



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
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Submission Cover Sheet

Inquiry into Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024

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**CONSERVATION
COUNCIL** ACT REGION

Submission to the ACT Legislative Assembly Standing Committee on Environment, Climate Change and Biodiversity

Fossil fuel company advertising

March 2024

The Conservation Council ACT Region is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future for our region. We harness the collective energy, expertise and experience of our more than 40 member groups to promote sound policy and action on the environment.

We campaign for a safe climate, to protect biodiversity in our urban and natural areas, to protect and enhance our waterways, reduce waste, and promote sustainable transport and planning for our city. Working in the ACT and region to influence governments and build widespread support within the community and business, we put forward evidence-based solutions and innovative ideas for how we can live sustainably.

At a time when we need to reimagine a better future, we understand that the changes we need will only happen with the collective support of our community.

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Introduction

The Conservation Council ACT Region appreciates the opportunity to provide comments to the ACT Legislative Assembly Standing Committee on Environment, Climate Change and Biodiversity regarding the Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024.

“Advertising and sponsorship shape our desires and aspirations, consciously and subconsciously. ... high-carbon advertising and sponsorship currently normalises and actively encourages carbon-intensive behaviours in the midst of a climate emergency.”¹

The Council supports the regulation of fossil fuel company advertising in key sporting venues, and agrees that such sponsorship “undermines government policy... and is unacceptable given the climate crisis we are in”.²

Given the ACT’s commitments to climate action, the Council urges the ACT Government to implement comprehensive bans on advertising of and sponsorship by all fossil fuel companies and products in all media across the Territory.

The Government should support community organisations affected by a withdrawal of fossil fuel funding to find alternative funding sources.

Discussion

“We present evidence that advertising increases overall consumption; that it promotes and normalises a whole host of behaviours, attitudes and values, many of which are socially and environmentally damaging; that it manipulates individuals on a subconscious level, both children and adults; and that it is so pervasive in modern society as to make the choice of opting-out from exposure virtually impossible.”³

“Advertising of coal, gas and oil (the main drivers of climate change) undermines and is inconsistent with the International Energy Agency’s roadmap.”⁴

The commitment by the ACT Government and Evoenergy to phase out the fossil gas network is a genuinely impressive achievement in the face of the might of the global fossil fuel industry and its lobbying and advertising budgets. But the Government faces a huge communication challenge when its ‘Everyday climate choices’ messages on commercial free-to-air television are followed immediately by an ACTEWAGL advertisement spruiking gas hot water or a Burning Log advertisement for a gas fireplace. The opening pages of The Canberra Times are frequently occupied by a double-page spread of gas cooktops for sale at Harvey Norman, Bing Lee or The Good Guys. The ACT’s largest gas retailer still promotes “great value electricity and gas offers!” at the top of its website homepage with no mention anywhere about gas being a fossil fuel or the impending phase-out of the gas network.

¹ Badvertising, n.d., ‘About Badvertising’, <https://www.badverts.org/about>

² Legislative Assembly for the Australian Capital Territory, 2024, Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024 Explanatory Statement,

https://legislation.act.gov.au/View/es/db_69219/current/html/db_69219.html

³ Public Interest Research Centre & WWF-UK, 2011, Think of me as evil? Opening the ethical debates in advertising, https://publicinterest.org.uk/think_of_me_as_evil.pdf

⁴ Doctors for the Environment Australia, 2023, Position statement on fossil fuel advertising and sponsorship, <https://dea.org.au/wp-content/uploads/2023/06/Fossil-fuel-advert-and-sponsorship-ban.pdf>

Australia's ban on tobacco advertising (together with other control measures) sets a clear precedent for restricting the advertising of fossil fuels. Similar to tobacco⁵:

- Fossil fuels are harmful to human health and the natural environment,
- Advertising by the fossil fuel industry is deceptive,
- The public is unavoidably exposed to these advertising campaigns,
- The industry has failed to self-regulate despite overwhelming evidence of its harm, and
- Industry marketing encourages new and continued consumption.

The burning of fossil fuels kills more people globally per year than tobacco, and the industry has for decades actively delayed action to reduce emissions, endangering human health⁶ while attempting to “greenwash” its image⁷.

Fossil fuel companies spend millions of dollars annually to advertise themselves and their products both directly and indirectly across a wide range of communication methods and channels including:

- Television and radio commercials
- Social media influencers⁸
- Newspapers, magazines and journals
- Billboards
- Public transport vehicles
- Appliance retailers' advertising
- Cooking and home renovation programs
- Energy retailers' promotions
- Promotions by builders and real estate agents
- Shaping narratives in general media
- Political donations and lobbying
- Sponsorship of sports teams, arts programs, music festivals, cultural events,⁹ school programs, STEM awards¹⁰, significant buildings and institutions, universities and academic prizes¹¹, and so on.

⁵ The Cancer Council, 2019, Tobacco in Australia, Chapter 11 Tobacco advertising and promotion,

<https://www.tobaccoinaustralia.org.au/chapter-11-advertising/11-1-the-merits-of-banning-tobacco-advertising>

⁶ Dalton, A, 2022, “Worse than tobacco”: Climate activists push for ban on fossil fuel ads’, *The Sydney Morning Herald*,

<https://www.smh.com.au/environment/climate-change/worse-than-tobacco-climate-activists-push-for-ban-on-fossil-fuel-ads-20220716-p5b24e.html>

⁷ Australasian Centre for Corporate Responsibility, n.d., ‘Advertising tricks of the fossil fuel sector’,

<https://hub.accr.org.au/scoop/advertising-tricks-of-the-fossil-fuel-sector/>

⁸ Mazengarb, M, 2020, ‘The Australian Instagram influencers being paid to promote gas’, *Renew Economy*,

<https://reneweconomy.com.au/the-australian-instagram-influencers-being-paid-to-promote-gas-18028/>

⁹ Climate Council, 2023, Fossil fuel free sponsorship code | Calling time: how to remove fossil fuel sponsorship from sports, arts & events,

https://www.climatecouncil.org.au/wp-content/uploads/2023/06/CC_MVSA0356-CC-Report-Fossil-Fuel-Free-Sponsorship-Code_V5-FA-Screen-Single.pdf

¹⁰ Comms Declare, 2024, ‘Submission: Fossil fuel advertising in the ACT’,

<https://commsdeclare.org/2024/02/29/submission-fossil-fuel-advertising-in-the-act/>

¹¹ Doctors for the Environment Australia, 2023, Position statement on fossil fuel advertising and sponsorship,

<https://dea.org.au/wp-content/uploads/2023/06/Fossil-fuel-advert-and-sponsorship-ban.pdf>



A digital billboard on the main departures floor at Canberra International Airport advertising “Australian natural gas”.

Comms Declare calculated that just five fossil fuel companies spent \$230 million on advertising in 2021-22.¹² This advertising normalises the use of gas, persuading Australians that gas is “natural”, “clean” and “efficient”, perpetuating the social licence of using gas in our homes. Pro-fossil fuel messaging is insidious, embedded in everyday language with cleverly crafted, deliberately cultivated phrases such as “now we’re cooking with gas”. These messages, overt or incidental, undermine the Government’s efforts to drive widespread behaviour change to reduce emissions.

Conversely, banning advertising (along with other control methods) is effective in denormalising products and reducing their use. Daily tobacco smoking has declined by 24% since 1991 and the number of people choosing to never take up smoking increased from 49% in 1991 to 63% in 2019.¹³ Like for measures aimed at reducing tobacco-related harm, Australians are highly supportive of actions to mitigate climate change.¹⁴ Judging by the lack of furore, Canberrans are largely accepting of the ACT Government’s intention to phase out fossil gas and the measures introduced to date to step the Territory towards that outcome. So, as long as the ACT Government describes a strong case for banning fossil fuel advertising, Canberrans are highly likely to support such a ban.

¹² Dalton, A, 2022, “Worse than tobacco”: Climate activists push for ban on fossil fuel ads’, *The Sydney Morning Herald*, <https://www.smh.com.au/environment/climate-change/worse-than-tobacco-climate-activists-push-for-ban-on-fossil-fuel-ads-20220716-p5b24e.html>

¹³ Australian Government Institute of Health and Welfare, 2023, ‘Alcohol, tobacco & other drugs in Australia: Tobacco and e-cigarettes’, <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/drug-types/tobacco>

¹⁴ Lowy Institute, 2023, Lowy Institute Poll 2023: ‘Climate change’, <https://poll.lowyinstitute.org/charts/climate-change>

A ban on fossil fuel advertising must be comprehensive to be effective, or, like tobacco, companies will “transfer expenditure to media in which advertising is still allowed”¹⁵. The ACT Government should prepare to counter the industry’s defensive arguments, including “freedom of speech”, “right to choose” and that their products are legal. The Government should collaborate with affected organisations and local media outlets so that they understand the reasons for the ban, to implement it and help counter pushback.

In addition to banning the advertising of fossil fuels, the ACT Government needs to expand its electrification communications campaign to all the places where people seek information about energy and appliances. Spruik the benefits of electrification and the case for phasing out gas. For example:

- require retailers to display information about the phase-out of gas on all gas appliances;
- require the disclosure of all gas liabilities when homes are advertised for rent or sale; and
- require gas retailers to include prominent messages about electrification on all gas bills and all webpages that mention gas.

The ACT Government also needs to support Canberra’s clubs and institutions to eliminate fossil fuel advertising and sponsorship from their activities and communications materials. The Climate Council’s fossil fuel free sponsorship code ‘Calling time’ is a useful guide on ‘how to remove fossil fuel sponsorships from sports, arts and events’, including case studies.¹⁶

The ACT Government has been a leading jurisdiction in phasing out fossil gas, but it is not alone in this initiative to restrict fossil fuel advertising. France has adopted a nationwide ban on fossil fuel ads and Amsterdam in the Netherlands prohibits such ads on its public transport network.¹⁷ Stockholm region is banning fossil fuel advertising from January 2026, including across its public transport network.¹⁸ Stockholm’s ban will include “fossil-powered products” such as internal combustion engine cars. In the UK, Liverpool City, Norwich City and North Somerset Councils have passed motions to restrict high-carbon advertising.¹⁹

¹⁵ The Cancer Council, 2019, Tobacco in Australia, Chapter 11 Tobacco advertising and promotion, <https://www.tobaccoinaustralia.org.au/chapter-11-advertising/11-1-the-merits-of-banning-tobacco-advertising>

¹⁶ Climate Council, 2023, Fossil fuel free sponsorship code | Calling time: how to remove fossil fuel sponsorship from sports, arts & events, https://www.climatecouncil.org.au/wp-content/uploads/2023/06/CC_MVSA0356-CC-Report-Fossil-Fuel-Free-Sponsorship-Code_V5-FA-Screen-Single.pdf

¹⁷ Bolger, R, 2022, ‘City of Sydney to consider ban on fossil fuel advertising to fight climate change, pollution’, ABC News, <https://www.abc.net.au/news/2022-08-20/sydney-council-considers-coal-gas-oil-advertising-ban-motion/101352790>

¹⁸ Badvertising, 2024, ‘Stockholm region bans fossil fuel advertising’, <https://www.badverts.org/latest/stockholm-region-bans-fossil-fuel-advertising>

¹⁹ Badvertising, 2024, ‘Best practice from around the world’, <https://www.badverts.org/best-practice-from-around-the-world>

In Australia, the Councils of Merri-Bek²⁰, Lane Cove²¹, Waratah-Wynyard²², Inner West (Sydney)²³, City of Sydney²⁴ and Yarra City²⁵ have resolved to investigate or implement banning fossil fuel advertising and/or sponsorship, with several more, such as Moreland Council, considering bans²⁶, as noted in the Explanatory Statement to the Amendment Bill. Doctors for the Environment Australia represent a prominent voice in the campaign to ban fossil fuel advertising and sponsorship.²⁷

Summary and Recommendations

In addition to passing the Environment Protection (fossil fuel company advertising) Amendment Bill 2024, the Conservation Council recommends implementing a comprehensive ban on all forms of fossil fuel advertising and sponsorship in the ACT, including amending the following:

- ACT Sponsorship Policy (Suburban Land Agency)
- Corporate Sponsorship Policy (Education)
- Sponsorship Policy (City Renewal Authority)
- Major Event Fund Guidelines (Visit Canberra)

The ACT Government then needs to support Canberra's clubs and community organisations to eliminate fossil fuel advertising and sponsorship from their activities and communications materials and find alternative funding sources.

²⁰ Merri-bek City Council, 2023, Minutes of the Council Meeting on Wednesday 8 November 2023, <https://www.merri-bek.vic.gov.au/globalassets/website-merri-bek/areas/my-council/council-and-committee-meetings/council-and-parm-meetings/minutes/2023-minutes/council-minutes-2023-11-08-november--pdf.pdf>

²¹ Lane Cove Council, 2023, Minutes of the Ordinary Council Meeting on 23 March 2023, https://lanecove.infocouncil.biz/Open/2023/03/CNL_23032023_MIN_WEB.htm

²² Waratah-Wynyard Council, 2023, Ordinary meeting of Council: Minutes of open meeting on 15 May 2023, <https://www.warwyn.tas.gov.au/download/530/meeting-15-may-2023/21735/council-meeting-minutes-15-may-public.pdf>

²³ Bacon, W, 2022, 'Inner West Council unanimously supports fossil fuel ad ban', *CityHub*, <https://cityhub.com.au/inner-west-council-unanimously-supports-fossil-fuel-ad-ban/>

²⁴ City of Sydney, 2022, 'Decision details: fossil fuel advertising in the city', <https://meetings.cityofsydney.nsw.gov.au/ieDecisionDetails.aspx?ID=3725>

²⁵ Yarra City Council, 2023, 'Yarra City Council bans fossil fuel ads to address climate emergency', <https://www.yarracity.vic.gov.au/news/2023/07/19/yarra-city-council-bans-fossil-fuel-ads-to-address-climate-emergency>

²⁶ Comms Declare, 2024, 'Submission: Fossil fuel advertising in the ACT', <https://commsdeclare.org/2024/02/29/submission-fossil-fuel-advertising-in-the-act/>

²⁷ Doctors for the Environment Australia, 2023, Position statement on fossil fuel advertising and sponsorship, <https://dea.org.au/wp-content/uploads/2023/06/Fossil-fuel-advert-and-sponsorship-ban.pdf>