

Dear Sir/Madam,

Objection : State Significant Project – Angus Place Mine Extension (SSD 5602 - Amendment Exhibition)

I wish to make a submission to the Angus Place Extension Project assessment. This submission objects to this extension on three grounds:

- Greenhouse gas emissions causing global heating
- Toxic gases and particulates causing regional damage to life
- Continued undermining of the Newnes Plateau and Gardens of Stone

I have been a volunteer bush regenerator for 30 years, first with Greening Australia, then in the Blue Mountains, where we had a bush property, and now with the NPWS and my local council. I have also been an active member of Climate Action Sydney Eastern Suburbs (CASES) for 20 years and a long-standing donor member of several conservation organisations, including the Colong Foundation for Wilderness and the NCC. I have witnessed the decline in all wildlife and destruction of habitats locally, regionally and nationally during this time, despite our best efforts. I have also suffered personally from heat stress and air pollution, the latter effecting our eyes.

There is a global Climate and Extinction Emergency. The Climate Emergency has been acknowledged by the United Nations IPCC in its call for action to limit heating to 1.5 C and declared by many countries, states and local governments. The latest IPCC Special Report makes it clear that 'avoiding overshoot can only be achieved if global CO2 emissions start to decline well before 2030'. At the forthcoming COP meeting, postponed to early 2021 due to the coronavirus pandemic, all signatories to the Paris Agreement are duty bound to set targets to reduce their emissions accordingly. In Australia this means a program of decommissioning coal fired power stations, such as Mt Piper, earlier than previously intended, rather than extending their operation.

The Extinction Emergency which, like the Climate Emergency, was felt in Australia in 2019/20 as much as almost any country in the world, is related, but brings in the issue of Pollution. All life on this planet is being negatively affected by air or water pollution – and there is no such thing as 'clean coal', especially when it is burnt without Carbon Capture and Use or Storage (CCUS).

There is no acknowledgement of this emergency by the proponents of the Angus Place Extension Project, who are proposing Business As Usual, including continued undermining, with some unavoidable destruction (admitted in the EIS), of more of the almost pristine swamplands of the Newnes Plateau and the unique pagodas of the Gardens of Stone National Park/World Heritage Area.

In our submission to the EPBC Act Review, we are asking the Federal Government to amend the EPBC Act in several ways that are relevant to this project:

1. Add to the list of Matters of National Environmental Significance (MNES) two critical issues: the climate and clean air and water. We need 'protection of the

climate from the effects of greenhouse gas emissions' and 'protection of the air and water from toxic pollution'.

2. The Environmental Impact Assessment (EIA) process should be triggered for a development or agricultural practice wherever emissions or effluent exceed a threshold. The unprecedented and uncontrollable bushfires in the last year, causing untold environmental destruction and loss of biodiversity, result from lack of these protections, as does the destruction of the Great Barrier Reef (GBR), our most valuable ecosystem.
3. The EIA process should apply not only at local scale but also regional and national, that is: to all MNES that may be significantly affected. Water pollution may be carried downstream to damage river life and the marine environment, e.g. excess fertiliser in run off fed to the GBR. Air pollution may be blown considerable distances, to neighbouring cities and even to other countries, e.g. half of Sydney's air pollution comes from coal-fired power stations in the Hunter Valley, and smoke from the bushfires, after blanketing Canberra and the east coast of NSW was blown to New Zealand. Greenhouse gases (GHG) affect the climate globally.
4. The Externalities (costs external to the project under assessment) should be estimated and included in the Cost/Benefit Analysis (CBA) in the Environmental Impact Statement (EIS). While this may be difficult, it must not be ignored, as it is at present, because the effects are drastic, cumulative and long-standing. The Commonwealth should help by providing Rules, Guidelines and Environmental Valuations (environmental accounting) to assessors on estimating costs, particularly for externalities. There should be a CBA for the public at large, not just to local stakeholders and the business applicant.
5. Require the inclusion of Scope 2 and 3 emissions in the EIS. Because of the worldwide Climate Emergency and the need to drastically reduce GHG in the atmosphere, Scope 3 emissions from the extraction of fossil fuels should be assessed as well as Scope 1 and 2. We are being told by the IPCC, with which we have an agreement (the Paris Accord), that the next 10 years are crucial in addressing this emergency and that all countries must limit their emissions more and sooner to have a chance of restricting global heating to 1.5°C above pre-industrial times. Modelling shows that global action to date has not managed to reduce our emissions significantly, so that the world is currently on a path to an alarming 3-4° warming. All nations will need to urgently take more effective measures to lower GHG emissions to avoid this happening. Australia will be required to revise our targets before COP26, which has been postponed to early 2021 due to the coronavirus. Where the fossil fuels are burnt is irrelevant: the public and environment at large suffer the effects, e.g. low-lying islands, including some in the Torres Strait, are becoming inhabitable due to rising sea levels and storm surges. The EPBC Act, if amended in this way, could be fundamental in addressing this emergency. If we leave it until the next review in 10 years' time, it would be too late.
6. Require the inclusion in the EIS of the full cost of Restoration or Offsetting of damage to or loss of an Endangered Ecological Community (EEC) or any

habitat supporting a threatened or endangered species. These costs are considerable as Restoration and Offsets take decades to achieve and are always at risk from fire and extreme weather in this age of rapid climate change (an argument for abandoning offsets altogether). This should be another component of the public CBA and of the business' CBA, since a condition of any approval should be that the businesses also set aside adequate funds for this purpose. Exemption of this requirement should not be permitted, neither should delay, as this creates a regulatory burden, e.g. Whitehaven Coal should not be exempted every year from having to do remedial work behind its expanding Maulls Creek mine. If the requirement cannot be met, the project should be rejected.

7. Allow no exemptions, even 'in the national interest', unless the development or practice is required for national security in the face of a national emergency. All individuals, businesses and organisations, whether private or government, should be subject to the Act when proposing new developments or harmful practices or expanding existing ones. Any existing Agreements and Development Plans (effectively Strategic Assessments) exempting organisations from this requirement should be reviewed under the newly amended Act to see that they comply and are not (further) detrimental to the environment. This especially applies to Regional Forestry Agreements, e.g. the Tasmanian Forestry Agreement, State Development Areas, e.g. the Queensland Galilee Basin Development Area, and City Commission Plans, e.g. the Greater Sydney Commission Plan. Such on-going plans were devised before climate change was considered a critical issue: now that it is, they should be revised to ensure that they do not exacerbate the damage to the environment.
8. Review State laws purporting to achieving the same ends as the EPBC Act, such as the NSW Environment Protection Act, Protection of the Environment Operations Act and Biodiversity Conservation Act, to see that they comply and do not exacerbate damage to the environment and climate change. This especially applies to legislation permitting Land Clearing for agriculture, which has increased dramatically in Queensland and NSW since their laws were weakened. Ideally there should be no duplication: State laws could be scrapped and the EPBC Act adopted by all States and Territories. This is simpler for all. The environment knows no borders. Forest clearance leads to drought and scrub clearance leads to desertification, as Aborigines, the previous farmers of the land, would know from experience.

Of major concern for the Angus Place Extension Project are the Externalities, particularly the costs associated with GHG emissions, Scope 1, 2 and 3. The assessors are to be commended for laboriously estimating these emissions. However, because the law as it stands and the Director General do not require it, only the Scope 1 emissions were costed. Moreover, the multiplier used for estimating the Scope 1 costs was the 'carbon tax' figure of \$23/tonne of CO₂e instituted by the Gillard government, rather than a more realistic figure. The latest estimate of 'global social costs' (Katherine Riske in Nature Climate Change Oct. 2018), which takes

factors such as the cost of inaction into account, pitches the costs at \$US417/t pa \pm 300 or ca \$A654/t pa at the current exchange rate.

From the Air Quality and Greenhouse Gas Assessment, Appendix M of the EIS, the Scope 1 emissions were estimated at approximately 42,647t CO₂e per annum and the Scope 2 and 3 emissions combined at 1,018,551t CO₂e pa. The Scope 1 emissions were then said to represent .03% of NSW's emissions and .01% nationally. However, the total Scope 1, 2 and 3 emissions are estimated as 25 times the Scope 1 emissions. While this might seem still insignificant, when we look at costs it is less so.

In the Economic Assessment, Appendix O, based on the faulty figure of \$23/t, the lifetime costs of Scope 1 emissions to the Lithgow community alone are given as approximately \$1M pa. At a more realistic figure of \$654/t and applying this to the public at large, this would be \$28M pa. When we add the Scope 2 and 3 emissions costs, we get a different picture. The additional costs to the wider public at \$654/t amount to \$666M pa, giving \$694M pa for GHG emissions overall.

In the EIS it is stated: 'The critical focus of the economic analyses is for the State and the LCC LGA communities.' With this focus it has been easy to demonstrate that the social benefits outweigh the costs. With the focus changed to the public at large, that is: the nation and all other nations affected by climate change, not to mention other life forms on the planet, this Project would show a negative BCR. **THIS ANALYSIS SHOULD BE DONE BEFORE ANY APPROVAL OF THIS PROJECT**, as it alone might lead to rejection or to conditions, such as CCUS for Mt Piper, being attached to approval.

Mt Piper should not be kept operating for another 25 years without CCUS, if Australia is to have any chance of lifting the GHG emission reduction targets that are needed to take to COP 26 or if NSW is to institute a Green New Deal for its residents.

As if the consequences of emissions were not enough, this project, as Springvale before it, is proposed to continue longwall mining under the Newnes Plateau and Gardens of Stone. It is admitted in the EIS that the destruction of swamplands and damage to pergolas have occurred in the past and cannot be prevented entirely in the project's lifetime, but have been 'minimised' by design change and better techniques of extraction. Offsets are impossible and any swamp or pergola damaged cannot be recovered. I will leave it up to others and the Colong Foundation to detail these grounds for objection, but just say that I entirely agree with them. Why are we allowing any destruction of such a biodiverse and geodiverse environment, including a National Park designated as a World Heritage Area, in order to fuel more destruction via air pollution and climate change? The damage costs are incalculable and it would surely be cheaper to invest in clean energy generation.

Thank you for your consideration of my submission. If you wish to contact me about the contents of my submission, I can be reached at milford@bigpond.net.au.

Sincerely,

Jonathan Milford

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