Consequently, you will be required to take all of the steps required by ss 78B and 78C of the EPBC Act **before** you proceed to taking any step required by Pt 9 of the EPBC Act, relating to the approval of the Browse project.

56. Should you proceed to the approval decision of the Browse project, contrary to the above requirements, we request you provide us with **10 days written notice** of your intention to approve the Browse project.

57. Should you require further information in respect of this request for reconsideration please contact Hannah White, hannah.white@envirojustice.org.au, Cecile Bester, cecile.bester@envirojustice.org.au or Inshani Ward, inshani.ward@envirojustice.org.au.

Yours sincerely,



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⁴⁹ EPBC Act Policy Statement on 'Other considerations', 11.