



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PUBLIC HEARING (DAY 1)

RE: HVO NORTH AND SOUTH OPEN CUT COAL CONTINUATION PROJECTS (SSD-11826681 & SSD-11826621)

PUBLIC HEARING

PANEL: SIMON SMITH (Chair)
 JANETT MILLIGAN
 MICHAEL CHILCOTT

COUNSEL DR JAMES SMITH
ASSISTING THE IPC:

SPEAKERS: DAVID FOSTER, PETER WALSH,
 SANDY TICKELL (Hunter Valley Operations)
 STEVE O'DONOGHUE (Department of Planning,
 Housing and Infrastructure)
 GEOFF STEVENSON
 JEANETTE HUNTER
 JAYDEN PAN
 PRANAV DAYAL (ACCR)
 DIMITRI LAFLEUR (ACCR)
 SOPHIE LEWIS (ACCR)
 LEAH STEVENS
 JEFF DRAYTON (Muswellbrook Shire Council)
 JAN HARRIS
 FIONA LEE
 TERRY MORGAN
 JOHANNA LYNCH
 SUSIE RUSSELL
 KATHY MCKENZIE
 ROSEMARY HADAWAY (Mudgee District
 Environment Group)
 KRISTY BUNT (J&S Engineering and Maintenance)

NIC SETON (Parents for Climate)
TOM MORTON
NIC CLYDE (Lock the Gate Alliance)
TAMARA WINIKOFF
ANGELA MICHAELIS
CHRISTINA SMITH
SHARYN MUNRO
BRONWYN VOST (Sydney Knitting Nannas and Friends)
BOB HAWES (Business Hunter)
DI GEE (Jerrys Plains Public School P&C)
BEVERLEY SMILES (Hunter Communities Network)
SIMON HAWSE
ADRIAN SHERWOOD
NATHAN BENDEICH (Daracon Group & Daracrete)
VIRGINIA WOODS
NIGEL HOWARD
HEDDA ASKLAND
GREGORY BUTLER
JANE WATSON
JANET MURRAY
MARK IAN GAGELER
ALEX BARRATT (Sydney Knitting Nannas)
PETA TAGGART
MITCH RUSSELL (Les Russel & Son P/L)
KERRY WALKER
KATHRYN DOLPHIN
JONATHON TEUBNER (IEEFA Australia)
SALLY HUNTER (Social Impact Alliance)
DON WHITE
STEPHANIE LUKE
CHARMIAN ECKERSLEY

LOCATION: BRANXTON COMMUNITY HALL
35 BOWEN STREET, BRANXTON NSW 2335

DATE & TIME: 10:00AM – 5:30PM
THURSDAY, 16th JULY 2026

<THE HEARING COMMENCED

5 **MR SIMON SMITH:** Good morning, and welcome to the Independent Planning Commission's public hearing into the Hunter Valley Operations North and South Open Cut Coal Continuation Projects. These are known as SSD-11826681 and SSD-11826621.

10 I'm speaking to you now from Wonnarua land and I acknowledge the traditional owners of all the countries on which we meet today. I pay my respects to their Elders past and present and to any Elders who may be present today.

15 I'm Simon Smith. I'm the Chair of the Panel and I'm joined by colleagues Michael Chilcott and Janett Milligan. Our role is to decide whether this project should go ahead, and if so, under what conditions. We also have Dr James Smith as Counsel Assisting the Commission here. Dr Smith is a member of the NSW Bar who's been engaged to advise the Commission and to help everything run smoothly today in this hearing.

20 In making our decision, we are considering the project application, the Department of Planning, Housing and Infrastructure's Assessment Report, written and verbal submissions, including what we hear today, and all relevant laws and policies. In making a decision, we must follow all the relevant laws and consider all the policies that apply, and public input is an important part of the process.

25 We will be listening carefully to issues that are raised today and will be recording everything that is said, but in particular if there are important new issues, we'll be asking the Applicant to respond to those tomorrow afternoon or subsequently in writing.

30 I'd like to thank everybody who has already made a submission. Please be assured that each and every submission will be read by the Commission, and I think we've reached over 3,500 submissions already.

35 If you have any questions about the Commission process, how to make a submission, which you can do after today, making a submission or anything on the Commission's website about this project, you can talk to a staff member in the foyer located behind you within this building. They'll do their best to answer your questions.

40 At this hearing, what we want to hear about are your thoughts on the Department's Assessment Report and the recommended or proposed conditions. If you oppose the project, please also tell us if your concerns could be addressed through conditions. We will consider all options that are put.

45 Next slide, please. Now, this is a very important process and decision for many people for many reasons. We want to make sure that everyone has a chance to be heard. We have 134 speakers registered to speak over the three days of this hearing. So, please be respectful to all speakers, please listen and don't interrupt or call out. Please be respectful also of the staff from the Commission, as public servants they are bound to be impartial, so please ask for their help and be respectful to them.

I'll now hand over to General Counsel who is going to layout how the hearing process will run today and to begin. Thanks. Next slide, thanks.

5 **DR JAMES SMITH:** Good morning, everyone. Thank you, Commissioner. So, as
was introduced, my name is Dr James Smith. I'm a member of the independent NSW
Bar and my role today is to assist the Commission in the conduct of this public
hearing. Now, it informs an important part of conduct under the Environmental
Planning and Assessment Act and the decision of the Commission is not made until
10 after the conduct of this hearing and the evidence is given.

And primarily today, I am going to ensure that that decision is able to be made with
clear evidence being received. And in order to achieve that, I need to make sure that
everyone has a sufficient opportunity to provide their evidence. For that purpose,
15 we've published the order of speakers – you should have a hard copy provided in your
chair, and there is also a copy which has been made available on the Commission's
website. And so, I'll be endeavouring to ensure we stick to that system as closely as
possible. Of course, I'll need your assistance to do that, by being respectful obviously
to all evidence that is given.

20 If you wish to take a phone call or discuss matters amongst yourselves, we have a
marquee presented outside which also has the live stream taking place simultaneously,
so you will not miss out on anything that's transpiring inside the room. If you haven't
done so already, we are now live and being recorded both online and by an official
25 written transcript. So, if you haven't set your mobile to silent, can I please ask
everyone to take a moment just to check that that be done now.

We will be operating pursuant to a bell system to keep everybody on track. Just so
there are no surprises, we'll just do a quick sound test of the bell so you will know
30 what it will sound like. Now, if I can get the single bell [bell sounds], so this will
sound when there's one minute remaining. And then we will do a second bell when
your time has expired as follows [bell sounds twice].

Now, to the extent that you're unable to provide your oral evidence within that allotted
35 time phase, and you had something which was essential or important that you wanted
the Commission to hear or understand, we will be having a further written submission
opportunity until the 2nd of August 2026 where any written material that you wish the
Commission to be apprised of can be uploaded onto the IPC website. And you can see
the staff in relation to how to do that.

40 If you did bring speaking notes with you or you had a presentation or any other written
statement or evidence, the planners who are at the table to my left, you can provide a
physical copy to them as well. So, if you don't get to the end of the oral presentation
you wish to make, be assured that the material will still go before the Commission and
45 it will be considered before they make their decision. As was indicated, the
Commission's Privacy Statement is available on the Commission's website. Any
evidence you give or any material you do provide will be made publicly available in
due course.

Just in terms of additional housekeeping, you can see that we've got our exits both at the rear of the building and to the side. The amenities are at the rear as well as tea and coffee making facilities, but as I indicated, we do have the additional marquee at the rear of the building that has the similar live stream that's taking place here.

Can I just reiterate the Chair's remarks in terms of the providing of evidence. Again, this is a formal public hearing, and we need to ensure that the process is conducted in such a manner. That is a clear example that we are now being recorded. The issue here is to make sure that you provide your evidence. This is not an information session; there is an abundance of information that's already publicly available and that's what you can go to in terms of becoming informed.

The key role of today's hearing is for you to provide your information to the Commission. So, without ado, the Commission will hear first from the Applicant, then from the Department, and then we'll go through the public speaking list. So, can I please call the first three speakers that will be speaking on behalf of the Applicant. We have David Foster, Peter Walsh and Sandy Tickell. Before you start speaking, if you could just announce your name for the transcript, and then please proceed. Thank you, Mr Foster.

MR DAVID FOSTER: David Foster. Good morning, commissioners, ladies and gentlemen. I'm Dave Foster, General Manager of Hunter Valley Operations. With me today is Sandy Tickell, Glencore's Group Manager for Carbon Planning and Abatement, and Peter Walsh, the Project Manager for the Continuation Project.

I'm proud to speak on behalf of our 1,500-strong workforce and our local community. As a fourth generation Hunter Valley coal miner and a Singleton resident for more than 40 years, I have seen firsthand the prosperity mining has afforded our region and the real impacts it can bring to people who live near operations. It is for those benefits, and because I take the local impact seriously, that I call on the Commission to approve the HVO Continuation Project.

Next slide, please. HVO has a long history of mining in the Hunter Valley. Mining first commenced over 70 years ago where our train loadout facility currently sits. Prior to 2000, mining was undertaken separately, largely by independent organisations. Three large operations merged in 2000/2001 to become the mining complex that we now call Hunter Valley Operations. And we've operated successfully as a complex now for over 25 years.

Next slide, please. The Continuation Project is the ideal way to extend mining operations. This is a brownfield extension of our existing operations for another 19 years, mining largely back through areas previously mined. Advancements in mining technology allow us to economically mine much deeper than what we previously could. By doing this, the project only disturbs a very small area of natural ground, which minimises the ecological impacts, which you can see on the shaded yellow on the right.

We are also limiting impact on our local community by largely mining away from our near neighbours and managing the impacts of noise, dust and water in the same way

we have successfully been doing for over 25 years. For these key reasons, the Department of Planning considers the project to be in the public interest.

I'll now hand over to Peter. And next slide, please.

MR PETER WALSH: Thanks, Dave. I'm Peter Walsh. Like Dave, I too am a Hunter Valley local. In fact, I started my mining career at HVO just over 42 years ago. The HVO Project is a brownfield life extension project. We are looking to extend the life of HVO North to 2045 and, as Dave pointed out, predominantly mining back through areas that have already been mined. In HVO South, we are mining in an area already approved but have not yet mined. We haven't mined as fast as originally planned, so we are looking to extend the life of HVO South from 2030 to 2042.

We currently have approval to mine at 22 million tonne a year ROM in HVO North, which we are seeking to maintain. At HVO South, we have reduced our maximum mining rate from 20 million tonne to 13 million tonne a year ROM. Moreover, we are reducing our effective maximum mining rate from 42 million tonne a year to a complex cap of 26 million tonne a year ROM.

The project will mine 429 million tonne ROM over the life of the mine, and in doing so will generate total net Scope 1 emissions of 7.97 million tonnes CO₂e. Sandy will talk in a moment in more detail on our emissions and our work to reduce emissions.

In developing the project, we have worked hard to avoid or minimise our impacts, not only our emissions. We have minimised our cultural impacts, including avoiding an Aboriginal heritage site known as CMCD1, and made sure our new Lemington Road avoided two scarred trees that were in the area.

We have worked hard to minimise air quality, noise and water impacts, and particularly ecological impacts including amending our design to completely remove any impact from the Warkworth Sands Woodland.

It still, however, has shown through independent economic analysis to have a \$5.7 billion NPV benefit to NSW and a \$1.8 billion benefit locally.

Next slide, please. Mining in HVO North will progress southeast from the West Pit mining through Lemington Road which will be re-aligned to east of HVO South. As mining progresses, it will mine through the already-mine Carrington area but will be mined to a deeper seam. Mining will stop short of the Hunter Valley dyke and gas domain 1. The additional disturbance will stop ... The additional disturbance for mining is only the area adjacent to Lemington Road.

In HVO South, mining will progress as currently approved. Southwest from the Cheshunt Pit through the Riverview Pit. The final Riverview void will be similar to that currently approved. To enable the project, Lemington Road, some powerlines and communication infrastructure will be re-aligned. This will include a new bridge over the Hunter River, replacing the current flood prone Moses Crossing. We will also upgrade water management infrastructure, including dams, levees and a clean water drain. We will upgrade coal handling and train loading facilities. We will not be

constructing the approved but not yet built Lemington Coal Prep Plant and associated rail loop.

To talk through the emissions for the project, I'll now hand over to Sandy.

MS SANDY TICKELL: Thanks, Pete. Like Dave and Pete, I've lived and worked in the Hunter Valley community for the last 20 years and I live near HVO.

We recognise that greenhouse gas emissions are a key issue for this project. Over the six years of assessment, we have carefully considered feedback from regulator and independent experts and made comprehensive changes to the project to reduce emissions and to ensure that impacts can be managed.

During HVO's assessment period, there have been significant changes to climate policy at both the Commonwealth and State level. In 2023, the Commonwealth Safeguard Mechanism was reformed to ensure that large emitters, such as HVO, decline their emissions over time in support of Australia's nationally determined contributions (or NDCs) under the Paris Agreement.

Also in 2023, NSW registered its own emissions reduction targets under the Net Zero Future (or NZF) Act. In 2024, the EPA introduced the Large Emitters Guide, which applies to projects with large emissions, such as HVO.

In 2025, the EPA finalised its Climate Change Mitigation requirements between '25 and '26, which also applies to this mine. In 2026, the NSW Government published its updated policy on the coal sector, the Coal Industry 2026–50. This policy provides clear guidance on the government's support for brownfield extensions at coal mines where impacts can be managed, such as at HVO.

In light of this framework, HVO's greenhouse gas emissions and mitigation measures have been comprehensively assessed, independently reviewed, and mitigation measures have been – and conditions have been recommended to ensure that impacts can be managed. The Department in its Assessment Report has stated that the project is consistent with NSW and Commonwealth greenhouse gas policy frameworks and that greenhouse gas emissions have been minimised to the greatest extent practicable.

Next slide, please. The EPA has stated that HVO's greenhouse gas assessment is consistent with the Large Emitters Guide and that our application of the mitigation hierarchy meets the principles of the guide. Our avoidance of gas domain 1 and the mine design changes in HVO South have reduced Scope 1 emissions by 43% and Scope 3 by 23%.

We've committed to undertaking a gas pre-drainage trial at HVO South, as the Advisory Panel for Mining has noted that open cut pre-drainage to reduce fugitive emissions is currently unproven. We've committed to three-yearly reviews of technologies for decarbonisation. Our greenhouse gas quantification is pragmatic, and we do not apply any novel or low-maturity technologies in this, as we don't have a confident line of sight on if and when these technologies will be mature and commercial available at scale.

The Advisory Panel for Mining noted that our assessment of the technology maturity for options for fleet decarbonisation was a fair and balanced assessment, and that HVO is well positioned to stay abreast of developments in this space. These three-yearly reviews will allow HVO to continue to work with our OEMs and monitor what's occurring in this place to assess future options for reducing emissions from our diesel fleet.

In addition to our obligations under the Safeguard Mechanism, HVO has offered a further voluntary commitment to reflect the higher targets in the NSW NZF Act. Collectively, HVO's application of these mitigation measures is consistent with the EPA's requirements.

Next slide, please. We will now step through the changes and the commitments the project has made to reduce emissions to ensure that the net emissions decline for the project is consistent with the NSW trajectory. The red bars represent circa 11.6 million tonnes CO₂e that we have avoided through not mining in gas domain 1 and mine design changes in HVO South. The green bars represent a further 5.5 million tonnes CO₂e that we would need to abate or offset to meet our Safeguard obligations.

The blue bars represent a further 1.5 million tonnes CO₂e that we would need to abate or offset to reflect our extra voluntary commitment under the – to reflect our consideration of the NZF Act. Finally, the grey bars represent the net emissions from the project and total just underneath 8 million tonnes CO₂e. And the red dashed line that we can see on the chart reflects the net emission trajectory of the project, which is proposed to be the project's annual enforceable emissions limit.

These commitments result in HVO's net emissions declining consistent with the NSW emissions trajectory, and on an annual basis these emissions represent less than 1% of NSW annual emissions.

Next please. The chart on the left-hand side is included in the Department's Assessment Report. And it is sourced from the NSW Government's own emissions modelling. If I can draw your attention to the black dashed line. That reflects the impact of the Commonwealth Safeguard Mechanism on coal mines in NSW, and what it shows is that net emissions from the coal sector are declining consistent with the NSW emissions trajectory.

Emissions from the original HVO project are included in this modelling. This chart shows that coal sector regions and our communities are doing our fair share to reduce emissions in respect of Commonwealth and State emissions reduction targets.

Next slide, please. In respect of Scope 3 emissions, the changes made in the amended project have reduced Scope 3 by 23%. And if you look on the right-hand side, they are the countries we have most recently exported to. All of these destination countries have their own NDCs under the Paris Agreement or have followed an equivalent standard.

The project's total scoped total emissions equate to about 809 million tonnes of CO₂e, and that equates to about 0.048 of a 50-year global emissions budget, as last published by the Climate Change Authority. We anticipate that Scope 3 emissions from the HVO Project would be managed consistently with the climate targets of the destination countries we sell our coal to.

I will now hand over to Dave to talk about the benefits of the project.

MR FOSTER: Thanks, Sandy. HVO is an economic anchor for the Hunter Valley. We have completed an economic assessment – can we go to the next slide, please. We have completed an economic assessment of the Continuation Project in line with planning policy and guidelines which show an overall net benefit to NSW at \$5.692 billion. The numbers on the right, however, show the direct benefits of our operation for the last four years, with a total direct spend of \$6.9 billion with the majority of that spent in Australia, supporting 780 Australian suppliers.

Next slide, please. We have strong local support for the project, including support from Singleton and Muswellbrook councils. Through two submission processes, the original EIS in '23, and the project amendment in 2025, the public has shown very strong support for the project. We've seen over 90% support from over 1,000 submissions on each occasion, with the majority of this support local. Most objectors to the project are from areas outside of the Hunter region. And I would like to briefly take the time to thank the businesses and the community for their support.

Next slide, please. Fifteen-hundred workers' jobs rely on the approval of this project. However, it is more than just the 1,500 directly employed workers. This number is multiplied many times when considering the families, local businesses and the regional economy that relies on HVO. Given BHP has announced the closure of Mt Arthur in 2030 and Yancoal recently the upcoming closure of Ashton Underground with another 250 jobs, the continuation of this economic anchor is now even more important.

The project has been through six years of scrutiny. We have made numerous changes to minimise the impacts and meet rapidly changing policy on greenhouse gas emissions. Experts from government departments and independent experts have concluded that this project meets all Commonwealth and NSW State Government policy and is in the public interest.

The project provides a stable pathway for the Hunter to retain its economic resilience but also meet the government's long-term environmental commitments as we transition to net zero – next slide, please – and is why the approval of this mine matters.

Thank you, commissioners.

DR SMITH: Thank you, gentlemen and lady, if you could ... Don't have any questions directly from myself or the Commission at this time, thank you. Can I please ask that there's no applauding. Again, the process today is so that the Commission can hear evidence and the applauding does not exist with the transcript. So, if you wish to

applaud, we have a marquee at the rear of the building that has the stream being live and televised. Thank you.

5 Can I please call the next speaker, Steve O'Donoghue, who is from the Department of Planning, Housing and Infrastructure. Thank you. Thank you. If you could just state your name and then provide your evidence. Thank you very much.

10 **MR STEVE O'DONOGHUE:** Okay. Thank you, Chair, commissioners, Counsel. Good morning. My name is Steve O'Donoghue, and I am attending in my substantive role as Director Resource Assessments with the Department of Planning, Housing and Infrastructure. I'd like to start by thanking the Commission for giving the Department the opportunity to provide a summary of the Department's assessment of the project.

15 Next slide thanks. I will begin with an overview of the assessment process for the project. The slides will show the key steps through the assessment. Separate development applications were lodged for HVO North and HVO South which reflects the existing approvals arrangement for the HVO Mining Complex. The project is classified as state significant development under Section 4.36 of the Environmental Planning and Assessment Act. The Independent Planning Commission is the consent authority for the project under Section 4.5A of the Act as 50 unique public submissions
20 objecting to the project were received.

25 The project has been subject to a rigorous assessment process over a period of over five years since the Secretary's environmental assessment requirements were lodged. The HVO North application was amended in November 2023 to change the proposed re-alignment of Lemington Road, in particular to provide further avoidance of impacts to biodiversity and heritage values.

30 Both applications were also amended in August 2025 to reduce greenhouse gas emissions in response to a request for information from the Department following advice from the Environment Protection Authority and the Independent Expert Advisory Panel for Mining related to high fugitive emissions associated with the gassy coal seams within the HVO North mining area.

35 Next slide thanks. I would like to briefly touch on the Department's engagement process. During the assessment, the EIS was exhibited in January 2023, with the second Amendment Report later exhibited in September 2025. Through these exhibitions, advice was received from 11 state government agencies and submissions were received from Singleton and Muswellbrook shire councils. Across the two
40 exhibition periods, over 2,200 submissions were received. The Department engaged the Mining Panel for advice on greenhouse gas emissions and impacts to water resources and focused advice on that.

45 Next slide thanks. The majority of submissions over the two exhibition periods were supportive of the project, with around 96% of submitters in the Hunter region providing submissions in support of the Continuation Project. Key issues raised in supporting submissions focused on employment, economic and social benefits of the project. Key issues raised in objecting submissions included greenhouse gas emissions,

including climate change impacts on the locality as well as impacts to amenity, water, biodiversity and heritage amongst others.

5 Next slide thanks. The Department undertook a comprehensive assessment of the environmental impacts associated with the project and identified the key issues and other assessment issues as shown on the slide. Greenhouse gas emissions were a key focus of the Department's assessment, given the contemporary legislative and policy context of the NSW Government to reduce emissions over time.

10 Next slide thanks. The strategic policy framework for coal mining and greenhouse gas emissions has changed substantially over the last two to three years. And this slide provides a summary of the key legislative and policy guidance on these matters. At a Commonwealth level, Australia operates under its commitments under the Paris Agreement as given effect by the *Climate Change Act 2022* and the operation of the
15 Safeguard Mechanism, which requires the progressive reduction of emissions for high emitters, including most coal mines in NSW.

At a State level, the *Climate Change Net Zero Future Act 2023* established net
20 emission reduction targets and guiding principles for actions to reduce climate change. Under the Net Zero Future Act, a range of policy guidance has been developed relevant to the assessment of emissions from coal mines. Key guidance developed by the NSW Environment Protection Authority for development applications includes the NSW Guide for Large Emitters and the Greenhouse Gas Mitigation Guide for Coal
25 Mines.

30 The NSW Coal Industry 2026–50 policy was published in March 2026 and is covered on the next slide. The whole of NSW Government policy outlines that coal will continue to play an important role in supporting regional economies in the short to medium term within our legislated emissions reduction targets. It also states that approvals for extensions to existing mining operations can be allowed where it can be demonstrated that emissions requirements can be met, and environmental impacts of the project can be managed.

35 These emissions requirements are set out in economy sector-wide requirements largely through the Australian Government's Safeguard Mechanism and through the key guidance documents as mentioned with the EPA's Guide for Large Emitters and the Mitigation Guide for the Coal Mining Sector.

40 Importantly, the policy notes that the NSW Government expects that overall emissions from the coal mining sector will decline consistent with NSW targets from 2030, in line with forecast production declines and the implementation of mitigation technologies.

45 Next slide thanks. As part of the Amendment Report, greenhouse gas emissions were assessed in accordance with the EPA's Guide for Large Emitters. Compared to the original application, the amendment reduced the total amount of coal to be extracted by 220 million tonnes, and reduced Scope 1 emissions by 11.5 million tonnes of carbon dioxide equivalent or around a 43% reduction.

HVO also committed to the reduction of emissions in line with the legislated NSW Government targets, which require more aggressive reductions compared with the Commonwealth Safeguard Mechanism.

5 The EPA noted that through these commitments, the greenhouse gas emissions for the Continuation Project would follow a downward trajectory consistent with the NSW emissions reduction trajectory. The net contribution of the project to state-wide emissions would be around 0.85% in 2030, 0.81% in 2035, and 0.3% in 2045.

10 Next slide thanks. The Department has also given detailed consideration to Scope 3 emissions and the impact of these emissions in the locality. Coal will continue to be exported primarily to countries that are signatories to the Paris Agreement, that have their own 2030 and/or 2050 emissions reduction targets. The Department notes the recommendation in the Greenhouse Gas Mitigation Guide that coal mining companies
15 take opportunities to reduce Scope 3 emissions by selling coal to buyers in countries that have strong climate policies and emissions reduction targets.

Based on United Nations emissions reporting, the project would conservatively represent 0.08% contribution to global emissions in 2030, and 0.09% contribution in
20 2035. The Department considered the NSW Government's modelling of potential environmental, social and economic climate change impacts in the Hunter region. The Department also acknowledges that all greenhouse gas emissions from the project, including Scope 3 emissions, would contribute to climate change and to the environmental, social and economic climate change impacts in the locality.

25 Next slide thanks. The Department has recommended HVO prepare a Greenhouse Gas Mitigation Plan. This will document the mitigation described in HVO's assessment and provide a mechanism to track emissions against the reduction goals in the amended application.

30 Consistent with the advice from the Mining Panel, the Department has also recommended a gas pre-drainage trial which, if successful, has the potential to reduce direct Scope 1 emissions by up to a further 11% through the mitigation of these fugitive emissions. It is important to note, however, that if the trial was ultimately
35 unsuccessful, based on technical, operational or financial considerations, the net emissions reduction target will still be required to be met through offsetting.

Ongoing regulation would be primarily the responsibility of the EPA, and the recommended conditions are designed to complement this with the EPA's
40 requirements for the coal mining sector to prepare climate change mitigation and adaptation plans.

I will just briefly summarise the Department's consideration of other key impacts, which were subject to rigorous assessment, including input from NSW government agencies and independent advice from Water Resources. The Department's
45 Assessment Report provides comprehensive details on these key environmental impacts. The Department considers these impacts are generally of the scale of the impacts from existing mining operations located within an established mining precinct,

acknowledging that the impacts would be extended out to 2045 if the project were to be approved by the Commission.

5 It is estimated that the project would generate direct and indirect benefits in the order of \$5.7 billion in net present value terms. It would provide ongoing employment for up to 1,500 full-time equivalent workers, which represents about 10% of the directly employed mining workforce in the Hunter.

10 The Department is confident that the project has been thoroughly evaluated to inform the Commission as the consent authority, supported with additional information and independent expert advice. Should the Commission determine to approve the project, the Department has provided recommended conditions which includes operating conditions to manage impacts to acceptable levels under NSW Government policy settings, including performance measures with associated monitoring and Trigger
15 Response Action Plans to monitor performance and respond accordingly.

That concludes our presentation and thank you for your time.

20 **DR SMITH:** Commissioners, do you have any questions?

MR MICHAEL CHILCOTT: No.

MR SMITH: No questions.

25 **DR SMITH:** Mr O'Donoghue, so just in relation to the prefeasibility trial and the condition that's been imposed. So, in circumstances where that trial is demonstrated not to be feasibly or technically possible, the conditions that the Department has recommended then provides an alternative offsetting mechanism, and that offset is to ensure that what would otherwise be mitigated by the pre-trial estimate, is otherwise
30 achieved.

MR O'DONOGHUE: That's correct. So, the Applicant has committed to a goal. If the mitigation is successful, if the pre-drainage trial is successful and you're abating more of the fugitive emissions, then that would reduce the offsetting liability to get
35 down to that goal. If it was unsuccessful, there would still be an obligation both under the Safeguard plus the original commitments to get down to that goal.

DR SMITH: But in essence, in terms of the projection that's been made, it has an alternative pathway to ensure that the projection is achieved.
40

MR O'DONOGHUE: It is, but under the hierarchy we'd still be looking – there's still that avoidance-minimise-offset hierarchy. So, the emphasis would still be on mitigation rather than offsetting, if that's technically feasible, and also looking at operational and financial considerations as well.
45

DR SMITH: Understood. All right. Thank you. Thank you for your time. I'd next like to call Geoffrey Stevenson, if you could please come forward. Thank you, Steve. So, for the transcript, if you could just state your full name and then please present your evidence.

MR GEOFF STEVENSON: Geoff Stevenson.

DR SMITH: Thank you.

5

10

MR STEVENSON: Good morning, ladies and gentlemen, and esteemed members of the planning panel. My name is Geoff Stevenson. I've lived in Singleton and I've worked at Hunter Valley Operations since 2011 in a maintenance engineering role. I'm here to speak today in support of the development application for HVO North and HVO South open cut operations to continue with the extraction of 430 million tonnes of coal, run-of-mine coal, through to the year 2045. When I say that out loud, it feels like such a big number and it feels like such a quite a long period of time.

15

That number represents a lot of economic activity and a lot of benefit to our local community. That period of time would see me employed full time all the way to retirement when I'll be aged in my early sixties. It might also mean employment for my two young children should they ever decide to enter the mining industry when they finish school in Singleton.

20

25

Next slide. My son is 12 years old and my daughter is 9 years old, but they still have several years of school ahead of them. Mining is such a great employer, in my opinion, as the work cannot be outsourced or offshored overseas. Resources are located right here and it's right here that we have to train and employ the workforce that we need to extract those resources. We live in the age of AI and automation, and many jobs that existed when I finished school will not be available to my children when they finish school.

30

35

Next slide. This proposed project will benefit the community with improvements to local infrastructure. The relocation of sections of Lemington Road and the new bridge construction will remove the bottleneck that currently exists where the road crosses the Hunter River, known as Moses Crossing. Moses Crossing is a low level concrete bridge structure that is often closed to vehicles during flood events, as noted in the HVO Continuation Project Environmental Impact Statement Main Report on page 357. Modelling in this report indicates that this crossing has been submerged underwater a cumulative total of eight months since the crossing was upgraded back in the year 2010.

40

45

Next slide, please. I would like to add to this, that many weeks after a flood event has ended, I have observed myself Moses Crossing to still be closed off while it waits for the gravel road to be repaired and for the debris from the river to be cleared off the bridge. Data that I have obtained from Singleton Council suggests that from the start of the year 2021 up until April 2023, Moses Crossing was closed for a total of 826 days, or 44% of the time, roughly. The removal of Moses Crossing will allow pick-and-carry cranes or B-double vehicle trucks to access Lemington Road without having to travel on the New England Highway, thus giving further benefit to the local community.

Over the next three days, you will hear many diverse opinions from over 100 people. Some of those opinions will be opposed to this Continuation Project, and some of

those speakers live in areas far, far away from here, and they are not directly affected by this operation.

I would respectfully ask that the Panel make their decision with the strong consideration of this project's benefits for our local residents. Some of these benefits include the rates revenue that coal mines pay to Singleton Council, to the grant funding that Glencore has given to my children's school and also towards the construction of a domestic violence shelter in Singleton.

Next slide, please. The threat of closure of HVO creates a lot of uncertainty and anxiety amongst the local community. We are already facing the planned closures of Mt Arthur and Mangoola mines in the year 2030. We've just recently been struck with the bad news that Ashton's underground coal mine will cease operations by the year 2028. With respect to emissions, I hope that the Panel considers the emissions offset that is created by the closure of these mining operations.

I'd just like to finish by asking the Panel to please consider the local residents like myself who rely on this approval of this continuation application. Working families who are trying to raise their kids and just trying to keep a roof over our heads. Regular people who just want to provide a bright future for our children.

Next slide. Thank you for your time today. All opinions expressed are my own and are not a reflection of the company or any of its employees. Thank you.

DR SMITH: Thank you, Mr Stevenson. We have a copy of the written submission that you made to the Department, but if there's any additional material that you wish to submit, please provide it to the planners this morning. Was there any questions arising? No? Commissioner Chilcott ...

MR SMITH: Thank you. That was very clear.

DR SMITH: Thank you. All right. I'd like to call Ms Hunter, Jeanette Hunter, if you could please come forward. Thank you, Ms Hunter. If you could please state your name for the transcript and then provide your evidence.

MS JEANETTE HUNTER: Good morning, everyone. I am Jeanette Hunter. I was born in and now live in Newcastle, NSW, the lands of the Awabakal and Worimi peoples. We are connected by land, by water and by air to all living things. We are all local to one another. What happens with the HVO expansion will affect everyone, no matter where they live, not just its closest neighbours.

The impacts of climate change are already being increasingly felt in real time. It is the vulnerable people in our community who will feel these impacts disproportionately. Older people, those with chronic health conditions, people with disabilities, children and those without safe or stable housing, for example.

People like my late mother. Until she died last year, I cared for her at home for several years. We were lucky enough to have air conditioning and the ability to afford to keep it on to help her stay cool as the heatwaves rolled in. We worried about power outages

constantly though, not only for the issues with cooling, but the continued operation of equipment we used for her care. The frequent poor air quality in Newcastle which is at least partly attributable to the coal industry and the port that services it, also triggered her asthma and made it harder to keep her comfortable when she was seriously unwell.

5

The effects of climate change go beyond life threatening heatwaves. When we lived in Canberra, we almost lost our house in the 2003 bushfires. As I evacuated my elderly mum to where I was then living, five minutes away but still under ember attack, I saw houses burning on the hill above and a long line of cars evacuating people from the nearby suburb of Duffy. We were lucky; a change in conditions on the day halted the fire about five houses away from ours as the crow flies. But over 500 Canberrans were not so lucky, including four who lost their lives in the fire.

10

Climate change is likely to have contributed to the intensity of this fire. And I don't want anyone to have to go through that. However, over the last two decades, Australia has continued to clock up devastating losses from natural disasters. If the mining of fossil fuels continues unabated, the pace of climate change will only increase the frequency and intensity of floods, fires, storms and coastal inundation.

15

The compounding nature of these events will strain if not overwhelm the capacity of first responders, insurance companies and even governments. I'm also feeling the effects of cost-of-living increases which stem from climate change impacts right now. The grocery money doesn't stretch as far as that used to, and it's harder to pay bills. My home insurance costs have still increased significantly, almost 80% over the last six years, despite raising the excess and re-negotiating coverage, even though I don't live in a flood or bushfire prone area.

20

25

My mum and I used to regularly donate shelf-stable food and grocery items to the free shop near Hamilton Station. I have noticed an increasing number of people needing help with food and basic supplies there. They and many more will struggle as climate change continues to affect the cost of living and food security.

30

I'm also concerned for our coal mining communities, of which Newcastle is one, which will bear the economic and social costs of inadequate government planning for and investment in transition on top of climate change impacts. I want a better future for my nieces and for all future generations. I want us to continue to know and enjoy the Newcastle I've always loved and called home.

35

One of the things I love best about our region is the natural environment, our beautiful coastline, bush, rivers, wetlands, all the creatures that live in it such as the critically endangered Swift Parrot. The thought of losing more of that is unbearable and yet both the direct impacts of this mine expansion and the effect on climate change is setting us up for exactly that, at great cost both emotionally and financially. It is for these reasons I'm opposed to the Hunter Valley Operations Project being granted approval.

40

45

Thank you for your time, commissioners and everyone.

DR SMITH: Thank you. Are there any questions arising from the Panel? I did see that you did have some speaking notes. Obviously, we have the recorded transcript, but please feel free to provide them.

5 **MS HUNTER:** Thank you.

MR SMITH: Can I just say thank you very much for your submission, it's very clear.

10 **DR SMITH:** I'd like to call Jayden Pan. If you could please come forward, Mr Pan. Jayden, if you could just please state your full name for the transcript and then provide your evidence.

15 **MR JAYDEN PAN:** Sure. My name's Jayden Pan. I am an Environmental Scientist and Volunteer Firefighter, and I'd like to express my opposition to the Hunter Valley Operations Coal Mining Project.

20 Here we go. Right. Next slide, please. I'd like to challenge the claims all made by HVO and the DPHI in that the amended project claims to reduce the Scope 1 emissions by 48%. However, by mining, not mining gas domain 1, the amended project has reduced the amount of coal being mined by 28% in the first place, and thus has also reduced its Scope 1 emissions. However, that means only 20% of the emissions are actually avoided as a result of not mining gassy seams. And I believe that it should be counted as separate issues in that, because you're mining less coal, you are then not avoiding it and avoiding fugitive emissions. And also, all this only accounts for 2% of the emission that will actually be generated by the project, in that all that Scope 3 makes up 98% of that.

30 Next slide, please. Now, in the transcript to your meeting with DPHI, as was mentioned by the Department earlier, they claim that the coal mining industry is on track and expects to reduce its emissions by – to meet emissions reduction targets. The Department, sorry, the Net Zero Commission strongly recommends otherwise.

35 We are not on track to be – to meet our emissions reduction targets. This question was danced around by the Department, and it was taken on notice in your meeting with them. Whereas, very clearly, in a letter to DPHI, it claimed, "We are not on track to meet our emissions reduction targets." This was as of May 2026. We are going to exceed our legislated emissions reduction targets by 6.6 million tonnes of CO₂. And coal mining emissions will rise between now and 2030; 60% of that comes from eight coal mine expansions. Since these numbers were run, three of those expansions have been approved.

40 This makes the rest of the NSW economy have to reduce our emissions in a more aggressive manner than that of the coal industry. I realise this goes into direct contradiction to the claims made by the coal mining industry statement 2026–2050 and that of the Department's assessment.

45 HVO is the largest coal mine and most emissions heavy expansion in NSW history and is inconsistent with our legislated targets under the Net Zero Future Act. The Proponent also claims that given that we're only 1% of the NSW emissions, it's mostly

insignificant. But that is a direct contradiction to the guiding principles of the Climate Change Act and therefore should be – must be considered important. As was noted in the statement of reasons under the Chain Valley coal mine expansion. This project is 10 times that size.

5

The models aren't working – they're going to claim we're on track because we think it's going to work – but the models aren't working because we're not on track in the first place.

10

Next slide, please. HVO's own assessment states that climate change will negatively impact the region of the Hunter. This is not just a claim by me; this is a claim by HVO. Appendix E of the Amendment Report says, "It acknowledged that climate change is driven by the cumulative effects of emissions globally and that any new or continuing source of emissions, no matter how small, contributes to that total." Greenhouse gas assessment – it then goes on further to explain that greenhouse gas assessment impacts water – I'll move on next.

15

I am a dedicated Volunteer Firefighter. I come to you bearing many medals provided, awarded to me by the Governor General of Australia and various premiers of NSW during my 12 years in the NSW RFS.

20

Next slide, please. I have seen the effects of climate change firsthand. These eyes and these hands have fought it. Here is a photo of it when we were at Eraring, protecting ironically, the largest coal-fired power station in Australia. And these are the photos that were taken out the back of Milbrodale. We started on the day, we worked all through all night.

25

Next slide, please. At Mount Victoria – people might say this is not part of the local area, but that is actually the Gospers Mountain fire, which was the exact – a different front of the same fire that impacted the local communities of Cessnock, Milbrodale, Broke and Putty. It was that big.

30

I will request additional time, if possible?

35

DR SMITH: Have you got many slides to go?

MR PAN: One more.

DR SMITH: If you could complete your last slide, we'd be grateful. Thank you.

40

MR PAN: Sure. Thank you. Next slide. And I live in Gosford, I back onto the Koolewong fire and when I was evacuated from that area, the place I went was directly to the fire station to help fight that fire. I oppose the HVO Continuation Project because it will – it doesn't meet emissions reduction targets and climate change affects us all no matter whether we work in the coal industry or not. That's all I have to say.

45

DR SMITH: Yes, Commissioner, if you have a question.

MS JANETT MILLIGAN: I could ask you please to say a little more on why, looking at the original application and the amended application, the amended application avoids domain 1 and reduces the life of the mine. Can you tell us why you're dismissing or feeling that that assessment should not be taken in consideration as avoidance?

MR PAN: I'm not suggesting it should not be taken into emissions avoidance, I'm suggesting that it should be taken in less of a greater consideration due to they intend to mine 30% less coal. If you were to mine 30% less coal in a different area which then you would only have a 30% decrease, however if the original application were to go in as part of that, it would be a smaller application in the first place. So, simply by reducing the fugitive emissions from a gassy seam, only 20% of that proportionally is of a greater intensity. I hope that – does that make sense?

MS MILLIGAN: I understand what you're saying. Thank you.

MR PAN: Cool, thank you.

DR SMITH: So, a question in relation to your critique of the material. Did you have an opportunity to read or consider the independent advice the Department called for from Drs Moore, Dr William and Professor Estelle in relation to the greenhouse gas emissions?

MR PAN: Was that the IPEAM submission by the – to the Proponent?

DR SMITH: No, it was a request for advice independently from the Department that informed their report. So, there was ...

MR SMITH: The document.

DR SMITH: There were two – yes, so there were two opinions that were received and that formed part of the Department's Assessment Report that go directly to this issue. Firstly, in a matter of fairness, have you had a chance to consider that material in forming your evidence?

MR PAN: I read through it, but as I'm not at a sufficient level of expertise to be able to comment on that, unfortunately.

DR SMITH: No, that's all right. I just wanted to ... If you wanted to have an opportunity to say anything in relation to any particular critique or opinion you'd like to express in relation to that material. If you want to take that on notice, we've obviously got submissions open until the 2nd of August if you wanted to make any further observations, the Commission will obviously take that on board.

MR PAN: I'll do my best, but I'll try and answer it now in that avoidance of mining coal as opposed to avoidance of gassier seams ... If you avoid gassier seams, you should, the amount of emissions that will be proportionally emitted as a result of mining said seams versus the amount of fugitive emissions from – sorry, I'm trying to

think here – because they have a greater proportion of emissions, should be counted separately, with a different level of weighting when making an assessment.

DR SMITH: I understand.

MR PAN: Was not completed.

DR SMITH: All right. Thank you very much.

MR PAN: Thank you.

DR SMITH: I'd next like to call, our next speaker is by audio visual, I understand. There we go. I'll just check that that's – can I just get a sound check, can you ...

MR PRANAV DAYAL: Hi. Can you hear me?

DR SMITH: Excellent, yes, all right. If you could please state your full name, I can confirm that we can both see you and hear you. If you can state your name for the transcript and then provide your evidence. Thank you.

MR DAYAL: Thank you. My name is Pranav Dayal. Good morning, everyone. Thank you, commissioners. I'm an analyst at ACCR, the Australasian Centre for Corporation Responsibility.

Next slide, please. ACCR is a not-for-profit research and shareholder advocacy organisation focused on addressing the systemic and physical risks posed by climate change to financial systems and society at large. Our research team combines finance, investment, industry and climate science expertise to deliver actionable insights to institutional investors and policymakers. I have experience in assessing the economics and valuation of energy and resources projects, including how project outcomes change under different market, transition and warming scenarios.

Next slide, please. I am appearing today on behalf of ACCR with my colleagues, Dr Dimitri Lafluer and Dr Sophie Lewis. Our presentations will be followed by a written submission by ACCR recommending that the Commission refuse the development applications for the HVO Continuation Projects. Together, we will be addressing the Commission on the following issues, which will be dealt with in more detail in ACCR's forthcoming written submissions.

First, I'll present analysis showing the estimated net economic benefits of the projects are reduced by approximately 40% when applying latest NSW Treasury emissions valuation guidance. My colleague, Dr Lafleur will then present on the relationship between cumulative emissions and temperature outcomes. He will also highlight how the projects' emissions estimates are likely significantly understated and cannot be sufficiently mitigated. His analysis leads to the conclusion that the projects are consistent with more than 2 degrees of warming. Finally, my colleague, Dr Lewis will present on the environmental, social and economic impacts that will likely be experienced in the Hunter Valley region if the projects proceed.

Next slide, please. I want to start by focusing on how the projects' emissions have been treated and valued in the economic impact assessment. The Proponent's economic impact assessment contains a cost-benefit analysis in which emissions have been valued using a damaged consistent approach and apportioned to NSW by its share of global population.

The latest Treasury guidance (TPG24-34) carbon emissions in the investment framework, however, suggests a NSW-specific target consistent approach as the preferred approach for valuing emissions costs. TPG24-34 reflects NSW legislated emissions reduction targets and states that all emissions occurring within NSW should be considered within the scope of the assessment.

The Proponent's economic impact assessment estimates an emissions cost of approximately \$3.8 million. We compare this estimate with the methodology recommended in the latest NSW Treasury guidance. On our best application of the central case carbon values in TPG24-34 to the available project information, we estimate that the present value of the project Scope 1 and 2 emissions cost is approximately \$2.1 billion. Further, including interstate rail emissions on the basis that those emissions also occur within NSW, increases total emissions cost to approximately \$2.3 billion in FY25 present value terms. This is almost 600 times the \$3.8 million figure included in the Proponent's cost-benefit analysis.

Holding the other assumptions in that analysis constant, this adjustment alone would reduce the estimated net benefit of the projects to NSW by approximately 40%. Other matters including additional project related emissions occurring within NSW, future coal price assumptions, changes to carbon values and sensitivities, and the calculation of gross economic benefits could also materially affect the estimated net benefit from the projects. I set out this analysis in greater detail in our forthcoming written submission.

I will now hand over to my colleague, Dr Dimitri Lafleur, and thank the Commission for the opportunity to present.

DR SMITH: Thank you. Is Dr Lafleur here in person? Oh, on the screen, excellent, thank you. Doctor, if you could proceed with your evidence.

DR DIMTRI LAFLEUR: Thank you. Just checking that you can click the slides forward from your end?

DR SMITH: We can, thank you.

DR LAFLEUR: Yes, okay, thank you. Yes, good morning. My name is Dr Dimitri Lafleur, Chief Scientist at the ACCR. I have a PhD from the University of Melbourne that focused on the emissions from Australian fossil fuel exports.

And I will address three points today related to the HVO Continuation Projects. First, how cumulative emissions including the emissions that will be produced by the projects, relate to temperature outcome. Second, why the projects will likely cause emissions in excess of what has been reported due to the underestimation of fugitive

emissions. And finally, the limitations inherent in the projects' planned use of offsets to reduce its emissions.

5 So, on cumulative emissions. Cumulative global greenhouse gas emissions determine long-term temperature outcome and therefore climate impacts. And cumulative project-specific emissions determine a project's contribution to NSW cumulative emissions, and that is acknowledged by the Department.

10 This schematic plot shows that emission pathways can reach the same targets while producing fundamentally different cumulative emissions. So, targets alone do not determine temperature outcome.

15 In 2022, I and researchers from around the world published a peer reviewed paper in Environmental Research Letters showing that by 2018, cumulative emissions from existing fossil fuel extraction had exhausted the remaining 1.5-degree carbon budget. Using the latest available data, these emissions have now exceeded the remaining 2-degree carbon budget that we have left today. This shows that we are rapidly locking in more extreme climate impacts through continued fossil fuel emissions. This also means that the cumulative emissions from the HVO Continuation Projects are
20 consistent with more than 2 degrees warming. And it is therefore prudent to look at the climate impacts from breaching 2 degrees of warming, which my colleague Dr Lewis will elaborate on.

25 Next slide. This slide highlights that the projects' Scope 1 fugitive emissions, so the methane and CO₂ emissions from the open cut mine coal seams, in the Hunter region are likely underestimated. This matters because they contribute to cumulative NSW emissions. The plot shows satellite observed methane concentrations in black. The yellow dots and line reflect the National Inventory data, data provided by companies. The pink dots and line reflect data from independent data provider, Climate TRACE.
30 And the Climate TRACE data aligns much more closely with the satellite observations and is two-and-a-half times higher than the National Inventory.

35 And this finding shows that there is a high degree of confidence that the true fugitive emissions are higher than those estimated by companies. This suggests a likelihood that fugitive emissions from the projects are underestimated, leading to underestimated cumulative emissions from the Hunter region, a larger burden on cumulative state emissions, and an underestimation of climate impacts attributable to the projects.

40 The third point and final point I will deal with is related to the use of offsets. Next slide. The guiding principles of the NSW Climate Change Act state that, "Climate actions should reflect the best available science." And that science is clear; that fossil fuel emissions should not be balanced by nature-based solutions. And this schematic explains that point.

45 CO₂ from fossil fuels remain in the atmosphere over centennial to millennial timescales, shown in blue, nature-based solutions such as forest management, store carbon over decadal timescales, shown in green. And fossil emissions can only be balanced by permanent CO₂ removal such as removing carbon from the atmosphere and storing it in geological formations, shown in orange.

Next slide. The projects' projected gross Scope 1 emissions, here in blue, are too high to comply with the Safeguard Mechanism obligation, and the projects would rely on the Safeguard Mechanism credits and Australian carbon credit unions, so-called offsets, here the areas in red, to reduce gross emissions to net emissions, here in the purple and green lines. Historically, 90% of offsets have been nature based and these should not be used to reduce gross emissions.

I will now hand over to my colleague, Dr Lewis, who will present on the likely environmental, social and economic impacts of the projects on the Hunter Valley region. Thank you for your time.

DR SMITH: Sorry, if you could go back to Dr Lafleur. Just before we move to the next speaker, was there any particular questions the Commissioner had from what we've just heard there?

MR CHILCOTT: Look, there, I did have a question for the first speaker, Mr Dayal.

DR SMITH: All right, well, what we might –

MR CHILCOTT: But we can do that at the end.

DR SMITH: Indeed. So, if we could hear from all three speakers and then if the audio will permit, we'll then ask questions in seriatim. All right. Thank you, Dr Lafleur, if Dr Lewis, if we could please now hear from you.

DR SOPHIE LEWIS: Yes. My name is Dr Sophie Lewis. I am Chief Scientist with ACCR. My career as a climate researcher and IPCC lead author and as the former ACT Commissioner for Sustainability and the Environment, has been focused on understanding changes in extreme climate events and their impacts. It's based on this expertise that I'll provide a summary of what the HVO Continuation Projects mean to climate, specifically [audio glitches 01:30:50 to 01:31:10].

DR SMITH: Sorry, Doctor, I might ask you to pause there. We're getting an intermittent response audially from your evidence. Yes, there we go. Could we please just get a sound check from you now?

DR LEWIS: Yes. Is this any better for you?

DR SMITH: That is perfect. Thank you, please proceed.

DR LEWIS: So, first I'll describe the impacts of global warming above 2 degrees Celsius in the locality, and second, I'll describe the climate impacts in the locality that can be directly attributed to the emissions from these projects.

As my colleagues, Mr Dayal and Dr Lafleur have just discussed, the application before you cannot be viewed in isolation. For background, anthropogenic warming from fossil fuel burning activities is unequivocal. The rate of global warming we're experiencing now is unprecedented in at least the last 2,000 years.

The HVO Continuation Projects align with a trajectory of above 2 degrees of global mean warming. This is a pathway that breaches the targets of the Paris Agreement that aims to limit warming to 1.5 degrees, and this represents a high risk climate trajectory.

The Hunter is a distinct and highly exposed region to climate risks. On a warming trajectory breaching 2 degrees, the following changes in climate are modelled for the Hunter by 2050.

First, extreme heat. The Hunter is projected to experience at least eight days per year where temperatures exceed 35 degrees. Heat is Australia's deadliest natural hazard, and urban areas will see surges in emergency room visits, impacting the Hunter's most vulnerable first. Second, extreme rainfall and flooding. While overall winter rainfall is projected to [audio glitches 01:33:07 to 01:33:16] area like the Hunter, this means heightened risk for communities like Maitland and Singleton.

Third, coastal threats. The Hunter, the Lower Hunter, including Newcastle and Lake Macquarie, face significant exposure to sea level rise of at least 9 to 23 centimetres, leading to coastal erosion and estuarine inundation. And fourth, severe fire weather. The frequency of dangerous bushfire days will rise across the region, with the greatest increases hitting the Upper Hunter.

In my written report, I set out in greater detail the cascading social and economic impacts that will flow from these climatological changes in the Hunter.

I will now detail the contribution of the HVO Continuation Projects to assess quantifiable climate change impacts in NSW. Climate science demonstrates that every single additional tonne of carbon dioxide increases global warming. Over the lifetime, these projects will release approximately 809 million tonnes of greenhouse gases. These emissions can be used to calculate the additional fractional global warming resulting from the projects and its fractional contribution to specific regional climate impacts.

So, by using established scientific attribution methodologies, these projects will be responsible for at least one excess heat-related death in NSW, at least \$680,000 in annual costs to communities and businesses in western Sydney, and the net loss of at least 29 jobs across NSW directly due to climate-related disruptions.

This data is unequivocal. As you've heard me present today, the HVO Continuation Projects are aligned with the dangerous high risk climate trajectory in the locality and are a material contributor to global greenhouse gas emissions which are warming the climate system and are causing quantifiable local impacts.

Just as a significant number of emitters are contributing to the problem of global warming and associated climate impacts, multiple local actions are required to mitigate emissions to limit further warming. The Commission's decision regarding these projects is vital.

5 You've heard my colleagues give evidence demonstrating that current best practice cost-benefit analysis methodology suggests the projects will be much less economically beneficial for the state than what was reported to date. The projects will pose a material threat to NSW legislated emissions reduction targets, and the project emissions as currently reported have likely been significantly underestimated.

10 In ACCR's submission, the development applications for the projects should be refused. We will refer the Commission to our written submission which will follow, and we'll remain available to assist you with any questions. But thank you for the opportunity to present today.

DR SMITH: Commissioner Chilcott, did you have a question in first instance?

15 **MR CHILCOTT:** Yes. Is it possible to get Mr Dayal back on? Am I able to ask a question directly to him? Mr Dayal, thank you for coming back on and waiting. My question goes to the point you made concerning the cost of emissions and the differential between, as you say, HVO's estimate and your own, which I think you referred to 600 times, 3.8 million versus 2.1 billion. And I wonder if you could just identify for us the principal gaps that drive that differential.

20 Your colleague, Dr Lafleur referred to a difference in the scale of fugitive emissions, that may be one, but what is it that's driving this extraordinary difference in estimations?

25 **MR DAYAL:** Yes, thank you for that, Commissioner. I'm just getting a bit of feedback. The points that Dr Lafleur raised about fugitive emissions were not factored into that calculation. We refer to the Proponent's greenhouse gas assessment for Scope 1 and 2 emissions and used a TPG24-34 carbon values to draw the estimate.

30 In the Proponent's economic impact assessment, the costs are apportioned to NSW on the basis that it represents 0.1% of the global population, which brings – which is why the costs seem relatively understated compared to the approach we have used from TPG24-34 which uses a marginal abatement cost modelling, but with NSW-specific opportunities, and those costs can't be apportioned to sort of a population based pro
35 rata.

40 So, that's probably the biggest driver of the difference as well as factoring in specific abatement opportunities by the modelling in TPG24-34. Does that sufficiently address the methodology and drivers of the difference?

MR CHILCOTT: It gives me the insight I was looking for. Can I just ask finally, is that documented in your written submission?

45 **MR DAYAL:** Yes, we will follow up with greater detail in our written submission.

MR CHILCOTT: Appreciate that, thank you.

MR SMITH: If you could, in particular, just put the two methodologies side by side and just show us where the differences come from, that would be very helpful.

DR SMITH: Excellent. If Dr Lafleur could be brought back. Excellent. So, Dr Lafleur, I understand you've also got a background in geophysics and structural geology. Excellent, thank you. So, I trust you're aware that there's the prefeasibility trial for the gas drainage as part of the project. If you haven't done so already, can you provide any observation or your views in relation to the viability of that type of project, and in particular, if you've got any assistance you could provide in relation to the target it sought to achieve being reasonable and feasible.

DR LAFLEUR: The comment that I can make today is that it is a prefeasibility trial. There is no identified mitigation option for fugitive emissions from open cut coal mines today. And so, it is considered very, very difficult to mitigate those in the first place. And such a trial is an opportunity to see whether it works, but it's not proven. It is a prefeasibility trial, and therefore it cannot be seen as a conclusive mitigation option for a coal mine this size.

DR SMITH: Right. So, in that regard, it's obviously not proven for the subject site, but in terms of a geologically feasible concept, it is something that has been established and been proven elsewhere, but it just hasn't been proven to achieve the targets specified for this particular project. Is that correct?

DR LAFLEUR: It all depends on the amount of methane that you can capture. And yes, that's just not proven in any way.

DR SMITH: And second question, Dr Lafleur, if you'd like to address it and then also if Dr Lewis would prepare to express any view. Just in relation to local impacts in relation to GHG emissions, is there any literature or research or if you'd like to express your own opinion in relation to if there is an offset, the location of the offset being simultaneously local or whether there is any change or influence as to the location of the offset being interstate, nationally or globally.

DR LAFLEUR: Scientific perspective, it doesn't matter where that offset sits. It is all about the timescale. So, scientifically, that carbon in a biological offset stores carbon on a decadal timescale and then it matures and it, you know, it's given back the soil and atmosphere. A fossil fuel emission resides in the atmosphere on a centennial and millennial timescale, and because of that difference in timescale, you cannot compensate or balance the emission with the storage. And that is, yes, that is from a scientific perspective, something that needs to be taken into account.

DR SMITH: I'm grateful for that. If Dr Lewis could be made available to see whether she agrees with that view or wants to express any further opinion.

DR LEWIS: No, I'd agree with my colleague's opinion there. Thank you.

DR SMITH: All right. And lastly, the Commission does have the benefit of two independent opinions that were provided in relation to greenhouse gas emissions that's formed the basis of their report. I understand that you'll be providing a further written statement in due course, ideally before the 2nd of August. We'd be grateful if you could specifically review those opinions and any observations or alternative views

you'd like to express are included in that statement, if you could provide that opportunity to include that material, it would be grateful. All right, excellent. If there was no further questions from the Commission?

5 We'll now be taking a short five-minute break and we'll be resuming online with our next speaker.

[BREAK]

10 **DR SMITH:** All right. The hearing is now resuming. We are both live and the transcript is being recorded. Thank you, all right. Ms Stevens, if you could please state your full name and then provide your evidence to the Commission. Thank you.

15 **MS LEAH STEVENS:** My name is Leah Stevens. So, good morning, everybody. I'm a licensed conveyancer with 32 years of industry experience and I live in Newcastle. I am here today because I strongly oppose the extension of Hunter Valley Operations. And what I would like to spend to today is our experience with our conveyancing clients on dealing with people buying property every day, and what we've noticed for our clients especially in the last five years, with the economic impacts of climate
20 change and the high cost of home insurance.

So, by way of a background. Newcastle local government area is built on a floodplain. In 2023, Newcastle Council adopted a new flood study, and that extended their flood maps. This means that one-third of the Newcastle local government area is designated
25 as flood-prone land.

What that means for our clients is, especially in areas where my office used to be in the suburb of Maryville, Maryville is close to Throsby Creek and the Hunter River, it is low lying and it is close to the city, and it is quite a popular suburb to buy in. We've
30 had recent experiences with clients buying in Maryville where they have had really high insurance costs.

So, what we do, with one lady recently who was buying in Maryville, the council planning certificate in your Contract for Sale states whether your property is affected
35 by flood-prone land, her property was. We strongly recommended to her to obtain a home and contents insurance quote before she proceeded with an exchange of contracts, so before she proceeded with the purchase. Her insurance quote was \$11,000 to include flood coverage.

40 Another couple, again in Maryville, similar situation. The property was designated as flood-prone land, they obtained a home insurance content on our recommendation before they proceeded any further, and that insurance quote to include flood coverage was \$14,000.

45 So, we are seeing really sharp increases in the cost of insurance, especially for people buying properties affected by flood-prone land. What is even more concerning to me is that these quotes that are coming in now may be \$11,000 or \$14,000 today, but I cannot give any guarantee to my clients that these increased costs aren't going to increase in the future, which with our changing climate, I'm sure that they will. What

also concerns me is that not just the rise in cost of insurance, but will we get to the stage where insurance companies, simply due to the risk, simply will not offer insurance coverage in certain areas.

5 A big concern is for anyone with a home loan. If you have entered into a loan agreement with your lender, you have insurance obligations in your loan agreement. If you own property in flood-prone land and you have a home loan and if you one day cannot afford your insurance or maybe one day can't obtain home insurance, you will be in breach of your loan agreement. A breach means you are in default and there are terms in your loan agreement which set out the ramifications of default and ultimately it means that your lender could sell your property.

10 So, these are obviously very serious financial/economic concerns that I have for anyone. So, again, I strongly oppose the extension of Hunter Valley Operations. More emissions in the atmosphere, it is going to have a harsh economic impact on people, especially in Newcastle with one third of Newcastle being designated flood-prone land. Thank you.

15 **MR SMITH:** I just wanted to say thank you. That was a very clearly made submission.

20 **DR SMITH:** Thank you, Ms Stevens. Can I now call Jeff Drayton from Muswellbrook Shire Council.

25 **CR JEFF DRAYTON:** Thank you. Jeff Drayton, I'm the Mayor of Muswellbrook Shire Council. Chair, commissioners, thank you today for the opportunity to speak on behalf of Muswellbrook Shire community. Thank you also to the welcoming I received to those outside, it is good to see today so many have visited the Upper Hunter for probably the first time, treating this process like a couple of days holiday away from home.

30 The difference I guess with most speakers like myself supporting the project, it's certainly no holiday away from home for us. It is our home. You're going to hear from a lot of people over the next few days. You'll hear from a lot of people supporting and not supporting the extension. Some of those people have probably never been to a mine or never been to the Hunter Valley, for that matter. But nobody is living this more than the community of Muswellbrook.

35 I'm a former miner and now the Mayor of Muswellbrook Shire Council. Mine closures and decline is a reality for us. We live it every day and so do the other 50,000 people that are reliant on mining in the Hunter region. Right now, this region is standing at the most consequential economic crossroad in its history, and it is standing there twice.

40 The Hunter Valley Operations Extension Project is before you today. At the very same time, the Mount Pleasant Optimisation Project is before the High Court of Australia. These are not two separate stories; they are the same story told twice. Because Muswellbrook and Singleton do not experience these projects as isolated approvals. We experience them as one regional economy, one labour market, one housing market, and one set of family incomes.

If either project does not proceed, the impact on our communities will be serious. If both do not proceed in the same window of time, this region will face an economic and social shock without precedent. Held in mining jobs, in the contractors and in small businesses that service this industry, in housing, in retail, and in many family budgets of thousands of households right across Muswellbrook and Singleton.

This Commission does not carry that risk alone, but this Commission's decision materially shapes whether that risk becomes a reality. The NSW Government's own Coal Industry 2026-50 policy recognises what this community already knows: coal remains part of this state's economy for years yet. And that time needs to be managed deliberately, not ended abruptly by default, project-by-project through the assessment system.

Approving the HVO Extension Project with the Department's recommended conditions is consistent with that state policy pathway. It buys this region something it cannot buy in any other way – time. Time to build what comes next in a way that is planned, not panicked. Because let me be very clear: Muswellbrook Shire Council is not asking this Commission to keep this region dependent on coal forever. We are asking for the runway to reposition it.

This council is already doing the work alongside the NSW Government, the Net Zero Economy Authority, and BHP, we're delivering the Mt Arthur coal post-mining land use pilot, turning former mining land into the master planned industrial land that this region needs for the next economy. That pilot depends on a functioning regional economy to fund it, resource it, and give it time to succeed. Hunter Valley Operations' continued operation is part of what keeps that runway open. That is what we call powering the future economy means in practice, not coal instead of transition, coal helping fund the transition.

Council has engaged closely with the Department on this assessment. We support the recommended conditions requiring a post-mining land use strategy, a closure social impact management plan, and a construction workforce accommodation strategy. These conditions mean this approval is not open ended, it is a responsibly managed, time limited bridge with closure and community transition planning built in from day one, not bolted on at the end.

Council has also been direct with the Department and the Proponent about where we believe the current package falls short. Particularly on the scale of direct financial contribution to council relative to comparable operations and on productive interim use of buying buffer land with the life of the mine, not just after closure. These remain live issues for us, and we will keep pursuing them, but they are only reasons to strengthen this approval, not reasons to withhold it.

I haven't seen a project bring people together before like this application has. The people of the Hunter, particularly the Upper Hunter, realise the consequences of this application if it isn't approved; they will be economically unrecoverable.

Commissioners, this region has powered NSW for generations. We are not asking you to freeze that role in place. We are asking you to approve this project with strength in conditions, so this community has the time, the revenue and the stability to power what comes next for Muswellbrook, for Singleton, and for the entire Hunter. Thank you.

5

DR SMITH: Mayor Drayton, just one question please from Commissioner Milligan.

10

MS MILLIGAN: Thank you. Can I ask you when the transition planning started, when council started its transition planning, and can you tell us how advanced you feel it is?

15

CR DRAYTON: I think transition planning – there'd be plenty in the room that might giggle at this answer – but transition planning has been going on both with state, local and federal governments now for some 10 or 15 years. I think it's difficult to answer, because if we're talking how far into transition we are, I would say not very far, certainly not as far as we should be. But certainly councils now, and particularly our council, Muswellbrook Council, have done an awful lot of work in the last two years, and certainly have an awful lot of work to go with what we know is ahead of us, and with the closures I spoke earlier about, in 2030.

20

MS MILLIGAN: Thank you.

25

DR SMITH: So, just following on from that. In terms of the council's own Local Environmental Planning instruments, is there an intention for rezoning to deal with the introduction of industrial precincts and so on?

30

CR DRAYTON: That rezoning process is – you might have seen in the media the last couple of days – that rezoning process is well and truly down the track and in fact we expect a lot of that rezoning process to be finalised by the end of this year.

DR SMITH: Thank you. Thank you, Mayor. Can I now call Jan Harris?

MS JAN HARRIS: Yes, good morning. My name is ...

35

DR SMITH: Yes, we can hear you and see you clearly, so if you could please proceed.

40

MS JAN HARRIS: Okay. I'm a little bit nervous, I've had some technical difficulties. Good morning. My name's Jan Harris, I'm retired from paid work, I'm a mother to two and grandmother to three young people. I live on the lands of the Djiringanj people of the Yuin nation on the south coast of NSW. I'm a keen ocean swimmer and member of my local surf club, and am amongst a growing group of Australians who have sadly lived experience of being on the frontline of climate disaster.

45

Like so many others who have lost to fire and flood, I'm just an ordinary person who has survived extraordinary events. My personal experience has led me to speak publicly about climate and its impact, and how to convey in a couple of minutes the deep impact of climate disaster.

On March 18, 2018, on a day of catastrophic weather, we lost our home. I'm normally up and about walking or running in the bush early in the morning. Not that day. The wind was just horrendous. Our son came into our lounge room at about 12:34 – I know the time, not about, I know the time because we were actually watching ABC live news coverage on the TV – and said he could smell smoke.

He and my husband went to investigate. There was a small wisp of smoke and the wind was pushing it straight at us. My husband suggested our son put stuff into the car as things might kick off in a few hours. Minutes later, I went to walk and it was just a wall of smoke coming straight at us. We decided to leave – or my husband decided we would leave. And I went into the kitchen, grabbed our son's medication and my handbag and we left.

Earlier that morning, my husband was working on something in his shed. He'd picked up his hammer and paused – the hammer was one he'd inherited from his dad. As he used it, he thought of our son using it after he was gone. He said it made him feel both connected to the past and the future. These are things that we lose. We lost everything in that fire. No amount of money can replace those precious items that have deep meaning to us. Picture your own homes, picture the things that give you joy and add meaning to your life, picture losing all of those.

Climate damage is so personal, so intimate, and it doesn't discriminate. When difficult things happen in our lives, we retreat to our safe place. For us, like many others, that was home. It was gone. There was no safe place. The emotional toll has been enormous. We know that if we had stayed and packed the car with treasures, we would have perished. We left with nothing. Eight years on, I still have waves of anxiety where the thought is, 'Is this the moment I'm going to die'.

We are still paying financially, like the rest of Australia, as the cost of insurance and rates go up and up. I'm frequently asked, 'Why did we rebuild here?' And my answer now is, 'Tell me where it's safe from bushfire.' Canberra certainly showed it could happen in the suburbs, and LA made it clear no amount of money can protect us from these climate fuelled fires.

I am not a scientist, but I have learnt to trust what science tells me. For example, my son is alive, thanks to the scientists who developed insulin. Science is telling us that the burning and extraction of fossil fuels is the major cause of climate change. So, I am confused that our government is even contemplating approving the extension of this mine. There is so many points in my life where the government has stepped in to make Australians safer – seatbelts in cars, child safety seats, banning cigarette ads on TV and at sporting events – all done on the basis of evidence science provided.

So, why are we ignoring the advice from scientists in regard to the extension of this mine? I want my government both at state and federal level to walk us into a future where we are safe from these disasters. So, I'm asking that the recommendation is a hard no to the extension of this mine.

Another question I'm frequently asked is, why do I keep re-living the trauma of that day and speaking out. It is difficult and it does take an emotional toll. However, I know

the true cost of surviving the darkest disaster and I don't want to see other Australians endure what my family has.

DR SMITH: Thank you. All right.

MS HARRIS: I want Australians to be safe –

DR SMITH: Understood.

MS HARRIS: Thank you for your time.

DR SMITH: No, thank you. If there is any additional observations or evidence you wish to make, can I please ask you to reduce them to writing and lodge them online by the 2nd of August. But thank you, we have heard clearly everything you've said this morning. Were there any follow-up questions?

MS HARRIS: Thank you.

MR SMITH: Thank you.

DR SMITH: Excellent. Thank you. All right. I'll now call our next speaker, Fiona Lee.

MS FIONA LEE: Hello. My name's Fiona Lee. Thank you for the opportunity to present my objection to the Hunter Valley Operations Extension. I live on the mid coast of NSW where I grew up, and I've spent 15 years living in Newcastle. I make this presentation today as someone whose life has been irreversibly changed by climate change, and I strongly oppose the HVO Extension, the largest project ever proposed in this state.

Before I begin, I'd like to draw your attention to the July 2025 Court of Appeal ruling on Denman vs MACH Energy which found that decision makers on coal projects are legally required to consider the impacts of climate change in their decision, and are not limited to the locality, which wasn't defined in that ruling.

So, I want to share my story of climate impact and my family's home, like Jan's, was burnt to the ground in Black Summer in 2019 and incinerated absolutely everything my family had worked so hard for. Our home, our Hilux, our possessions, my daughter's first bedroom, all gone. I also lost my job that day and I'd just received a promotion.

The Black Summer Fires burned more than 24 million hectares, directly causing 33 deaths and almost 450 more from smoke inhalation. Over 3,000 homes were destroyed, including mine and 18 of my neighbours. Estimates of the national financial impacts are over \$10 billion. Sadly, soon after the Royal Commission into the Bushfires said, "As the events of the '19–20 bushfire season show what was unprecedented is now our future."

As I stood in the ashes of my home, I saw this future, but I don't want to accept it. I have a young daughter. That's why I stand here today, to encourage you to reject the HVO Extension and the 800 million tonnes of lifecycle greenhouse gas emissions it would produce, which will make climate change and bushfires worse.

The Intergovernmental Panel on Climate Change has found that each additional tonne of greenhouse gas emissions increases the impacts of climate change, and that there was a near-linear relationship between the cumulative CO₂ emissions and global warming. The CSIRO and the NSW Bushfire Inquiry both concluded that climate change made the Black Summer Bushfires worse.

Strong adaptation measures are certainly needed to respond already to the impacts of climate change. My family has built back, and we've done absolutely everything we can within our power to prevent our house from burning down again. We've clad it in tin, we've added sprinklers, we've done clearing, we've secured our water, we've joined the Rural Fire Service and made another bushfire survival plan. But we can't adapt our way out of climate change. We must stop mining and burning fossil fuels, including coal from HVO, to keep our communities safe.

It's taken a really long time for our family to get back on our feet, having shouldered the financial burden of rebuilding our lives from nothing, and emotionally, the toll has been devastating. But for my community on the mid coast, the disasters didn't stop when the fires went out. Since Black Summer, we've been hit by rolling extreme weather events, including the devastating flooding in Taree last year.

One of the major bridges into nearby Wingham, my regional centre, was completely destroyed, as was the public pool, and they're still not rebuilt. The supermarket was closed for six months. These ongoing disasters mean that my local council has had to apply for disaster funding 16 times in just the six years since Black Summer. And these disasters are happening to my community more often because of climate change, driven by the mining and burning of fossil fuels, including coal that's being dug out and shipped out of the Hunter.

Glencore and Yancoal continue to post huge profits while they're fuelling extreme weather events like bushfires and floods, which are costing ordinary people like me and my family everything, but they are paying none of the price. It's ordinary families like mine who are left to carry the burden of the impacts of climate change they are responsible for creating.

The approval of HVO Extension is fundamentally incompatible with keeping our communities safe from escalating unnatural disasters, and because of this, I believe HVO absolutely must be rejected.

DR SMITH: Thank you. Nothing arising. Thank you for your time and presenting this morning. All right. Our next speaker is Terry Morgan. Can I please ask Mr Morgan to come forward, thank you. Thank you, Mr Morgan, your full name please and then if you can provide your evidence.

MR TERRY MORGAN: My name is Terry Morgan. Thank you for the opportunity to address the hearing, and I oppose the expansion and extension of HVO mining operations.

5 I'm 75 years old, a father and a grandfather, and I've recently become a great grandfather. This should be a source of pure joy, but I lie awake at night worrying about the hostile world this tiny vulnerable human being will face.

10 I live in the Upper Blue Mountains and during the 2019 to 2020 bushfires which affected 80% of the Greater Blue Mountains World Heritage Area and killed an estimated 3 billion mammals, reptiles, birds and frogs, we stayed put, even when the fire from the Grose Valley roared up the eastern escarpment near Govetts Leap less than a kilometre from our home. The noise of circulating helicopters and the 737 air tanker was deafening. But thankfully, they managed to contain the fire before it ended
15 the urban area of Blackheath.

It was the smoke that finally drove us out. We had been coughing for two weeks when we finally decided to evacuate, heading down to Wollongong to family, where the smoke from the south coast fires was nearly as bad. There was a newborn baby in that
20 house, and we were unable to provide him with clean air. Listening to his coughing was excruciating.

The recent declaration of an extreme El Nino event has us worried that another extreme bushfire season is imminent. The NSW Court of Appeal has determined that
25 this Commission must consider climate impacts when assessing coal mine proposals. I welcome this determination because it confirms that the court accepts the scientific evidence that anthropogenic climate change is a global emergency that threatens the survival of humanity and the biosphere.

30 That this should even be contentious seems absurd. But we live in an era when politicians in opposition deny the science and those in government claim to accept it but act as if they don't. Currently, we're on track to reach more than 2 degrees above pre-industrial levels before the end of this century, perhaps by the mid-2040s.

35 The current heatwaves across Europe, Asia and the Americas are a harbinger of what's to come. Catastrophic sea level rise, temperatures above survivable levels, the demise of our food systems, and probably civilisational collapse. All of this is documented in the reports of the Intergovernmental Panel on Climate Change, the International Energy Agency, and a range of reputable scientific research organisations.
40

I'm not likely to be alive when the worst of these things happen. But my grandchildren will be in early middle age, and my great grandchildren will be teenagers. I am frankly terrified about what's in store – not just for them, but for all of your grandchildren and children too. Many of these changes are locked in because of the greenhouse gas levels
45 already in the atmosphere, but the extreme changes can be mitigated if we stop burning carbon now. We need to pressure our governments to stop approving new fossil fuel projects and extending the life of existing ones.

In turn, our governments must pressure other countries to do the same, and then we need to do more, much more. I understand the anxiety of workers in the coal industry about losing their jobs. A just transition for coal workers into other industries will be difficult, but not impossible. I'm a lifelong unionist. I'll support coal workers in this struggle. We must think long term. After all, there are no jobs on a dead planet.

DR SMITH: Thank you, Mr Morgan. Is there anything arising?

MR SMITH: Thank you.

DR SMITH: I'd like to call our next speaker, Johanna Lynch.

MS JOHANNA LYNCH: Good morning, my name is Johanna Lynch. Thank you to the Independent Planning Commission and to all of you for gathering here today to hear my objection to the Hunter Valley Operations Coal Mine Continuation Project. I am speaking on my own behalf today as a lifelong Hunter resident and someone who loves this place and all of its people and feels very strongly that we have a lot more in common than we might think. So, I will declare that I am the Newcastle Hunter Coordinator with Lock the Gate Alliance, but I speak on my own behalf.

I object to the Hunter Valley Operations Continuation Project, primarily due to its adverse impacts on the environment and ecology of the Hunter, the severe disruption to the Hunter alluvium and displacement of the river, its encroachment onto the alluvium, the increase in particulate air pollution contributing to health burdens that are already borne disproportionately by the people of the Upper Hunter. The loss of native vegetation, which is unique to the Hunter. There's just under 200 hectares of vegetation to be lost. It doesn't occur anywhere else and there are some river red gums and quite a significant amount of bushland that will be impacted. Even though the seams are being mined deeper, there are extent impacts that shouldn't be underestimated.

I object to this proposal on the basis of its contribution to global greenhouse gas pollution over its proposed lifetime to 2045, which will contribute to global warming and fuel more extreme weather and events and ecological collapse, which will harm our society and our economy and our community. Accelerating climate change is an urgent and present problem and it's increasingly impossible to ignore here in Australia and NSW and the Hunter, as you've heard from speakers today already.

I've seen for myself the devastation of the flooding that occurred in Lismore and assisted with what were valiant and ongoing community recovery efforts from the 2021–2022 floods. I've seen the pain on the faces of my friends, who you heard from earlier, about having to start again completely in the wake of the 2019 bushfires. Like many people of my generation and many people, increasingly many people, the thought of purchasing a home at some point is remote. And the increasing cost of living pressures that all of us are subject to are an affront to our dignity and to the value that we have to bring to society. And I understand that coal mine workers are also struggling from cost of living because it's relative, right. That's all of us.

The impacts of extreme weather events are immense on individuals, on families, on entire communities and regions, as you've heard. The psychological, emotional, financial toll of these events last long after the event itself and they last throughout the recovery and reconstruction period. Indeed, people carry the scars of these events with them for their whole lifetimes. These events also strain our supply chains and they're reducing the productivity of our food crops and they're putting up the cost of living for every single one of us at the grocery store. Climate change has already seen every Australian household lose about \$20,000 of their average annual income and in a high emission scenario in which Hunter Valley Operations is approved, that will continue to go up year on year for every household.

State royalties and the taxes contributed to the state of NSW by the coal mining sector will not cover the costs of the damage from the pollution that will be produced by the coal mining sector. Royalties and taxes from the mining sector paid to NSW will be far exceeded by the costs of extreme weather events by 2050, a couple of years after this mine, if it's approved, is set to close. The exposure to loss and damage of life and property for everyone in NSW and Australia is increasing as global average temperatures rise and we are all being asked to foot the bill for that while coal corporations make their profits.

These are unjust terms for every one of us here today and all of our community. Export coal, the source of our region's economic prosperity, job security, identity of this place, has enabled the Hunter's economy, us here to thrive, all of us, for the last few generations. And I say that as someone who's not employed in the industry, but our whole economy here is, you know, centralised around the mines, where no one's denying that. It's in decline, we all know that, the mayor said as much. I think it's urgent that we implement plans to prepare for this decline to shield every family and individual who will suffer economic impacts from the necessary closure of coal mines.

New economic opportunities are needed in order to sustain ourselves and the good life we have here in the Hunter in years, decades, and generations to come. There's no shortage of potentials and probably more opportunities than we think to explore on this front when it comes to economic diversification, landscape rehabilitation and revegetation, green steel and renewable manufacturing, the expansion of cultural and ecological tourism, the revival of agriculture and primary production. I know I'm not alone in holding some of these visions for a post-mining economy and good work and good jobs for us, you here in the future. These new economic opportunities and our commitment to realising them are urgent because we cannot afford the cost of coal pollution any longer.

If the Independent Planning Commission is to give due consideration to the environmental, social and economic costs of this particular proposal, it is my contention that it must be rejected. And with that, I would like to thank you for all of your time if you don't have any questions.

DR SMITH: No, thank you for your time. If you did have speaking notes that you wanted to provide to the planners –

MS LYNCH: I will be making a submission, yes.

DR SMITH: Great, thank you.

MR SMITH: Thank you very much for your presentation.

DR SMITH: I call our next speaker is Susie Russell.

MS SUSIE RUSSELL: Thank you. Susie Russell, Mid North Coast. In the last seven years, I have witnessed and been directly affected by three catastrophic and unprecedented climate events. In November 2019, I almost lost my home during what was known as the Black Summer fires, with flames coming within 10 metres of the house, spared by a late afternoon wind drop. Nineteen families from a nearby village weren't so lucky. Their homes burned, as did those of several more friends in the immediate area.

In March 2022, I arrived in Lismore just after an historic flood peak that completely shattered the city's previous record, overtopping the CBD levy wall by more than 3.7 metres and displacing over 12,000 residents. The impacts of that catastrophe are still very present today.

In May 2025, what was described as a catastrophic 1-in-500-year disaster saw the Manning River reach an unprecedented peak of 6.5 metres, completely shattering the region's previous record and submerging massive stretches of town infrastructure, farms and homes. Again, the cleanup is ongoing.

As someone who studied science at university, I've been aware of the dangers of climate change for almost 40 years. I voiced those concerns at a public meeting in Port Macquarie in 1995. Thirty years on, it is clear that the future is now. Global temperatures continue to rise. Global sea surface temperatures have officially broken all time modern historical records. Atmospheric CO₂ has risen from a 10,000-year stable threshold of less than 280 parts per million to 432 parts per million and rising, a concentration not existed on earth for at least 2 to 3 million years.

The AMOC (the Atlantic Meridional Overturning Circulation), which regulates the Earth's climate, is weakening. We have just seen an absolute all time high of 100 degrees Fahrenheit, or 38 degrees Centigrade in the Arctic Circle. The European Mortality Monitoring Network says that more than 10,600 people died from heat related illness between 22 and 28 June this year. August is traditionally the hottest month in Europe. Big tolls too on crops and livestock with between two and a half and 3 million chickens dying in France alone during June from the heat.

I could go on and on. Everyday records are being broken, extreme, unprecedented and catastrophic weather events are now the norm. I want you to imagine for one minute that like the astronauts, we are looking at the earth from space. Most experience what is known as the overview effect, a profound cognitive shift in awareness, a realisation that Earth is a single fragile and deeply interconnected living organism stripped of the artificial borders and national divisions created by humans. The atmosphere is seen as a paper thin, glowing blue line protecting life from the harsh vacuum of space. Earth's

thin atmosphere is all that keeps us from burning up and the extinction of all life on Earth as we know it.

We know human activity affects the atmosphere. CFCs, chlorofluorocarbons, were banned when it was shown that they were destroying the ozone layer. Unfortunately, the global consensus on the need for action to protect our atmosphere from greenhouse gases has been thwarted by the fossil fuel industry. It is nonetheless indisputable that pumping heat into the atmosphere is causing the molecules to move faster, first law of thermodynamics, and that the atmosphere is like a giant heat engine that is now taking us to uncharted territory. At what point do we say stop? Do we just keep on digging up and burning coal until finally the earth is too hot for human existence?

This is an existential crisis. It's not about jobs. It's not about politics. It's about whether we as a society are going to start acting as if our house is on fire, because it is. Those of us who understand the science must do all we can to try and slow down the behemoth. That means that you as decision makers need to reject this massive expansion in the HVO mine. Emissions are global. As the earlier speaker said, there are no jobs on a dead planet. Thank you.

DR SMITH: Thank you, Ms Russell. I call Kathy McKenzie.

MS KATHY MCKENZIE: My name is Kathy McKenzie. I'm a Knitting Nanna, but I speak on behalf of myself, on my own behalf. I shouldn't be here today. None of us should. We've long been warned that if we want a liveable planet, we need to leave the coal in the ground. A so-called continuation does not detract from the fact that if approved, more coal will be dug up, adding to the emissions already heating the planet.

My first memories of the Hunter are from the 1960s when my family drove through the valley on our way to Sydney. Every year, my dad, a farmer and grazier, looked out the window at the lush green fields and said, "This is beautiful country." Around 2010, I moved to a remote community at the southern end of the Singleton local government area. On trips out west to see my family, I began to see beyond those banks along the Golden Highway and into the massive coal mines. Singleton was no longer a country town, but a mining town. Fluoro utes lined the streets.

In early 2019, the land was parched. A bushfire started in the Wollemi National Park and came to within 500 metres of our home. Five helicopters filled up at our dam. The big plane, the pink plane, dropped the fire retardant. Twenty RFS vehicles from all over the state had a briefing at the bottom of our hill. Then it rained and they moved on. In October that same year, the infamous Gosper Mountain fire started to the west of Putty. It reached us in December, when there were fires across NSW. This time we saw no helicopters, big planes or RFS vehicles. Our local fires kept our community safe and we did what we could.

Here's some extracts from my diary from 31 January 2020 at 3:30 a.m. "It's been like being in a bubble. We concentrated on saving our house, the shed, and our neighbours' shed and hut. Inside the bubble, I felt as if I was in control. But yesterday, the bubble burst and we could see the outside world again. The enormous cost of the drought, the

heat waves and the fires. Our poor country. I can't sleep thinking about it all while the climate is changing. This is the new norm. What have we done?"

5 Then the floods hit. Usually, the bridges go over and we're stuck for a few days. Not a problem. It happens every couple of years. Normally. However, in 2022, the bridges were impassable six times. In March, the main bridge was under for eight days. Houses went under, stock were lost. People were really frightened. The electricity was out for eight days, so landlines and mobile tower didn't work. Some houses were supplied with generators for months. Using satellite internet powered by solar and battery
10 storage, I was able to liaise with Singleton Council staff about what the community needed. Food and medicine was delivered by helicopter.

15 Council staff was stretched to the limits, dealing with the compounding damage to the Singleton local government area. Then sinkholes appeared and broke. Ash and dirt washed down the hillsides and onto our gravel road. Sections collapsed. Council said to wait for disaster funding to fix it, but we couldn't. The worst part was paid for and fixed by landholders including my 80-year-old husband. Council eventually repaired parts of the road and creek crossings, but the road was riddled with deep potholes, making it unsafe. We became very isolated. We drove to town rarely, discouraged
20 visitors from fear they would damage their cars. After many letters and phone calls, we were told that there was no council money for our road. Last year, we bought gravel and again fixed the road ourselves.

25 The Putty Road, a major inland road between Sydney's Northwest and the Hunter Valley, was closed for a week due to the flood and to this day, long stretches, as many of you probably know, are still under repair today. And still, the NSW Government approves coal mine extensions. It's rural and regional residents, not the coal companies, that are paying the costs. Unaffordable insurance, repairs to infrastructure, the reduction and pollution of water resources. Very few Australians profit from the
30 coal exports and it's the expense of all Australians' water and food security.

DR SMITH: Excellent, thank you for your time. If you did have notes that you wanted to provide or if there's anything further you wanted to say, 2 August. Thank you. All right, can I call Rosemary Hadaway? Thank you, Ms Hadaway. I understand you're
35 from the Mudgee District Environment Group.

MS ROSEMARY HADAWAY: That's correct.

DR SMITH: Great, if you could state your full name and please provide your
40 evidence, thank you.

MS HADAWAY: Good afternoon, everyone. My name is Rosemary Hadaway and I'm the president of Mudgee District Environment Group and I speak today on behalf of the group, which strongly opposes this project.
45

This project is not standalone. It must be assessed in context with its neighbours, the catchment and beyond. I will speak to just one aspect of the environmental impact of this project, an aspect that has major consequences for intergenerational equity. The cumulative impact of salt export from coal mines has long-term implications for the

groundwater, the river systems and the resilience of riverine and groundwater dependent ecosystems and of course our own human use of water.

5 Above this project in a catchment, Ulan, Moolarben and Wilpinjong coal mines on the
Goulburn River have discharged licences that equate to a potential salt export of over
28 tonnes per day, 100,000 tonnes per year of salt and that doesn't include the indirect
passive seepage of saline ground water from the disturbed mine areas or the disposal of
the saline concentrate from reverse osmosis plants into the disused pits and used as a
dust suppressant. The mine water discharge I referred to affects salinity levels and salt
10 loads over the 225-kilometre length of the Goulburn River and the Hunter River below
Denman. This salt load influences the function and viability of your own Hunter River
salinity trading scheme.

15 The salt load from the Goulburn River mines affects the landscape and the context of
this project. Over time, open pits hold increasingly saline water, requiring ongoing
management and security for many generations. The post mining re-stabilisation and
partial recovery of the water table has the potential to activate and mobilise
sequestered salts, heavy metals, organic compounds. You know, the stuff that no one
likes, benzene, toluene, ethyl benzene, xylenes, phenols, all contained within the coal
20 measures and the overburden. This represents a significant hazard over time to water
quality, particularly when combined with the extreme climate variability that we are
already experiencing.

25 There is a risk that saline seepage and spills associated with large rainfall events will
be dispersed downstream, polluting surface and groundwater in the entire Hunter River
system. No management plans or offset and prevent these natural processes. MDEG
does not support the rather glib statement in the assessment report from the
Department of Planning. Yes. They suggest that regarding water, cumulative impacts
would not result in significant impacts to aquifers, waterways and the ecosystems that
30 depend on these water resources. There is much else in the assessment report that we
do not support.

35 Of course, I have focused, telling you there, thank you for your patience, regarding the
salt load. Many other cumulative impacts, of course, involve our intergenerational
equity that we are required to take note of under the legality of the EP&A Act. The
cumulative footprint of the mines, the ones I referred to, cover 3,000 hectares. This one
will cover an additional 1,000. Biodiversity, our loss of our threatened ecosystems, our
endangered species, the air quality, particulate matter that is quite likely to respond
differently as it drops out, the inversion layers change with that uncertain climate. The
40 Aboriginal heritage, that we are diminished with its continual destruction. So much,
MDEG submits that the impacts of this project are substantial and long term.

The project should not be approved. Thank you for your time, Commissioners.

45 **MR SMITH:** No, no questions.

DR SMITH: Yes. Thank you. So, Ms Hadaway, I don't understand that you've made
or the MD has yet submitted a written submission. Is it going to be providing a written
submission in due course?

MS HADAWAY: Yes, yes.

5 **DR SMITH:** When it does so, if you could take the opportunity, I know you've made
reference to the Departmental Assessment Report. The Department sought specific
independent advice in relation to water related mitigation and monitoring measures,
and there's quite a detailed independent expert advice that's available on the
Department's website. In that submission, if you could take the opportunity to critique
10 that and provide any comments or submissions you wish to make in relation to the
specific salinity water matters for the Commission's assistance, that would be
appreciated.

15 **MS HADAWAY:** Yes, indeed, we will do that. In the main text of the assessment
report, the word "salinity" does not occur, the word "salt" occurs once.

DR SMITH: Understood, all right, thank you so much.

MS HADAWAY: Thank you, we will review.

20 **DR SMITH:** All right, our next speaker is from J&S Engineering and Maintenance, I
understand Kirsty Bunt will be providing evidence, if Ms Bunt could come forward.
Great, thank you, just your full name and then if you could provide your evidence,
thank you.

25 **MS KRISTY BUNT:** My name's Kristy Bunt. I am the general manager of J&S
Engineering in Rutherford. I hadn't planned on getting up to speak today, but I'm here
now, so here we are.

30 J&S is a family-owned company based here in the Hunter Valley. I live here in the
Hunter Valley. I actually live in this community. Next year, we will be celebrating 40
years in business. My father founded the company, and while I've worked there for the
past 28 years, the truth is it's been part of my life for as long as I can remember. So,
when I speak about our company, I'm not just speaking about the company. I'm
speaking about something that's deeply personal to me and to my family and the 105
35 employees that we have.

40 For nearly four decades, we've experienced the highs and lows of the mining industry.
We've watched businesses much larger than ours close their doors. We've watched
companies that have been operating in our region for generations simply disappear. We
know how quickly work dries up and we know how hard it is for businesses to recover.
And we also know that once skilled people leave this region, it's hard to get them
back. Our history with HVO stretches back decades. The names and ownerships have
changed throughout the years, but one thing has remained consistent. The operation
has supported local businesses like ours and businesses like ours have supported it.

45 If this Continuation Project is not approved, we estimate that we will have to reduce
our workforce by around 30%. They're not numbers to me. They're people I speak to
every day as I walk through our workshop. Many have worked beside me for many
years. I know them, I know their families. I've watched their children grow up. And

the thought of having to tell them that they no longer have a job is something that I really hope I never have to do.

5 Large operations like HVO, together with local businesses like ours, we follow the rules. We jump through the hoops. We do everything we can to support our communities. We employ local people who buy homes, raise families, and spend their wages throughout the Hunter. The money that's earned here stays here. We are just one, one of around 800 suppliers in that network, not to mention the 1,500 direct employees. If an operation of that scale is removed from the region, the impact reaches
10 far beyond the mine itself.

I understand the Commission must consider the broader impacts of this project, including Scope 3 emissions. I believe that broader view must work both ways. This will not remove the demand. This is not a new mining region or even a new mine.
15 They're not even asking to increase their capacity. This is a continuation of an existing operation that has supported this community for decades and provides certainty for thousands of workers, families, suppliers and local businesses.

I'm here today in support of this continuation because of what it means to our
20 business, to the many other businesses like our business, to the workers at HVO and to the wider community. This is about hardworking people who show up every day, do demanding work, support their families, pay their mortgages, build a life that they can be proud of and build a future of security for themselves. It's about businesses like ours continuing to invest in this region, to employ local people, to train up skilled tradespeople and build capability in the Hunter. And it's about Australia continuing to
25 do this work responsibly under our strong standards.

Today, I respectfully ask the Commission to look at the full picture, yes, the environmental impacts, but also the social, economical and human impacts that
30 removing this level of work from the Hunter would mean. Communities like ours are built over generation. If the demand has not disappeared and the work has not disappeared, then don't let the Hunter businesses and workers who have met that demand safely, responsibly, reliably, and accountably for decades be the one to pay the price. Thank you.

35 **DR SMITH:** Thank you. Any questions arising?

MR SMITH: No, thank you very much.

40 **MR CHILCOTT:** Thank you.

DR SMITH: I next call, Nic Seton, Parents for Climate Change, as I understand.

45 **MR NIC SETON:** How's that? Okay. Thank you, Chair, commissioners. My name's Nic Seton. I'm the CEO of Parents for Climate, an organisation that represents more than 26,000 grandparents, parents, and caregivers from all across the country, including many families. We oppose these applications due to their costs on NSW families today, the harm that they will cause local families in the years to come, and

the cost to our children who will inherit the outcomes of this pivotal decision. Our kids can't speak at this hearing, so we, as Parents for Climate, speak up for them.

5 I'll focus on three key points. What this mine costs families, including those who live here; what a fair future for the Hunter communities could look like; and what we want to ask of you. First, the cost on NSW families is too great to bear. The Hunter is Australia's tenth most climate exposed electorate in federal electorates, with more than 12,000 local homes at high risk of fire and flood. The 2022 floods across eastern Australia, which reached right into the Hunter, remain the costliest insured disaster in the nation's history at \$6.4 billion in claims. That's the past and the future will look different.

15 That's why families here are watching their premiums climb year after year. Our research of over 16,000 respondents and 1,000 qualitative surveys found that families in every postcode are already stretched to the limit, that those costs are being made worse by climate change impacts, particularly on things like food, energy and insurance, and it is reducing the quality of life for those families and their kids. The Net Zero Commission found that in the same year, every individual in NSW is on average \$20,000 worse due to climate impacts. If this trend continues, exacerbated by mining and burning more coal, NSW kids will continue to experience worsening quality of life.

25 Coal is the single largest source of carbon pollution driving climate change. So, what this valley exports as coal, Hunter families get back as floods, fire, heat and drought. These impacts are in living memory, the 2022 floods, the Black Summer fires, the years of devastating drought, and this project will make these events worse in the future.

30 By the Applicant's own figures, it would release over 800 million tonnes of coal – of greenhouse gas, more than seven times what the state produces in any one year. And 98% of that comes from burning the coal overseas. Now, the Applicant argues that it's somehow the responsibility of other countries, but the test the law sets is clear. The Rocky Hill case in the Land and Environment Court refused a coal mine over its climate harm, making clear a project's downstream emissions and their climate impacts must be weighed.

40 And it's not enough to rely on dubious carbon offsetting either. When Parents for Climate challenged Energy Australia in the Federal Court over its use of carbon credits to claim carbon neutrality, the company admitted in its public apology that offsets do not prevent or undo the harms caused by burning fossil fuels. As parents, we see this project in terms of what it means for our kids. Another tonne of carbon warms my child's future and their world, whether it's burned in Singleton or Shanghai, and the true costs land on them either way.

45 Brings me to my second point, that Hunter communities deserve security, not more risk. Hunter coal communities power this state with skilled, essential hard work over generations. But the global decline of coal demand is now here. The proponent acknowledges that fact. The NSW Government says the decline will contract this industry. And so, approving this expansion doesn't protect Hunter families. It does the

opposite, tying even more of the region's jobs, businesses and schools and enrolments to the industry most certain to shrink.

When the market turns, companies can cut and run, but families can't. And every year that deepens this valley's dependence on coal is not a year building what comes next. The new industries, the skills, the investment that would let the Hunter kids build their working lives, their families' lives and their futures right here at home, well beyond this mine, that's the security these families deserve.

So, what we're asking, well, the Net Zero Commission has already found that these coal extensions are not consistent with NSW's own climate laws. So, we ask you to refuse this project and we ask you and the NSW Government to back these families and the NSW Government to do so with at least \$150 million a year into the Future Jobs and Investment Fund so that this community has a plan for a better future.

Because parents of the Hunter and NSW want what's best for the future of their kids, and our kids are counting on us to get this right. We're running out of time. Refusing this coal expansion project is the decision that is in our children's best interests. Thank you.

DR SMITH: All right, thank you, Mr Seton. I call Tom Morton.

MR TOM MORTON: Thank you, I'm Tom Morton. I'm a former academic and journalist, academic at the University of Technology Sydney. And in that time, I was a chief investigator on two Australian Research Council projects on coal, climate change and energy transitions.

I've been coming to the Hunter since 2013 in the course of my research and reporting. Over that time, I've spoken to many people who worked in the coal industry. I've spoken to them about how important that industry was, not just for their livelihood, but who they were, for their pride in who they are and where they come from. And amongst other people, I've had the pleasure of meeting Jeff Drayton, the mayor of Muswellbrook, who spoke earlier on today.

Today, commissioners, I want to speak to you about one of the criteria that you're required to consider in making this determination and that's the public interest. So, what is the public interest? Well, the EPA Act doesn't define it. And in fact, there's very little definition in the legal literature about exactly what the public interest is. As you can see here, the Full Court of the Federal Court of Australia in 2005 said that the public interest is, "That conclusion or determination which best serves the advancement of the interest or welfare of the public, society or the nation." In the broader legal literature, it's often defined as the wellbeing of citizens with the benefit of society, the public or the community as a whole.

So, in considering whether or not to approve this project, what would best serve the welfare of the public, the wellbeing of citizens, the benefit of the community as a whole? As you've heard, Commissioners, we're currently on track for well over 2.2 degrees of global warming. In fact, 2.6, according to the NSW Net Zero Commission. What does that mean for the wellbeing and welfare of the people of NSW? It means death, destruction of property by flood and fire, destruction of

communities. These are the direct consequences to the wellbeing and welfare of the citizens of NSW if we continue to move towards 2.6 degrees of global warming.

Commissioners, you've heard very eloquent statements from speakers today about the direct impacts of climate change on them already and those statements are supported by the evidence now presented by the Federal Government's National Climate Risk Assessment, and indeed evidence tendered by both HVO and DPIE in their reports to the IPC about the impacts right here in the Hunter. That is what we can expect. You'll also be familiar with the finding of the NSW Net Zero Commission that continued extensions or expansions of coal mining in NSW are not consistent with the emissions reduction targets in the Climate Change Act or the Paris Agreement temperature goals. Well, the NSW Government has chosen to ignore that finding of the Net Zero Commission and say that it's pursuing a balanced approach.

What does that mean? Well, it means having your cake and eating it too. On the one hand, if we have our cake, and what both HVO, DPIE, and the NSW Government say is that the vast majority of the emissions that will result from this project can be managed in the countries where the coal is burned. That's South Korea, China, Japan, and Taiwan. If those countries meet their commitments under the Paris Agreement, demand for the coal that you mine, the coal that is mined here in the valley, will decline rapidly over the next 10 years, and demand will cease sometime between 2035 and 2040. That is the finding, for example, of the Federal Treasury in a report released last year and a number of different reports which come to the same conclusions.

If they don't meet their commitments under the Paris Agreements, then what we're headed for, can we have slide 3, please, is 1.5 trillion in cost to the NSW economy. It's a decline of 270,000 jobs over the next 50 years. And that's a finding of the NSW Net Zero Commission in a report commissioned from Deloitte Access Economics.

So, commissioners, you have a very, very difficult choice for you. You're required to choose on the one hand between the interests of many people sitting in this room who have jobs, families, mortgages, and rent to pay, who don't know what their immediate future will be beyond the end of this year if this project is not approved, and between the welfare, the wellbeing, the livelihoods of generations to come.

And I would argue that perhaps the public interest would be best served by following the example of Mount Arthur and granting a strictly limited extension of three to four years to this project to allow workers to seek other jobs and the Future Jobs and Investment Authority and the Federal Net Zero Economy Authority to implement a transition plan for the region while significantly reducing the climate impacts of the project. Thank you very much.

DR SMITH: Thank you. I note that I don't think you've provided a written submission to date. If there are material that you wish to provide to the Commission in hard copy, because obviously the decision in McKinnon was appealed to the High Court and wasn't disturbed. So, if you'd wish to make some comments about what the High Court then said following McKinnon.

MR MORTON: Sorry, beg your pardon.

DR SMITH: So, the first decision you referred to, obviously McKinnon, which dealt with the definition of public interest. Obviously, it went on appeal to the High Court. So, in your submission that you provide before 2 August, if you wish to make any observations about what the High Court then said.

MR MORTON: Yes, sure.

DR SMITH: Obviously we'll take that on board as well.

MR MORTON: Yes.

DR SMITH: Great, excellent. No, thank you for your time.

MR MORTON: Thank you very much.

DR SMITH: If we could call our next speaker, who is Nic Clyde?

MR NIC CLYDE: G'day, yes, my name's Nic Clyde. I'm the NSW Coordinator for Lock the Gate. Grew up in Maitland. Sorry, excuse me. I'm also a member of the NSW EPA Community Environment Climate Change Advisory Group.

So, in the five minutes that I have I just want to speak to Scope 1 emissions of this project. There's a very poor record of abatement at HVO. Can you believe – and there's a headline there from three years ago, HVO managed to get a greenhouse abatement plan approved by the NSW Government that had zero abatement actions in it. Which is absolutely mind-boggling. Next slide, please. Given that they had an abatement plan with no abatement actions in it, it's perhaps hardly surprising that under the Safeguard Mechanism, emissions last year were at their highest level since the Safeguard Mechanism began, so no on-site abatement there; actually, emissions increasing.

Next slide, please. HVO plans to increase both coal production and Scope 1 emissions. That is clear from their own documents. Next slide, please. So, if you go on the HVO website, you'll see an open letter there that submits that actually there will be a reduction in coal, there will be a reduction in methane, there will be a reduction in diesel emissions, but none of that is true. There will be significant increase in coal production, significant increase in diesel emissions, significant increase in fugitive emissions.

Next slide, please. Here's the production. So, there it's very clear. In blue you can see what HVO has reported in their annual environmental reviews. In orange was an estimate from the 2024 review. I don't think the '25 review has been published yet. In red are the figures, the ROM coal figures per annum that the company itself has provided. So, you can see very clearly there, there is no reduction in coal production, quite the opposite.

Next slide, please. There's a lot made about downward trajectory of Scope 1 emissions in the DPHI Assessment Report. There is no downward trajectory. There is a very

significant increase in Scope 1 emissions that is projected. You can see that again. That's quite clear from the figures the company has provided. In the very first year of the project, a massive jump, 61% increase.

5 Next slide, please. Okay, so in terms of what the law requires in NSW, the Parliament legislated emissions reduction targets. We need to halve emissions by 2030. That is the law in the State of NSW. This project makes achieving that target quite difficult. Actually, it's about 10–15% of the 6.6 million tonne abatement gap that is projected by NSW DCCEEW at the moment. I understand the new figures, but we haven't seen
10 them and I hope to digest those figures when they emerge on the public record soon. But so a very significant part of the abatement gap. That is crucially important in this conversation.

15 Next slide, please. Fugitive emissions. So, these are methane, you know, very potent greenhouse gas. My blue columns there, the data looks a bit incomplete because it's quite difficult to get the fugitive emissions data from HVO. There's a couple of them – there's some years that were reported. Then a breakdown was that HVO stopped reporting a breakdown of those emissions. But there's now some data that's on the safeguard website from the clean energy regulator in Canberra. And red, of course, is
20 what the company themselves are projecting. The black dashed line is kind of the average fugitive emissions from the four years for which data is publicly available. As you can see there, in all but three years of the project out to 2040 or so, fugitive emissions will be higher or a lot higher than they are at the moment.

25 Next slide, please. Pre-drainage trial. There's a lot of talk about that this morning. That will be too late. HVO proposes to mine the very gassy seams at HVO South in the next three years. The trial will simply be too late, if it works at all, to deal with that. Next slide, please. What about diesel emissions? Same story there. I'm running out of time, but you can see massive increase. They're very poor prospects for abatement of diesel
30 emissions.

Next slide, please. What about the downward trajectory? Well, they're the covered emissions that are projected. The downward emissions, the downward trajectory doesn't really exist. It depends at the moment on Safeguard Mechanism credits and
35 ACCUs. Next slide, please. As you can see, offsets that are bought outside of NSW do not count as reductions against the NSW inventory. And Safeguard Mechanism credits are not recognised as carbon offsets by the clean energy regulator, not by the EPA. And I was in a community meeting with the Federal Minister Chris Bowen last week; he agreed also SMCs are not carbon offsets.

40 Next slide, please. So, the downward trajectory, it's mentioned 11 times in the Assessment Report. The critical thing to note here is that new and additional Scope 1 emissions, which is what HVO's emissions would be, they're not currently licensed. 100% of those are in excess of the NSW emissions budget to meet the target that the
45 NSW Parliament legislated at the end of 2023. So, it doesn't matter if the trajectory is flat, increasing, decreasing, 100% of those emissions are in excess of what the Parliament and the law requires in NSW.

Next slide, please. So, in closing, if meeting these legislated targets, if abiding by the law in this state is not important, then why does the minister say it's essential that we do? That is the question that I leave you guys with today. Thank you.

5 **DR SMITH:** Thank you. Is there any questions arising?

10 **MR CHILCOTT:** Yes, thanks, Mr Clyde. I just wanted to touch on your observation concerning abatement opportunities in relation to the HVO proposal. You indicated that there were none there. I think you noted there may be some opportunities in relation to electrification of fleet vehicles to replace diesel. What other abatement opportunities do you think ought to be considered in relation to this proposal?

15 **MR CLYDE:** Well, look, it's a good question. I mean, the thing about diesel and electrification is that the mine themselves are saying, look, there's no line of sight, is the phrase they use. So very poor prospects of electrification at that –

20 **MR CHILCOTT:** I'm interested, sorry, I'm interested beyond that sort of question of diesel and electrification, which is a matter we will turn our mind to. But other opportunities?

25 **MR CLYDE:** Well, there's an excellent opportunity. I mean, if the mine was refused, that's excellent abatement. That's 100% of those emissions that would not enter the atmosphere. If it were approved, of course, you could reduce production. Bear in mind that when we're – this state is not on track to meet any of our targets and this company is proposing a dramatic increase in the annual ROM coal, amount of coal that they mine. Dramatic increase that obviously increases diesel emissions. So, you could simply not be proposing to increase dramatically the amount of coal that you mine. That would have a huge impact.

30 Electrification that, look, the problem that we've got in NSW is that planning panels approve projects with very poor abatement prospects and then kick the can down the road to the EPA and then hope, fingers crossed, oh, well, maybe the EPA can solve this problem in future. What they've done is they've published a coal mitigation guide which will drive their CCMAPs, the mechanism that is meant to manage these Scope 1 emissions, but the document that underpins what those CCMAPs will look like has ruled out diesel abatement. It does not exist, they do – it is not required as a best practice mitigation measure in that guide. Likewise, there is no requirement for fugitive methane abatement at open cut mines at all in that document.

40 So, it is naïve to imagine that given that the EPA have already flagged that they're not going to require those in their best practice document, that somehow they will turn around and require that in the CCMAP that they generate for this mine. It's not going to happen.

45 **MR CHILCOTT:** Mr Clyde, that's fine. I've heard your submission and that's great. Thank you. You've answered my question.

MR CLYDE: Okay, thank you.

DR SMITH: Mr Clyde, can I ask you to go back to the prefeasibility trial graph that you placed up and your observation that it would be – I think your words were too late in the event that it ended up not being feasible. There was a certain aspect of the mining operation that you circled. We'll need to go – I think it was one of the earlier slides.

MR CLYDE: Yes, that's right. It was the first three years. Well, the next three years, basically.

DR SMITH: Yes. All right. Can you just explain that in a bit more detail in terms of the concept of if the pre-trial is not identified as being successful early, then it will be too late.

MR CLYDE: Yes, well, if the IEAPM expert review of mitigation opportunities that you mentioned earlier, in that review, I mean, they point out that – I think they use language like, you know, there's some urgency with methane abatement. And the urgency that they are referring to is the mines plan to mine these incredibly gassy seams immediately. So, they're saying, you know, if a trial is going to happen, it's kind of important that it happens quickly and the data and whether or not the thing is feasible happens quickly. But actually, when you look at the gassiest mining that's occurring, I mean, it's kind of obvious that the trials are not going to deal with that.

And bear in mind that the EPA say, you know, it's critically important. Methane, they say, is a priority to drag fossil methane down. There's, you know, global conversations about the potency of methane and the need to drag methane emissions down by 2030. So, to approve a project that would dramatically increase those emissions, and again, it's on with this promise that well look, maybe the trial will work. Maybe we'll be able to abate those fugitive emissions in future. The problem is the permission to pollute and emit those emissions will already have been granted.

And I can tell you, as someone who's been watching how these processes work for a very long time, and I cited it at the front end of this submission, you know, in the past, we were told, oh, well, you know, yes, we'll approve this mine. Don't worry about Scope 1. There's going to be stringent conditions. You know, we're going to require reasonable and feasible measures. And then when you follow that process through, which is very difficult as a civil society group, and you see what kind of plan the company eventually produces, it literally had no abatement measures in it. Literally none, none at all. And that was signed off and approved by the Department of Planning. So, we have very little confidence in proposals like that.

DR SMITH: Understood. All right. Was there anything further arising from the Commission?

MS MILLIGAN: No.

DR SMITH: All right. Thank you, everybody. We'll now be taking an adjournment. We will resume in exactly one hour, which will be 10 to 2. So, if you could please come back to the hall five minutes before then. Thank you.

[LUNCH BREAK]

DR SMITH: Okay. Confirming for the transcript, the public hearing is now resuming, and I call the next speaker, who is Tamara Winikoff. If you could please state your full name and provide your evidence to the Commission. Thank you.

MS TAMARA WINIKOFF: Thank you. Good afternoon, commissioners. My name is Tamara Winikoff. I'm a member of the Climate Change Balmain-Rozelle Climate Action Group and I'm not here to speak about my own future. At 83, I don't have much of that left. But I am here because I have grandchildren and they have a lifetime ahead.

I want to be clear about why an octogenarian from Sydney has come to speak to you about a coal mine in the Hunter. It's because the emissions from this mine do not stay in the Hunter. They impact on all of us and everyone who comes after us. This application, the application asks you to approve mining that continues to 2042 and 2045. This is alarmingly close to when Australia has litigated to reach net zero. The proponent's own environment impact statement discloses that downstream Scope 3 emissions, the emissions from burning coal overseas, would make up 99.7% of this project's total greenhouse footprint, over 1.1 billion tonnes of CO₂.

The project has since been amended twice to reduce its scope. But even so, the company's own independent expert panel still puts direct Scope 1 and 2 emissions at about 30 million tonnes and that is before a single tonne of the coal has been burned. Commissioners, the exact final number is moving as this application is amended. But whichever way it lands, one thing has not moved. Scope 3 is not a footnote to this project. It is the project.

The Proponent may tell you that Scope 3 emissions are not their responsibility. That if this coal isn't mined here, it will be mined somewhere else. That's what has been called the drug dealer's defence. If I don't sell it, someone else will. It was rejected in 2019 when the Land and Environment Court refused the Rocky Hill coal mine party, partly on the strength of its downstream emissions. Just last year, the NSW Court of Appeal went further in a case concerning the Mount Pleasant mine, a few kilometres from here. It found that a general nod to global climate change is not enough. Decision makers must look at the specific local impact of a project's downstream emissions and we've heard some very compelling evidence from earlier speakers about how disastrous that is.

That decision is now before the High Court. We do not know yet how it will land, but I would ask you this. If there's a real chance that the highest court in this country will say you were legally required to grapple with these emissions, is now really the time to wave them through. The atmosphere does not care about postcodes. It does not care whether the emissions are logged in Australia's accounts or someone else's. It only counts the carbon.

I want to say something to the workers and to the Singleton and Muswellbrook communities. I'm not here to threaten your jobs. I'm here because I don't want you sold a false promise. A consent running to mid to late 2040s does not protect Hunter

jobs. It delays the planning the Hunter urgently needs. The honest thing is to plan transition now with rehabilitation funded and jobs sequenced and not to keep extending the date and calling it certainty.

5 When I was a child in the 1940s, carbon dioxide in our atmosphere sat at around 310 parts per million. Today, it's over 420. That change has happened within one human lifetime. My grandchildren will be in their thirties in 2045. They will inherit what we decide in this room and rooms like it today. They will not read this transcript, but they will have to live with its consequences.

10 I'm asking you to do the thing that our generation has been so bad at, to make a decision on behalf of people who are not in the room today and cannot speak for themselves. Please refuse this application. Do not sign a consent that our grandchildren will read one day as evidence that we knew and we did nothing about it. Thank you.

15 **DR SMITH:** Thank you.

MR SMITH: Thank you.

20 **DR SMITH:** I now call Angela Michaelis.

MS ANGELA MICHAELIS: Thank you. My name is Angela Michaelis. The project before us is the largest coal mine ever – largest coal mine expansion ever proposed for NSW. It's to extract almost 430 million tonnes of coal and out until 2045. Its Scope 1 and 2 and 3 greenhouse gas emissions will accelerate the climate crisis. There's no doubt. When NSW is not on track to reach its own target to reduce emissions and the world is not on track to stay within the Paris Agreement limits for on temperature rise.

30 I'm going to speak about what local climate change impacts look like. Economic impacts, impacts on nature and personal impacts. Last month, the NSW Net Zero Commission told us that global heating has already cost NSW residents over \$20,000 per year and that will continue if not worsen. It warned that under current global policies, higher global warming risks significant economic damages for the NSW economy. Approving the largest coal mine expansion ever proposed for NSW is surely an example of business as usual at best and that is exactly what we are being warned against.

40 Now, my story is ordinary compared to those who've lost their homes through bushfire or flood, but we're all feeling economic pain in our insurance costs, at times in the cost of food or, if we are able, in trying to future proof our homes. It cost me \$32,000 last year to improve insulation and to replace my tin roof which could no longer take the more frequent heavy downfalls and the violent winds that were driving rain in. And importantly, taxpayer money that the NSW must outlay on disaster relief, on relocating homes, on replacing washed out roads and bridges. It's money that's not available for spending on education or transport or health. That's an economic story.

45 I would also like to speak for the trees or rather for plants that make up our native bushland. As a horticulturalist, I spent a good part of my working life helping run a native plant nursery and I've been a volunteer bush carer for 30 odd years. So, I see

ecology in action and I'd like to give just one example of how global heating will damage local bushland permanently. You know about bushfires, but persistent rises in temperature also kill living things. Take boronias. If you've ever been for a walk in the spring and I do recommend it, not on a day like this, you will probably have spotted some little pink boronias and I swear that you will have smiled to see them. Like us, boronias prefer the weather about 25 degrees, a bit of shade and a drink available. If the temperature goes above 40 degrees for one, two, maybe three days, they die. Or if they can't get enough water from their roots and they can't if the soil is parched, they die. And if they die, they can't reproduce, so no more seeds or seedlings.

Like bleaching coral on the Great Barrier Reef, you put a few bad years in a row when it's just too hot and the variety of species just ceases to exist in that location anymore. You may have some vegetation survive but you've lost that network of plants and animals and insects and birds and reptiles. That is what is really at stake when we use phrases like "The impact of the climate crisis on biodiversity." And if NSW approves a coal project which extends almost 20 years into the future, it's a nail in the coffin for that whole native life.

Finally, I'd like to put in a word for humans, at least those of us who will be around in 2045 and beyond, because I've got two children and I weep for the world that I am leaving them. I ask you as commissioners to reflect on the climate impact if 800 million extra tonnes of climate pollution from these mines and their products into our atmosphere. You have the power to say no to the project. An approval will reward the shareholders of Glencore and Yancoal, but at the expense of all of us who live on the planet. These companies are blackmailing the Hunter community. They have no plans in place for the transition to a world without coal, so they're asking for an extension until 2045. They can walk away from the project and the community at any time, but we are all left with the damage done to our Earth for many decades, maybe centuries ahead.

DR SMITH: Thank you.

MR SMITH: Thank you.

DR SMITH: Could I now call Christina Smith?

MS CHRISTINA SMITH: My name is Christina Smith, and I thank you for permitting me to speak to you today. I wish to explain the basic reason why I object to the HVO North South Open Cut Mine Continuation Projects and ask the Independent Planning Commission to refuse approval. I speak to you as a neighbour, as someone who has a direct personal stake in the Wollemi region, just south of here. Fifty years ago, when I was pregnant with my first child, my husband and I asked to join a group of eight families to buy a property on the Upper Colo River, a tributary of the Hawkesbury, in a beautiful valley at the edge of the Wollemi National Park. We did so expressly to keep the land as it was.

We have done that, making minimal renovations to the house, which was built in the 1930s, but leaving the land as is, except for planting native trees and shrubs. Despite several floods and a major fire, we have been able to manage the area properly,

keeping the ground cover in check and ensuring that no large developments have gone ahead in this area. We are now in the process of passing ownership on to our children for them and their children to enjoy. Our grandchildren love the place.

5 In recent years it has become obvious that the number of fires in the region has increased and the regular flooding of the river has also increased, as have the flood levels. What were once 20-year levels are now commonplace. The proposed HVO complex straddles the Hunter River, which is already under pressure. Water is our most precious commodity. We share the world with native animals and birds. Many
10 more will become endangered when the planet heats. Koalas, goannas and red-tailed black cockatoos and wallabies of various kinds will have to find alternative places to live when the habitat becomes too hot.

15 The proposal for NSW's largest ever coal mine, aiming to extract 430 tonnes of coal and therefore generate 800 million tonnes of emissions until 2045, will exacerbate the threat already existing in the Hunter and affecting neighbouring regions such as ours in an adverse way for years to come. The fact that fossil fuels will be sent to other countries means that further emissions will come from burning coal overseas, further fuelling global warming.

20 I have great concern that those who are meant to be making decisions for our global benefit do not seem to take climate change seriously, even though the facts about the disastrous effects of global warming have been known for 40 years. As I am getting to the end of my life, the world I am passing on to my children and grandchildren is absolutely frightening. We need to acknowledge that the globe is approaching boiling point. We must look for alternatives to mining and fossil fuels. We must switch to
25 renewables without delay.

30 The HVO proposal might seem to some of you as a minor matter within this larger picture, but it is not. The impending climate disaster is made up of millions of small projects such as this one. Some of you might also think that to decide against this project would go against the wishes of your community. This is not true. I urge you to look around you and look further afield. All across Australia, people are voting with their pocketbooks, installing batteries and rooftop solar panels, buying EVs when they
35 can, choosing green providers for their energy needs and supporting environmentally conscious candidates. The age of fossil fuels is ending. The HVO Complex will become redundant in a few years, and its environment costs will be felt by our grandchildren and those to follow. Please decide against it.

40 **MR SMITH:** Thank you.

DR SMITH: Thank you. Our next speaker is Sharyn Munro.

45 **MS SHARYN MUNRO:** Okay. I speak to you as Sharyn Munro, former Hunter resident, a survivor of both bushfire and flood, author of the book *Rich Land, Wasteland* on the fossil fuel impacts nationally, and a really concerned grandmother. And I am urging you to recommend that this mine continuation is not allowed under any condition.

My written submission states the many reasons why it should not proceed, but here I'm focusing on the climate change impacts that we're already undergoing, mainly from the fossil fuel global warming to which we majorly contribute and which will escalate if you approve this. In 2019, Judge Preston said when rejecting the small Gloucester Rocky Hill Mine that we needed a rapid and deep decrease in greenhouse gas emissions. Yet here we are in 2026, still exporting coal to be burnt to increase those emissions and thus global warming and thus extreme weather events. But HVO's mine will be the biggest in NSW, its coal adding 800 million tonnes of CO₂ to our atmosphere over its life. To approve that increase is unconscionable.

Locally, Hunter coal mining is harmful with people as mere collateral damage, but 80% of Hunter coal is exported to be burnt, harming people everywhere from the carbon it emits. My Hunter Mountain Wildlife Refuge was distant enough not to be impacted by coal mining and coal power directly, but there's no escaping the carbon impact. It was burnt out in an unstoppable bushfire. We saved the house, but I saw those fires race up the damp rainforest gullies that would have stopped it, and the forest explode into flames ahead of any possible crowning. Being in the RFS, I knew fires and this one was not normal. Afterwards I was sickened by the skeletons of the wildlife in the burnt-out forest and by the eight dead wallabies under my veranda, where they'd come seeking shelter.

Spring became mainly a time of worry about unstoppable bushfires ahead. I'd moved into a rural town by the 2019 fires, but even there with three large fires around the town, the air thick with smoke, the sky brown, the sun red, my car packed with precious belongings for weeks. Once still burning leaves were landing in my yard, I was evacuated. Spring became even scarier. Nowhere was safe.

Three years later, in that same house, I experienced the other extreme when I awoke and swung my legs off the high bed to find myself standing in water over my knees, a waking nightmare. A 1990s intentional wetland diversion way down the hill had meant that I'd slept unworried, having checked that all was normal the night before. Those flood waters had come up silently 15 metres overnight. Everything was floating, including the fridge face down. It was eerily silent, but I could hear the glasses clinking as they floated in the cupboards. It was a shock. I was in disbelief, but the SES boat crew were calling me to come, so I didn't have time to grab anything much more than my handbag and my laptop.

That water kept rising until it was at kitchen bench height. Much of my library and memorabilia, like photos, had to be thrown onto the mountains of my ruined furniture and belongings for council to collect. Worst of all, my downhill garage flooded to roof height, so the stocks of my three published books, out of print, irreplaceable, were all ruined. The carport for my Subaru was even lower than that. I still have nightmares where I don't wake up until the water is lapping at my sleeping face. After a huge clean up and an expensive fix, I sold. I moved, downsizing, to a relocatable home in a caravan park. No flood insurance had been possible, but no flood was supposed to have happened.

A friend held a crowd funder so that I could afford to replace essential things like [unintelligible 04:37:36]. This is not Lismore, yet that house flooded again even worse

just three years later. I'd say I'm resilient, but mentally, emotionally, I don't think I could have stood that. We must not keep ignoring our culpability in these extreme weather events and in the chaotic world that we are leaving our grandchildren. We know burning coal is largely responsible, yet instead we debate zero targets and keep our heads in the sand, re our continued supplying of that coal.

The ideal economic bottom line is equality for people, planet and profit. Profit for Glencore and Yancoal cannot be given such destructive precedence over people and planet now and for generations to come. All of this mine's coal would be exported. There are no borders for the global warming it would cause, for the harm it would do us all. Let us not be in Australia that is shamefully riding on the global warming's back. I beg you to stop it here. Thank you.

DR SMITH: Thank you, Ms Munro. Was there any questions arising? No. Our next speaker, Simon Hawse, is pending online, so we're going to move straight to Bronwyn Vost.

MS BRONWYN VOST: Good afternoon, commissioners. I'm Bronwyn Vost. I'm speaking to oppose the HVO project because of the extreme risk it poses to a safe climate in NSW.

I was born in NSW 77 years ago and have lived here continuously for all of those years, so I consider that this gives me, at least in some small way, the right to speak up for the NSW environment. Commissioners, you've heard from many before me the facts and figures about these projects, so I'll only give the bare outlines. It's the largest coal project ever proposed for NSW. It will cause 800 million tonnes of direct and downstream greenhouse gas emissions.

I have seven grandchildren, the youngest one, [REDACTED], being four years old. At the turn of the century, the year 2100, [REDACTED] will be the age that I am now, 77 if you remember. In her essay, 'Highway to Hell,' Joëlle Gergis, a lead author of the IPCC's sixth report, revealed some truly alarming predictions for NSW in 2100 if global greenhouse gas emissions simply continue at their present level. The most likely average temperature will be 3.5 degrees Celsius of global warming above pre-industrial levels. The Earth is at present close to 1.5 degrees above. Gergis reminds us that there are hard limits to what is survivable. For human society it's beyond 2 degrees. Back-to-back climate disaster events, heat waves, bushfires, droughts, floods and storms will make it impossible for social structures to recover in between.

NSW has already had some experience of this phenomenon, but it will get much, much worse. If you can consider much, much worse than the stories that we've heard this afternoon, it's mind-blowing. But remember that these scenarios of 2 degrees are for global business as you – the scenarios of these events are for global business as usual. To avoid them, global emissions need to fall by 28%, even to keep to 2 degrees by 2100. The scenarios for further increase in greenhouse emissions mean unsurvivable conditions in many parts of the world, with temperatures between 3 and 7 degrees of extra global warming.

In appendix E of its project amendment document, HVO tries to dismiss any responsibility for its contribution to global heating. They admit that the amended project will contribute to global greenhouse gas emissions, but that these are not sufficient to affect climate change impacts in the locality, which are driven by global cumulative emissions. Even at four, [REDACTED] would immediately see through HVO's spurious argument. She is learning that small numbers of things accumulate into significant numbers of things. She's hunted for strawberries in grandma's garden and instead of eating them straight away, has added her stash to her sister's ones, to make a satisfying pile for a family feast. That's a hard lesson for someone at four, but she's doing better than HVO.

The Net Zero Commission has found that continued extensions or expansions to coal mining in NSW are not consistent with the emissions reduction targets in the Climate Change Act or the Paris Agreement. The Minns government has already ignored this finding by approving two coal projects, one only last Tuesday. It fills me with rage and disgust that the NSW Government is not doing all in its power to prevent these extreme scenarios, when people who are alive today will be the victims.

[REDACTED] and everyone else's children and grandchildren will have truly miserable lives if they have lives at all, as society crumbles around them under pressures that could be mitigated right now. Commissioners, I have come to speak to you for [REDACTED] and her little mates at kindy. I thank you for this opportunity and I ask you to please reject the HVO project. From little things, big things grow.

DR SMITH: Thank you. Our next speaker is Bob Hawes.

MR BOB HAWES: Thank you. Good afternoon, commissioners. I'm CEO of Business Hunter. Business Hunter, as the peak business group for the Hunter region, has more than 4,500 member and affiliate businesses in industries spanning practically all sectors of the regional economy and of all sizes, from start-ups through to large businesses employing thousands of people.

Business Hunter has consistently advocated for a balanced and pragmatic approach to the energy transition and economic transformation that the Hunter region has before it. The transition and transformation must occur not at the expense of existing business and industry, but to evolve and progress by building alongside and on top of our existing diverse economic base.

We seek to ensure communities, businesses, industries and government can navigate the complex shift towards net zero and economic transformation with confidence, certainty and stability. The HVO North and South Open Cut Continuation Project represents an essential step in continuing support for that same economic and community confidence, certainty and stability we must seek while providing time for the region and its myriad of stakeholders to plan for and implement long-term transition and transformation strategies.

No one should be under the impression that this region is there yet in achieving the transition and transformation objectives and no one should suggest we unilaterally shut down existing businesses and industry in the quest for achieving those long-term

objectives, given the enormous fragility across our regional economy and its businesses that Business Hunter witnesses daily.

5 The objectives we purport are consistent with the NSW Government's Coal Strategy from 2026 to 2050. The strategy acknowledges the ongoing importance of the domestic coal industry and our export coal trade over the next two decades. It supports extensions of existing mining operations where those projects will deliver economic benefits, support jobs and energy security and can meet regulatory requirements. We recognise that the proposed HVO extension will not only sustain employment for
10 workers directly employed at HVO but also workforces and families of the many supply chain businesses and contractors providing goods and services to the operation. These facts I know are well documented.

15 The NSW Coal Strategy also clearly recognises the state's role as a reliable and trusted international trading partner. It endorses the continued export of high quality thermal and metallurgical coal to our partner countries as they undertake their own development and their own net zero journeys. The high quality HVO coal will continue to be in demand from Australia's key trading partners across Asia as they can continue to develop and urbanise.

20 We surmise from the coal strategy that whilst NSW shifts away from approving new greenfield coal mines, the government remains supportive of extensions to existing mining operations, provided those proposals can, on balance, satisfy the rigorous planning and environmental assessment process. The process includes public
25 consultation and addresses the range of economic, social and environmental factors that are considered in such applications. We acknowledge that the project application has attracted significant attention across the region and the economy more broadly. Business Hunter also recognises that the Applicant's diligent work with agencies and authorities in the development application process to identify and address impacts
30 arising from the project and proposing actions and measures to mitigate impacts where they arise.

35 Development application determinations are not in and of themselves a judgement of the projected commercial market outcomes of an application. The commercial risk lies with the applicant and their assessment of the acceptability of conditions that often attach to those determinations, which in some cases may impact commercial assessment. The fact is the economy of the Hunter that exists today has been built on progressive steps, been taken by the community business in key industries and on all levels of government. These progressive steps inevitably include development
40 application process to achieve an outcome navigated in good faith by the applicants.

45 It's our desire that this Continuation Project is considered fairly and similarly and transparently in respect of the relevant existing planning and development controls. It is our strong view that where requirements are under application frameworks and heads of consideration are satisfied, projects should be determined with an approval, albeit on a conditional basis. The IPC should ensure that the assessment process and the subsequent determination strikes the right balance in terms of dealing with the matters under the heads of consideration.

Overall, Business Hunter is supportive of the project and the knowledge of its capacity to continue to support economic and social activity locally and across the region as the region continues to position itself in the energy transition and economic transformation pathways that way ahead. We look forward to the application being determined and I thank you for your time today.

DR SMITH: Yes. Thank you. Commissioners?

MS MILLIGAN: Could I ask you, Mr Hawes, as representative as a chunk of commerce in the district, you talk about the importance of this application for providing confidence and space for the transition and transformation. I'm wondering if you can just say a little bit more to us about that transition and transformation, who's driving it, how does it happen, where is it up to? Just give us a feel for that.

MR CHILCOTT: And can I add one point to it, what does it look like when you get there?

MR HAWES: That's a very big question. I think the thing to recognise is that the region is saying that we can't do this alone, first off. So, what we're seeing at the moment is progressive measures taken by governments to recognise that economies like the Hunter and other parts of Australia that are going through the same process are supported and helped, but it's quite frankly taking too long. We're not there yet.

Projects that are being promised or initiatives are being promised in renewable energy, sovereignty in manufacturing and so on and so forth just have not materialised. We're way behind in terms of where we would like to be with some of those objectives from both business and a government level. And the region will continue to try and work with government to make sure this happens.

But what we don't want to see happen is a progressive closing down of our existing businesses and our existing industry in the absence of those new opportunities emerging and being established. We're very concerned that we want to support existing businesses because they are our future employers even if they're not doing what they're doing now, but those safety margins are just not in place yet and it's important that we make sure that we grow into those new economic and transition and transformation opportunities on the back of our existing business and existing industry and not instead of them. I don't know if that answers your question.

The other part, where are we up to? I don't know that there's a timeline, but certainly we don't believe that the region is in a position where it would like to be, but that's not stopping us to try and continue to work with government to try and advance along those different pathways to get there.

MS MILLIGAN: Thank you.

MR CHILCOTT: Yes, just to follow on from that. You talked about the transition. I wonder what it is from your perspective and the perspective of Hunter Business might assist in facilitating the transition to whatever that end point is. You mentioned renewable energy and I'd suggest some might dispute that things aren't moving fast

enough in that area. It's an area of some debate. But what role do you see the coal industry and bodies like HVO playing in that transition, if any?

5 **MR HAWES:** Just to clarify, the transition I would refer more to what's happening in the energy economy and the drive towards net zero. The transformation is more about some of those economic demands that could arise. For such things, the government recently, it's about assembling trains, building trains here in the region, announcements about green steel and so on. As far as the energy transition is
10 concerned, there's been a lot of talk about people who are in the coal industry having the opportunity to go to industries that are built specifically as a consequence of that transition. We're not there yet.

15 We're very fearful of large businesses in the region. We've seen what happened with Tomago, which is partly because of that slowness in the transition, not able to be able to get affordable and reliable energy to be able to continue its operation on a feasible basis, to dump up to 1,100 people into a jobs market where there simply isn't anywhere else for them to go.

20 That's similar for the mining industry at the moment, although the mining industry for many of the workers that we see getting displaced in small numbers at the moment, they are able to find alternative employment. But there is simply not a safety net to shut down large coal mines and then expect all those people to finish on a Friday and find something else on a Monday, notwithstanding all the supportive retraining and redeployment intentions that are here at the moment. We simply don't have businesses
25 sitting around with idle capacity waiting for workers to turn up to help them to not only achieve business as usual but grow into that new opportunity and those new developments that we're hoping will materialise.

30 **DR SMITH:** We heard some evidence earlier this morning from Mayor Drayton in relation to the local government's quite advanced rezoning objectives in terms of industrial precincts and so on. If you could take this question on notice, I note that we haven't received any written submission from Hunter Business to date, but obviously there's that opportunity if you'd like to take it before 2 August to obviously engage with what the local council has presented and whether you'd like to make any
35 submission to address that in a more nuanced sense in terms of actual timing. Obviously, you've talked about overnight and days, you've obviously got an application for a number of years. If you'd like to make further written submission to the Commission, that would be appreciated.

40 **MR HAWES:** Yes, no, we can do that. Thank you.

DR SMITH: All right, thank you.

MR HAWES: Thank you.

45 **DR SMITH:** So, our next speaker, can I please call Di Gee?

MS DI GEE: Yes, that's me, Diane Gee.

DR SMITH: And you're on the telephone so we can hear you loud and clear. Thank you.

5 **MS GEE:** Very good. Okay, my name is Di. My name is Di and I am president of the Jerrys Plains Public School Parents and Citizens Association. Thank you for the opportunity to speak today. I am not here as a mining expert, an economist or a planner. I'm here as a parent, grandparent and a long-time member of the Jerrys Plains community and someone whose family has generations attended our local school. Today I would like to share what Hunter Valley Operations has meant to our school and community.

15 Jerrys Plains Public School is a very small rural school with just 16 students. Like many small schools, we have big dreams for our children but limited resources to make those dreams a reality. Partnership with organisations that genuinely care about our community make enormous difference. For more than 10 years, Hunter Valley Operations has stood beside our school. During that time, they have never simply written a cheque and walked away. They have listened to our needs, understood challenges faced by a small rural community and consistently supported projects that improved opportunities for our children.

20 One of the most significant examples has been the Ready for School Transition Program, which HVO funded from 2015 to 2024. There are no preschool facilities within 30 minutes of Jerrys Plains. Without this program, many local children would have had little or no access to quality early childhood education before starting kindergarten. Thanks to HVO support, children attended a structural transition program led by a qualified teacher, giving them social, emotional and academic foundations that they needed to begin school with confidence.

30 When our transition program was no longer needed because we had no preschool aged children, HVO once again listened to what our school needed most. They supported additional learning and support for our students, assisted with funding for a new digital sign to improve communication with our community. And when our priorities changed, they were happy to fund those to be redirected towards a much bigger dream, a new playground. That playground is something our families have been funding towards for years. We knew we would eventually get there, but it was like a lifetime away. Many years of raffles, fundraising and grant applications. Then HVO stepped in.

40 Earlier this year, Ben and Dave from HVO came to our school assembly to announce they would fund the installation of our new program, which was awesome. It's a moment I don't think anyone in our community will ever forget. The excitement on the children's faces, the relief for parents and the pride felt throughout the community reminded us just how genuine community partnerships matter. Our playground plans have now been finalised. Construction is due to begin in the coming weeks, and our students are counting down the days. To our children, it is a place where they will play, learn, build friendships, develop confidence and create memories that will last a lifetime.

45 Throughout my time working with our P&C and throughout my family's long connection with the Jerrys Plains Public School, HVO has never said no when we have

approached them with genuine community needs. They've always treated us with respect, listened carefully and recognised that interest in children and investing in the future of rural communities. On behalf of our students, parents, staff and the wider community, I would like to sincerely thank Hunter Valley Operations for the support they have provided over the many years.

Thank you for considering our perspective and thank you for allowing me to share our story today. Thank you.

DR SMITH: Thank you. All right, could I call our next speaker who is Beverley Smiles?

MS BEVERLEY SMILES: Thank you, commissioners. My name is Beverley Smiles. Hunter Communities Network represents the people in villages and rural areas that have lived and worked in the Hunter Valley for many years, if not for generations, who are directly affected by large open-cut coal mining operations that have now reached an unprecedented and poorly managed cumulative negative social and environmental impact. The concept of solastalgia was developed in the Hunter region to describe the loss of peace and wellbeing in your own home, caused by the large-scale and intensive coal mining industry.

The Mid Upper Hunter, where Hunter Valley Operations is situated, is already fully saturated with poor air quality, mine noise and multiple daily blasting impacts. The social impacts of current management practices, such as property acquisition, have been very deep and very disruptive. None of the attempts at managing mine dust have been effective. The Upper Hunter Air Quality Monitoring Network continues to demonstrate that the population of the Singleton area is regularly subjected to poor air quality above the national standards and limits. So far this year, the monitoring network has sent out 133 alerts in the Singleton district, warning people with respiratory problems to stay indoors. Forty-seven of these alerts occurred in April, which was a very dry month, and only eight days during April did not have an air alert at one of the monitors. This indicates that the current dust suppression and management protocols do not work under dry conditions.

Department of Planning has accepted continuing cumulative air quality exceedances at 11 households. The fact that these affected residents already have mitigation rights under other consents does not account for additional exposure to poor air quality from Hunter Valley operations. Continued generation of dust and exposure to diminished air quality was a key concern raised by stakeholders. In the Land and Environment Court judgment that refused the Rocky Hill Coal Mine, Chief Justice Preston found that the residents' concerns about the mine's potential adverse effects on air quality and the concomitant threat to their health and the health of their families may have social impacts. He also found that the consent authority is not prevented from refusing consent on the grounds relating to project related air quality impacts or social impacts resulting from air quality impacts.

The fact that the area under assessment already has exceedances of the limits set by the cumulative air quality level development standard of clause 12AB(4) of the Mining SEPP is a ground for refusal. Another key social impact threatening people's health

and wellbeing, including sleep disturbance, is the noise generated by very large diesel machinery operating 24 hours a day in all types of weather conditions. The assessment of cumulative noise impacts for this project has highlighted major difficulties in applying the limits set under the Mining SEPP and under the voluntary acquisition and mitigation policy.

To be compliant with project noise level triggers, shutdowns would be required at HVO North for 71% of the time and HVO South 52%. Planning has decided to accept achievable noise limits that would cause 127 properties to receive cumulative noise exceedances. Noise and vibration caused by construction and operational activities was raised as a concern of multiple stakeholders. Again, the Rocky Hill judgment found that the mine's intrusiveness noise levels and cumulative amenity noise levels and the negative social impacts that are likely to be caused by residents' annoyance reactions are grounds for refusal.

The fact that this project cannot meet the development standard for cumulative amenity noise level in clause 12AB(3) of the Mining SEPP without extensive shutdowns is another strong ground for refusal. Thank you.

MR CHILCOTT: Observe how well the time went there. Thank you.

DR SMITH: In terms of our next speaker, I understand we have Simon Hawse now joining us on the telephone. Mr Hawse, are you there?

MR SIMON HAWSE: I am here. Yes.

DR SMITH: Excellent. If you could just state your full name for the transcript and then proceed with your evidence. Thank you.

MR HAWSE: Hello, my name is Simon Hawse and firstly I'd like to pay my respects to the Commission and thank you for the opportunity to talk today. I am not an expert and my aim of this is to present anything that I consider factually accurate or relevant to the Commission. But most importantly, I feel that if I can present any tweak of information that the Commission hasn't considered or support anybody that has something – suggested something similar, that would be my goal in speaking today.

I'm speaking against the extension to 2045 of the mine. That's not to say that I'm speaking to the closure of the mine in this year. I feel that a blanket extension to 2045, whilst that's obviously what the mine is looking for, is not listening to the current direction of coal mining or climate in this world we're living in. Firstly, I believe it breaks down to four areas. The first one's jobs, and jobs are critical and they're critical in the Hunter Valley and they're critical in Australia. Worldwide coal mining is on the decline. That's not disputed and worldwide and Australia-wide, coal mining jobs have been declining. So, whilst we don't want to see these jobs end in a forced way and in a rapid way, there is obviously a managed decline as mines and this mine will finish, whether it's now or 2045.

Secondly, coal is a strategic asset for Australia and coal use and production is necessary for the society we live in. So again, just stopping production is not

necessarily the most best outcome, but a phased reduction and a managed reduction is beneficial both to the society, to the jobs and to the Hunter Valley as a whole. There's been a lot of talk about the money and how much money the coal mine brings into the economy and again that's not disputed. It is just – if you look at any graph, it is in decline. So a managed withdrawal rather than a rapid closure is preferable for the state and for the community.

And lastly, climate change and CO₂. I'm sure you've heard a lot about climate change and CO₂ in this submission. That's not in dispute. Coal is bad for the climate and it's bad for climate change and it contributes to the CO₂. We all know that. It's again why I'm suggesting anything that can be managed rather than just a blanket 19-year extension is to be considered. That's really my aim and what I want to talk about.

If the Commission has any power to manage the extension as opposed to just approve it or decline it, then that's where I would see the Commission providing a vital role in this process. If the Commission can only approve or deny, then my request would be for it to deny with a proviso that the mine comes back with a counter proposal to have a less lengthy extension and something which is manageable going into the future.

Hopefully that's not just saying everything you've been told already, but if there's anything new in there, then that's what I'd like to see. So, thank you very much for the opportunity to speak.

DR SMITH: Mr Hawse, if you could just stay online for a moment. We've got a commissioner that wishes to ask a question, please.

MR HAWSE: Sure.

MS MILLIGAN: Can I ask you this question, when you talk about the Commission potentially having a role in managing, are you talking – I understand what you're saying is managing by providing approval for a shorter period of time. Is that what you mean by managing?

MR HAWSE: That's what I'm suggesting, yes, managing the extension. Rather than saying yes to a 19-year extension, I'm suggesting a managed extension where expectations for jobs can be met, but expectations for climate change can also be met. And that's just a gradual decline.

MS MILLIGAN: Thank you.

MR HAWSE: Thank you.

DR SMITH: All right. Thank you. I call our next speaker who is Adrian Sherwood.

MR ADRIAN SHERWOOD: Good afternoon, commissioners. My name is Adrian Sherwood, and I've lived in the Hunter Valley for most of my life. I recently turned 70, so I've seen more changes to our lives and our environment and our lifestyles than many here but not as much as some. And that certainly doesn't make me an expert and

I haven't come here to talk about scientific evidence supporting climate change or there's far more informed people here that I'm sure have done that.

5 I just wanted to voice my personal opinion and plead with the Independent Planning Commission not to approve the application for HVO to extend the working life of either the North or the South open cut. I say this because it may not have much effect on me personally at this stage of my life but I believe it will adversely affect the lives of my wife and I, our children, our grandchildren, our great-grandchildren and of course the lives of countless other children not only here in the Hunter Valley or NSW
10 or even Australia but the entire planet.

15 Fossil fuels are on the decline, the use of them and we just have to accept that. We know what fossil fuels are doing to our environment, we see and hear the evidence and effects every day, yet we continue to allow industries and companies that won't exist in the future to make decisions that will have devastating effects on the lives of generations to come. The industries that pursue these ventures are making decisions based on the short-term economic benefits for their shareholders and investors and turning a blind eye to the long-term impacts of fossil fuels, fossil fuel depletion has and continues to have on our environment.

20 I've been fortunate to come from a family that cherished and respected our environment and our amazing and diverse natural resources, our national parks, our state recreation areas and our flora and fauna. I've nurtured that appreciation and respect in all my children who in turn are raising their children in the same manner.
25 We are blessed to have two daughters who are marine biologists and they are fighting for the preservation of our ocean habitats. I'm devastated to imagine that future generations, mine and all of us here, may not have the opportunity to experience the diversity of life and nature that we as parents and grandparents have enjoyed in our lives.

30 My wife Tania is Indigenous and since we met 15 years ago, I have learned to love and respect our land and the environment even more. I understand so much better how much damage these kinds of developments have on our environment. There have been many submissions before and after mine covering the pros and cons of the economics, the science, the jobs, the financial benefits and the costs of this expansion. But I just
35 want to add my personal voice to plead with the Commission to consider the long-term impact of this application on the future of our beautiful Hunter Valley and our country and reject HVO's application decisively and completely. Thank you.

40 **DR SMITH:** Thank you, Mr Sherwood. Can I now call Nathan Bendeich.

45 **MR NATHAN BENDEICH:** Good afternoon and thank you for the opportunity to speak in support of the Hunter Valley Operations Continuation Project. My name is Nathan Bendeich and I'm a construction manager at Daracon Group based at Mount Thorley. Daracon Group is a locally owned and operated construction business who have operated across the Hunter Valley and beyond for more than 40 years. We employ around 800 people across regional NSW and are committed to building strong communities through long-term, sustainable employment and local investment in the communities we operate in.

Our relationship with HVO spans more than two decades and encompasses a diverse range of services including crushing and screening, stemming operations, civil construction, rail infrastructure works, poly welding, heavy haulage, quarry products and concrete supply. Over that time, we've seen firsthand the positive contribution that HVO makes to the Hunter region, not only as a major employer but as a driver of economic activity via suppliers that supports countless local businesses and families.

The HVO Continuation Project proposes to extend mining operations at HVO North through to 2045 and HVO South through to 2042, helping to secure ongoing employment, local procurement opportunities and economic resilience across the region. For Daracon, this project provides certainty. Certainty for our workforce, certainty for our subcontractors and suppliers and certainty that we can continue investing in people, equipment, training and regional communities. The continuity of work generated through HVO supports skilled jobs and career opportunities for local people and helps underpin the viability of many businesses throughout the Hunter.

Importantly, the benefits extend far beyond Daracon Group. Local contractors, small businesses, service providers, sporting clubs, community groups and families all benefit from the economic activity generated by operations like HVO. The continuation of this project will help maintain those benefits for years to come while supporting the ongoing prosperity of our region.

As a fellow employer of local people across the Hunter, we understand this is a critical moment in time for our region. We see every day that there is growing urgency to pivot away from fossil fuels and reach net zero by 2050. The plans to close mines, including HVO in the coming years, will have devastating impacts to the workers and communities who are the foundation of this industry. By extending HVO, you're stopping a range of domino effects taking place like we saw back in the 1990s with the closure of the BHP Newcastle Steelworks. This extension will help allow more time to help realise what a net zero economy looks like and help our economy transition and train skilled workers, many from the mines, into whatever is next for our region.

On behalf of Daracon Group, I would like to express our strong support for the HVO Continuation Project. We value our long-standing partnership with HVO and recognise the significant role this project will play in sustaining local jobs, supporting regional businesses and securing the future prosperity for the Hunter Valley. Thank you.

MR CHILCOTT: Thank you.

DR SMITH: Sorry, sorry, we just have one question from Commissioner Chilcott.

MR CHILCOTT: Thanks, Mr Bendeich. You draw the comparison to the closure of the Hunter BHP Steelworks facilities. I wonder whether if you could identify for us in your mind what the downsides or potential upsides from that closure were now, I'm imagining more than 20 years down the track.

MR BENDEICH: Yes, well, I do recall that as a significant time in the Hunter Valley. At the time, I was living in Sydney, but from what I recall it sort of had detrimental

social impacts to the region. So, I can sort of draw similarities for this project if it was to discontinue, what that might look like. It might be quite similar, I feel.

5 **MR CHILCOTT:** And just pressing that a little further, short-term in the, sorry, impacts in the – those social impacts in the short term or short term and long term, were there any upsides at all or not in your view?

10 **MR BENDEICH:** Yes, well, I believe that short-term social impacts can sort of manifest long term as well. So, detrimental impacts to parents, for example, might then flow through to that family. So, I would like to see the region continue to prosper in that way.

MR CHILCOTT: Thank you.

15 **DR SMITH:** We haven't received a written submission from yourself. There is an opportunity to do so if you'd like to take until 2 August if you want to expand upon your answer or provide any additional evidence.

20 **MR BENDEICH:** Thank you.

DR SMITH: All right. So, everyone, we're going to take a short adjournment for 15 minutes. If we could all resume and we'll go back live at 3:15 p.m. Thank you.

25 **[BREAK]**

DR SMITH: All right, good afternoon. The hearing is now resuming. Can I call our next speaker, who is Virginia Woods. Who's right there. Thank you, Ms Woods. If you could please state your full name and commence your evidence, thank you.

30 **MS VIRGINIA WOODS:** My name is Virginia Woods, and I am very grateful for the opportunity to voice my objections to the proposed continuation of the HVO mining operation under consideration today.

35 Here's the first thing I find disturbing: that the research, the findings, the predictions and the recommendations of scientists who have devoted decades to the study of human-induced climate change, continue to be ignored. All of us gathered here know that for decades now, climate scientists have been exhorting governments to phase out with a view to completely ending the burning of fossil fuels because this practice is causing, deepening and accelerating climate change that threatens life on this planet.

40 I remember thinking when Hurricane Katrina hit the Caribbean and southeastern USA in 2005, this would be the moment that governments would legislate to stop human activities driving this kind of devastation. That was 21 years ago, and they haven't, and the crisis has deepened.

45 It is illogical. We don't question the science that has given us the jumbo jet and the computer and life-saving medicine. We gratefully accept the science. We sensibly trust the scientists in all fields except climate science, it seems. Because we are gathered

here today as fossil fuel corporations plan to expand coal mining in the Hunter Valley, contrary to the recommendations of science; illogical.

5 My second objection is that the proposed continuation of this coal mining project in the Hunter Valley would represent a moral failure. I wrote the first draft of this speech on a day when France recorded its highest temperature ever; 44.3 degrees. Poor France, we thought, poor Europe.

10 We no longer need to imagine the scenarios projected by scientists. They're happening now. Warming oceans, inundations, extreme land temperatures, catastrophic droughts, more and bigger cyclones, apocalyptic floods, uncontrollable wildfires, suffering animals, dead animals, suffering human beings, dead human beings. All predicted, not heeded.

15 It is a moral failure to go on digging up and burning coal that is accelerating climate change, because it causes destruction and suffering and death. It is a moral failure to abrogate responsibility for the fact that coal mined in the Hunter Valley is creating harm here and other parts of the planet we share.

20 We have a duty of care to children, for our own children, for all the children of the world. It seems to me that this duty of care is fundamental to being human. I've been a lucky person, not least because I was born in 1952 and I've been blessed with great natural and social advantages in my 74 years of living. I feel so sad when I imagine the future that my three children and four grandchildren will face. I'll be dead, but they'll
25 be dealing with the increasingly extreme effects of climate change.

I am not a climate scientist. I am not an environmental activist. I am a mother and a grandmother and I feel a duty of care, and that is why I chose to speak today. I'm grateful to the knowledgeable scientists and the passionate environmental activists who
30 understand and resist the destructive impact of operations like HVO's planned continuation project in the Hunter Valley. They do this work on behalf of the children of the world, and on behalf of all of us who feel a duty of care for their future.

35 I have one more thing to say. The extreme effects of climate change are depicted in Tim Winton's 2024 novel, *Juice*, and I close with the dedication that he wrote at the beginning of that novel: "To those who, from the beginning, saw blood in the machine, tasted death in the air, and cried ... enough."

40 **DR SMITH:** Thank you. I call our next speaker who is Nigel Howard, who as I understand is online.

MR NIGEL HOWARD: Hello, yes, can you hear me?

45 **DR SMITH:** We can. We can hear you and see you, Mr. Howard. If you could please now proceed, thank you.

MR HOWARD: Okay, thank you. Good afternoon, commissioners, and thank you for the opportunity to address this hearing. My name is Nigel Howard, and I'm a retired researcher and consultant having worked in senior roles in the UK, US, and Australia.

I'm a chemist by training with expertise in lifecycle assessment, energy systems, and climate impacts across buildings, infrastructure, and transport.

5 For the past four years, I've been working on a different project. I've been working with Peter Newman from Curtin University, reviewing the prior research, compiling the historical data, and developing a model of mortality associated with climate change, covering undernourishment, conflict, and disasters such as wildfires, storms, floods, landslides, and epidemics. The results are stark. We're on a trajectory towards a declining global population from around 8.5 billion to approximately 5 billion by 10 2200. Already, there are about 10 million deaths per year, predominantly from climate-linked undernourishment. And if I had some slides, I'd be showing you what that means in human terms.

15 We've all seen the pictures of severely undernourished children too weak to cry in the arms of mothers who know that there's nothing left to give. That scene is already real in many parts of the world. As climate impacts intensify and agriculture is compromised across more regions, those scenes will spread. They will not remain distant or confined to a single continent.

20 Even if we achieve net zero emissions by 2050, our modelling indicates approximately 700 climate-related deaths for every megaton of CO₂-equivalent emissions. Peak mortality is likely between the 2050s and 2060s, squarely within the lifetimes of our own children and grandchildren, so this follows on nicely from the previous speaker.

25 So, I ask you just for a moment to replace that distant, anonymous child in your mind's eye with a child you know, your own, or a grandchild. Picture a world in which food insecurity, conflict, and climate-driven disasters make their lives more precarious, not less. That is the trajectory decisions like this will help to either reinforce or to change.

30 The Hunter Valley Operations Project is documented to release about 800 million tonnes of lifetime greenhouse gas emissions, and the vast majority of that, 98%, are Scope 3 pollution from the combustion of the coal. Applying our precautionary metric, that translates to almost half a million climate-related deaths attributable to this single project over its life, even under the most optimistic of our assumptions.

35 The uncertainties in this research are substantial, it must be acknowledged, but the balance of evidence suggests that our estimates are more likely to be conservative than exaggerated, particularly given compounding climate feedbacks and uncounted pathways of harm. Treating climate change primarily as an economic issue understates its consequences. It is fundamentally a matter of lives lost or saved by our collective 40 choices.

45 There's also a governance dimension. Despite earlier decisions that sought to sideline downstream emissions, the NSW Planning Framework and recent case law now make clear that you must consider all three scopes of emissions in your assessments, regardless of where the fuels are ultimately burnt. The HVO's own project documents say 98% of the emissions will be Scope 3.

Approving a large new fossil fuel project extension that extends out to 2050 is fundamentally inconsistent with the requirement to rapidly phase down and then phase out such emissions by 2050. If we are to avoid the worst outcomes in that sense, it is not just about economic benefits or local employment, it is about whether we add hundreds of thousands more avoidable deaths to an already mounting global toll.

I therefore speak strongly in opposition to this project and urge you to reject it. In doing so, you have the opportunity to act in accordance with the best available evidence, with your legal responsibilities and with your duty of care to future generations, including your own families. Thank you very much.

DR SMITH: Thank you. Can we bring Mr Howard back? We just have a number of questions from the Commission. Yes, thank you, Commissioner.

MR SMITH: Thank you for your submission. Could you, perhaps in writing, subsequently just provide more detail on, I think, could you remind me the number of deaths that you said could be attributable to the total emissions from this plant, this project?

MR HOWARD: It's approximately – oh, total emissions from this, the number of deaths from this project?

MR SMITH: Yes.

MR HOWARD: It's just under half a million, but we think that could be a significant underestimate because of the uncounted pathways, and also because of accelerating climate feedback loops.

MR SMITH: So, would you be able to help us by providing just a bit more background on to how you come to that conclusion, just so we could understand it a bit more fully?

MR HOWARD: Okay. So, what we've done is basically followed the same kind of path that they followed when they developed limits to growth, and that is to gather all the available evidence on different mortality pathways and combine it all into an empirical model which predicts and forecasts the climate deaths into the future. So, it's all based on correlations, and the correlations are all in our paper, which we're currently submitting for peer-reviewed publication.

And it's quite a complicated model because the deaths into the future actually affect the size of the population, and the size of the population itself affects the amount of emissions that occur. So over longer timescales, you see a feedback in the deaths resulting in reducing emissions, because there's less people to make them. This is especially potent in the business-as-usual scenario. But if we do get to zero by 2050, then the number of deaths is significantly reduced, very significantly.

MR SMITH: Thank you.

MS MILLIGAN: A follow-on question. I don't want to simplify what obviously is a very sophisticated piece of work, but am I right in understanding that the deaths are mainly through food insecurity and malnutrition? First question.

5 **MR HOWARD:** Yes, they are. That's the 90% to 95% issue. The other deaths come from a wide range of issues, from different disaster classes, so the storms, the flooding. There's a possible connection to epidemic, but it's not a very good correlation, so we don't really trust that one very much.

10 **MS MILLIGAN:** And in terms of where, am I right in thinking – well, can I ask you, a continental breakdown, which continents see the most of these half million deaths?

15 **MR HOWARD:** Yes. So, the breakdown, we've done it across 22 different regions globally, and the predominant deaths at the moment is in Africa and parts of Asia. But if the modelling projects out correctly, we've taken account of the economic factor, so we've taken account of the fact that rich nations are able to isolate themselves even when their agriculture is compromised. But taking that into account and seeing how different nations into the future, different regions into the future, whether they're growing economically or declining economically, we can very, very approximately see
20 how the effects will spread out from not just Africa and parts of Asia, but will spread globally. And so, we see especially, we see North America having a sudden burst of mortality as their economy declines in the 2100s.

MS MILLIGAN: Thank you. We look forward to seeing the detail.

25 **DR SMITH:** All right. So, we've got a copy of your written submission that you've made to the IPC. Just in terms of the model being peer reviewed, you indicated it was being submitted for publication. Is it still in the process? Have you got a date for when that'll be actually published?

30 **MR HOWARD:** I don't have a date, and we have struggled with peer review because it is a complex study and the implications of it are very significant. I would have loved to have got it through the peer review so that I could come to this hearing and say it is peer-reviewed science, but I can't say that at the moment.

35 There seems to be a common problem with papers that are looking at precautionary science. So, the problem about precautionary science with climate change is that you're taking a small signal of emerging problems from climate change. So, a small proportion of deaths, mainly starting around 2017. So, very little data. And you're
40 trying to extrapolate that a long way into the future in order to get insights that are of any use to seeing what we're doing.

45 Of course, that's right on the fringes of what would be scientifically credible. But on the other hand, how else can you get a precautionary assessment of climate deaths? So, we've done the best job we think that we can do, and we will keep trying.

And the other thing to note about this research is that the effects are asymmetric. So, if we've overestimated the problem, then we encourage the planet to transition faster to

renewable energy and burn less fossil fuels. This renewable energy is the cheapest energy we can get, so it's hardly a downside.

If, however, our research – and this is more likely – underestimates the deaths, the problem could be almost existential. So, we need to act with precaution as the UNFCCC urges member nations to do.

DR SMITH: All right. Is yours the only group presenticular topic?

MR HOWARD: Well, this this was a real surprise. This was a really big surprise, because there are lots of groups that are working on the subject narrow and deep. So, there's a lot of groups studying heat deaths, and we've seen a lot of research recently published on heat deaths in Europe and some other epidemiological factors. They're looking at single issues, and they're looking at them in a lot of detail.

What we are trying to do is look shallow and broad and approximate, and acknowledging the limitations of this work. But how else do you do it, frankly? How else do you get any assessment of the mortality impacts? And we're running a dangerous experiment if we don't even know.

DR SMITH: Yes. Thank you. All right. Well, if there's any additional research that you'd like to present before the 2nd of August and submit any additional submission, I invite you to take that opportunity.

MR HOWARD: Okay. Thank you very much. Thanks for hearing.

DR SMITH: Thank you. In terms of our next speaker, we have Hedda Askland.

DR HEDDA ASKLAND: Thank you, commissioners, my name is Dr Hedda Haugen Askland. I am an Associate Professor of Anthropology at the University of Newcastle.

For more than a decade, I have been working with mining affected communities across the Hunter Valley and regional NSW. I specialise in social impacts of mining and social impact assessment. I am addressing you today because I have concerns about the social impact assessment for this project. My comments relate to the adequacy of the SIA as the evidence of which the Department's conclusion rests. So, it's not to the broader question on whether coal mining should continue.

In my expert opinion, the SIA for this project does not meet the intent or the expectations of the NSW Social Impact Assessment Guideline. And it does therefore not provide a reliable basis for the Department's conclusion that the project's social impacts are manageable.

My concerns can be summarised under four points. Firstly, the SIA is not based on sufficiently robust or representative evidence, which is proportionate to the scale and the complexity of this project. The primary evidence consists of just 10 community interviews, around 50 survey responses, and 10 near-neighbour interviews, 9 of which were conducted by the project proponent rather than an independent social researcher.

For a proposal of this scale and duration, this is an extraordinarily limited evidence base.

5 The evidence is also not representative. It is weighted towards larger regional centres where many benefits are realised, whilst the communities that are carrying the greatest cumulative burden of impact, including the small village of Bulga, which was excluded from this study, are poorly represented.

10 Finally, half of the qualitative interviews were conducted by the proponent rather than independent social researchers. This raises concerns about bias, power imbalance and expertise. These interviews cannot be afforded the same evidentiary weight.

15 My second point is that the SIA does not adequately identify, analyse or evaluate social impacts. So ironically, despite the methodological limitations, there is qualitative evidence in the SIA that repeatedly concerns dust, noise, anxiety, uncertainty and declining amenity.

20 These are not simply environmental issues. They are social impacts affecting health, wellbeing, sense of place and everyday life. Yet, these experiences are not meaningfully analysed. Rather, they are displaced by discussion of environmental modelling, regulatory thresholds and technical management measures. The qualitative evidence is treated as illustrative rather than analytical, and the SIA repeatedly substitutes environmental compliance for social impact assessment.

25 The report also generalises from this limited and constrained evidence base to make broad claims about community acceptance and the significance of impact which, in my opinion, is not justified by the evidence that is presented.

30 Thirdly, the assessment fails to recognise the cumulative and temporal nature of social impacts. Communities are not experiencing a new project in isolation. They are facing another 20 years of impacts after decades of living with mining. Social impacts are experienced through time. Living with another 20 years of dust, noise, blasting, uncertainty and declining amenity is itself an additional social impact. Yet, the assessment largely treats these as existing conditions, rather than recognising the way
35 it is extending people's exposure and how this is a significant impact in its own right.

40 The assessment assumes that extending mining is in itself a form of transition planning, and we have heard that today as well. Yet, it provides no evidence of such assumptions. Successful transition depends on effective planning, not simply more time. The SIA does not demonstrate that delaying mine closure will produce better social outcomes.

45 Fourth, the Department's conclusion that the impacts are manageable is because it is not supported by evidence. In my expert opinion, the SIA does not provide the Commission with a robust, representative and transparent social evidence that is required by the NSW Social Impact Assessment Guideline. And without that evidence, I do not believe that the Commission can be satisfied that the project's social impacts have been adequately identified, evaluated or managed.

DR SMITH: Sorry, Doctor, Commissioner Chilcott.

MR CHILCOTT: Yes, I just wondered, do we have a written submission supporting the points that you're making?

DR ASKLAND: I haven't made it yet, but there will be one coming. Thank you.

MR CHILCOTT: Thank you.

DR SMITH: Thank you. Our next speaker is Gregory Butler.

MR GREGORY BUTLER: My name is Gregory Butler. To the commissioners, thank you for allowing me to address you today. My name is Greg Butler and with my children and grandchildren, I am part of six generations of our family to live in the Singleton and surrounding areas. I was fortunate to work at the Hunter Valley Operation Mine Complex for 45 and a half years, before retiring in the middle of 2025. I started as an apprentice electrician in January 1980 and retired as an engineering officer in 2025 from HVO after working there for my entire working life.

This mine has allowed me to support, raise and educate my family and support them into adulthood, with one of my sons now employed at Hunter Valley Operations. I am just one of thousands that Hunter Valley Operations has allowed to live and support our families in this community through their employment there. This mine has many families with multiple members of the family having worked or still working there. Husbands and wives, sons and daughters, brothers and sisters.

A former colleague of mine, Peter Constable, couldn't be here today because he is looking after his grandson, but he wanted you to know this: he worked at Hunter Valley for 53 years. His two brothers, his son, his nephew and niece all worked at HVO, and other family members worked for various other mines in the valley.

Families like mine and Peter's, with multiple generations of mine workers, we chose to work for HVO because they look after us, our extended families and our community. There are many employees with 10, 20, 30 and 40 plus years of service at Hunter Valley Operations. People say we should close mines and focus on renewables, but I don't know of any renewable project that would be able to support multiple people in a family over generations. This mine is part of the history of many families in the Hunter, and we want it to stay that way.

If a decision was made not to approve this mine, it would have a significant impact on my family. It would not just affect my son who works there, but my other children and their partners, as the companies they work for are dependent on Hunter Valley Operations for part of their business incomes. The social and economic effect would be spread throughout the Hunter Valley if the mine was not approved.

In January 1980, when I started my apprenticeship, the big employers of apprentices were BHP Steelworks in Newcastle, Aluminium Smelters at Currie and Tomago, Liddell and Bayswater Power Stations, and the mines in the Singleton and Muswellbrook area. The apprentices trained in the early 1980s are all retired or

approaching retirement. Of these industries, now only the mines and perhaps Tomago survive with a future.

5 We are not training enough tradespeople. Where are our young people going to be able to gain apprenticeships? Hunter Valley Operations has trained hundreds of apprentices over the years. At any time, there are 40 to 50 apprentices in training at Hunter Valley Operations. I was privileged to gain my trade and engineering training through this company. This has allowed me to raise my family in the area I grew up in, and closer to our wider family network, and gain skills that I could even now use in my
10 retirement.

15 Over the years I was employed at Hunter Valley Operations, I was involved in the training of both apprentices and graduate engineers. And without this mine many will miss out on the opportunity to gain a trade or experience in their chosen field. Hunter Valley Operations has always been a strong performer in this regard. Many of the apprentices and engineers are part of this community still, choosing to live and be part of the local community, contributing both to their profession and the community.

20 Hunter Valley Operations has supported financially much in our community over the many years that I was employed there. The church I am part of, New Vine Vineyard Church, based here in Branxton, was fortunate to be a recipient of a grant to help build a food bank in this community to help those that are struggling in our current economic climate. Projects such as this would not be possible without the support of Hunter Valley Operations.

25 Hunter Valley Operations are an important vital part of our community both economically and socially. Being such a large employer in this area, their impact is great and the loss of them will be felt. I fully support this project. I believe Hunter Valley Operations to be a reasonable corporate citizen in our region, and without it this
30 area and the state of NSW will suffer. Thank you.

DR SMITH: Thank you, Mr Butler.

MR CHILCOTT: Thank you.

35 **DR SMITH:** Our next speaker is Jane Watson.

MS JANE WATSON: Good afternoon. Thank you for this opportunity to voice my objections to this coal mine expansion project. You've heard a lot of science today and
40 I'm not a scientist, and I'm actually a bit nervous now that I'm here, so I will just try to keep going.

45 I'm here representing my grandchildren, and my children, but especially the new generations coming along. We've been talking a lot about intergenerational equity and the precautionary principle over the last decades, and I don't think we've done enough at all to ensure that our kids and our grandkids have the life that we've had. We've lived a fantastically sort of irresponsible life, in that we've gained many, many benefits without having to pay the consequences of our consumption, basically.

Climate science or the science of climate change is quite irrefutable. We know that burning fossil fuels contributes to the warming of our planet. We can see in the warming of our air that it can now hold a lot more water that comes down in incredible intensity vis-a-vis the floods in my valley of the Manning last year, and in Lismore in 2022. I don't know how we cannot acknowledge and accept these and still keep on going along our way that we are.

All my words that I was going to say today have been said by lots of other people. We can accept all the beauties, the computers, the increased communication, all the benefits in health and medicine that have come along, and yet we can still go, oh no, those facts of science regarding climate change, we can argue with those. We can't. They are irrefutable.

Looking at all these people who work, I'm really sorry that individually you're in this position that you're going to have to maybe transition or change or lose your job. But it's happened all the time throughout our history that there's been periods where we've had to change, and change for the good of everybody. And we do have to have a just transition for these workers whether they're gas miners, coal miners, wood chopper-downers, whatever. We have to change, and someone has to bear the consequences, and I don't think the workers should. I think the companies that have made a lot of profits and have ignored all this talk about climate change for the last 30 years and are suddenly going, oh we need more time to transition, I just think that that is being very disingenuous basically. They've reaped the profits of it for years and years and years and now they have to help their workers transition to something else.

I don't have anything else to add that's new, because everybody who has been here has talked about it. I'm here for my grandchildren, as I said, and I have to keep trying, because otherwise it's very hard to look your grandkids in the eyes and say you're going to have a crappy future because none of us tried to make it good for you. Thank you, that's all I have to say.

DR SMITH: Okay, our next speaker is Janet Murray. Ms Murray, come up.

MS JANET MURRAY: Janet Murray, I'm a resident of the Lower Hunter living about 20 minutes from here. I'm here today because I'm fearful for the quality of life that my children will have in a hotter world and also the state of the natural world. I'm opposed to this extension.

The coal industry is facing a major change, and I've had first-hand experience of a similar change. I was the Superintendent of Blast Furnace Operations in the lead-up to the closure of Newcastle Steelworks. I'd like to focus first on some of the claimed benefits of this proposal.

In the Department's Assessment Report, paragraph 455, it identifies several social benefits of high to very high significance including ongoing employment, continued royalty payments to the NSW Government, and allowing more time for transition planning. Ongoing employment obviously is a highly emotive issue in our community and can also be very stressful for those directly involved.

If, however, we look at paragraph 464, it says surveys found that 82.6% of worker respondents felt at least some confidence in finding work in the mining industry if they were not employed by Hunter Valley Operations. So, despite the concern, it appears the vast majority of workers surveyed believe they will still have a job in mining without HVO.

A relatively small number will be kept on to drive the same machinery, but this time to re-sculpt the landscape to something approaching natural or useful. Sadly, the older workers will probably never return to full-time work. Their redundancy will pay off their mortgage and debts, and many are happy to then give up work, especially if they're already carrying niggling injuries. The young workers will receive next to nothing on a redundancy that's based on years of service, and many will leave the area or go into a different industry.

For the others, the first option should be employment somewhere within the Glencore stable. I'm sorry, did I say Glendall? Glencore. Glencore is obviously a large employer in Australia with many other coal mines and other mines. So, workers not ready to retire should be first in line for a job somewhere else with Glencore, even if it comes to offering redundancies to over 55s in other pits.

With blast furnace operators, they ended up everywhere from the rolling mills in Newcastle to jobs with BHP Minerals in Shanghai. It certainly can be done to relocate people within these major companies.

The second option should be retraining for new industries, and obviously we've got the recent announcements, the train manufacturing program, the green steel project in Newcastle, industrial hubs at the Mount Arthur and Macquarie mine sites, and the ongoing solar and wind farm construction in the nearby REZs. So, this is, let me tell you, way more options than there were when the steelworks closed. So, clearly ongoing employment is not dependent on this proposal being granted.

The next benefit I'd like you to consider is the continued royalty payments to the NSW Government. Unfortunately, the Net Zero Commission has had a look at this for '23–24, and they've found royalties from coal mining were \$3.1 million, contributing about 2.5% of total NSW government revenue. The mining royalties are only funding 2.5% of our schools and hospitals, and yet we constantly hear that mining is funding schools and hospitals. They're 2.5% of them. Remember that these royalties are from all coal exports. Glencore, this mine, is only 10 to 15% of that. And let's face it, the NSW Government could make up the difference by increasing the royalties on the remaining coal exports, just as Queensland has done.

Another claimed benefit; allowing more time for transition planning. Well, come on, you've had 20 years and you haven't done it. I mean, the arrogance of it, it should not be rewarded with a consent out to 2045.

So, I believe the Assessment Report has failed to seriously question the benefits of this project, and I trust that the IPC will look more closely when deciding if the balance really does lie towards the public interest. We're told that they'll only export coal to places that are signatories to the Paris Agreement and, in fact, Dr Joëlle Gergis tells us

that carbon capture and storage only captures 0.1% of the global 40.6 billion tonnes emitted. So, to think that their customers are going to be using carbon capture and storage to deal with those emissions is absolute fiction. It simply isn't happening on that scale.

So, I urge the commissioners to engage with the Net Zero Commission to ensure that all greenhouse gas emissions upstream and down and their local impacts are meaningfully considered, and carefully weigh up whether this project actually – weigh this up against the actual benefits of the project. Thank you.

DR SMITH: All right, I call our next speaker, who is Mr Ian Gageler.

MR MARK IAN GAGELER: Good afternoon, commissioners. Good afternoon, all. My name is Mark Gagler. I've been fortunate enough to work at Hunter Valley Operations for over 37 years now; 11 of those years were at Howick when they were our own identity. Since then, we've formed a HVO venture with Yancoal and Glencore, which is currently the north pit of HVO, Howick was.

My father also worked at Howick for 30 years. So, all up between my father and I, it's been 67 years at Hunter Valley Operations as it stands now. In the involvement in mining, bringing many happy memories, great stories, a great future, prosperity, and very proud to say that I am a HVO employee. I currently live in Maitland with my wife. We have three children, three grandchildren, and have been happily married for over 32 years.

Although our three children are not directly involved at HVO in the mining, their professions rely heavily on mining families and communities, education, medical and engineering. I'm sure that without mining, they would not have had the opportunities they've had today to support their industries.

Talking about opportunities, HVO and the mining industry donated a substantial amount of money to the Westpac Helicopter Service, which I hold deep personal connection with. I'm sure that everyone here today knows somebody, has a relative, has a loved one, or has a workmate that has used the Westpac Helicopter at some time. Personally, the service helped transport my father from Singleton to the Royal North Shore back in 1991 after he had a serious truck tyre incident. I've personally donated every week to the Westpac Helicopter, as well as a lot of other mining employees and also the contribution by HVO, Hunter Valley Operations and other mining companies. If that money was taken away from the Westpac Helicopter, I have great concerns what would keep that bird in the sky.

In my current role at HVO, I am the South Pit Mining Superintendent. So, I see firsthand the controls we put in place to manage dust, noise, lighting and other impacts that may affect our neighbours and communities. Unfortunately, we are sometimes seen as environmental vandals, which can be very hurtful at times, because I know the amount of work that goes into managing these impacts. We have strict dust and noise control limits that we must remain below and are monitored 24 hours a day, 7 days a week.

We operate numerous water carts to manage dust, have noise-attenuated trucks and dozers, and use soft night lighting so that our neighbours and their surrounding environment are not adversely affected. Our workforce collectively ensure these strict conditions are met every shift, not just daily. If concerns do arise, we have a 24-hour community complaints hotline that is connected directly to site. That current mining supervisor takes action to investigate and resolve issues and provides feedback to the community straight away.

HVO is great for the community. It's powerful for the state and a necessity for the Hunter Valley families. Together, we care deeply about our environment, the continuation of our workforce and the communities in which we live. We understand that our responsibility extends beyond the time, the mine gate. It is about supporting local businesses, creating opportunities for future generations, and providing stable employment for the thousands of families that call this region home.

Mining and our communities are not separate. They grow together, succeed together, and we face challenges together. We are proud of the role we play, and we remain committed to operating safely, responsibly, sustainably for years to come. Thank you so much for your time today, for the opportunity to speak about the future of Hunter Valley Operations. Together, let us ensure the future is one that continues to support our people, strengthen our communities and create opportunities for generations to come. Thank you so much for your time.

DR SMITH: Thank you. Our next speaker is Alex Barrett, who I understand is on the telephone. Are you there?

DR ALEXANDRA BARRETT: Yes, I am.

DR SMITH: Excellent. If you could please state your full name and then proceed with your evidence, thank you.

DR BARRETT: Thank you. My name is Dr Alexandra Barrett. I had hoped to be there in person. Alas, an emergency yesterday prevents me. I'm making this statement as Sydney Knitting Nanna. We are a group of about 50 citizens working to safeguard our land, air and water for future generations. We are united in strongly objecting to this proposal.

I'm a Doctor and Emeritus Professor of Public Health. My expertise is in the health system and how we respond to climate change. The Australian Medical Association formally declared that climate change is a health emergency in Australia in 2019, already seven years ago. As we've heard today, deaths, illnesses and injuries in Australia are already occurring from heat waves, fires, floods and storms, worsened by climate change. These numbers will only grow as climate change worsens.

What really matters to our climate is the 98% of the project's emissions, which [audio glitches 06:27:04 to 06:27:10] emissions of the project as per the Assessment Report are almost twice the annual greenhouse gas emissions of Australia's entire healthcare system, including every hospital and every clinic in Australia.

I would like to say that the International Court of Justice has advised that failure by failure to act to limit greenhouse gas emissions may constitute [audio glitch 06:27:34] wrong, and further, and importantly for Sydney, a state may be held responsible where it has failed to limit the quantities of emissions caused by projects under its jurisdiction. I would like to take you to the climate projections cited in the Assessment Report.

DR SMITH: Sorry, Dr Barrett, we're struggling to hear you. We're gathering every second word. We've checked our end. It appears to be potentially your mobile line. We've got one of two options. If you are having difficulty with mobile reception, if I could invite you to provide your submission in writing by the 2nd of August is the first option. The second option is we can allocate a time for you tomorrow if you can reach out to the IPC staff. Can I just get another sound check? Otherwise, we'll follow that course.

DR BARRETT: Yes, okay. I'd like to be on tomorrow if I could.

DR SMITH: Well, we can hear you clearly now. Yes. Please proceed. Thank you.

DR BARRETT: Okay. I would like to take issue with the climate projections cited in the Assessment Report.

DR SMITH: No, sorry, sorry Doctor, we're having the same difficulty. So, we'll do this. We'll move to our next speaker. We do wish to hear your evidence, though, and we'll invite you to do both courses; submit one in writing as well as we'll allocate a time and then call a landline number tomorrow. All right. Thank you so much.

DR BARRETT: Okay, thank you. Bye.

DR SMITH: That's all right. So, moving now, if I could call our next speaker, who is Peta Taggart.

MS PETA TAGGART: Good afternoon, commissioners. Thank you for giving me the opportunity to speak. I am incredibly nervous, so I will do my best. My name is Peta Taggart, and I have proudly worked at Hunter Valley Operations for the past 17 years. I'm here today in support of the extension.

In early 2009, I was earning only a small amount of money, renting and really struggling to keep up with everyday bills. Like many Australians, I was worried about making ends meet and wondered whether I'd ever get ahead. My dream was really simple; to have the security and independence of knowing I could provide for myself. At that stage of my life, that dream fell out of reach.

Then in July of 2009, I was offered a traineeship as a mining operator. It was not a traditional career for a woman at all during that time. Driving a haul truck wasn't something I had planned. However, it gave me something I needed, which was an opportunity, and it changed the direction of my life.

I believe it is important to recognise the role HVO has played in creating opportunities for women. We have an impressive workforce of women working in non-traditional roles, and provide flexible working arrangements so women can support their families while working in an interesting and rewarding career.

5

HVO is a diverse workplace. It accepts people of all stages of their life and gives them career opportunities. I know former hairdressers, carpenters, bricklayers, nurses, people from all sectors of all ages, genders and stages of life who have been given a new lease on life at HVO.

10

Over the last 17 years at HVO, I've built lifelong friendships, developed valuable skills, grown in confidence and built a career that I'm incredibly proud of. Today, I work in training, helping others develop their skills and achieve their own goals, just as someone once helped me. For almost two decades, I have felt secure in my career. It is now very unsettling to consider a future where I may not have local employment in my chosen career.

15

Something also to consider is the current cost of living crisis. Many families are feeling their pressure every single week. Having secure employment with Hunter Valley Operations means people can meet those increasing costs, support their families, and continue contributing to our local economy.

20

Like many of my workmates, I choose to spend my money locally wherever I can. Those wages don't stop with us; they circulate throughout our community and support countless jobs. If HVO were forced to close alongside the future closures of Mount Arthur and Ashton, the impact on the Hunter Valley would be enormous. Thousands of direct and indirect jobs would be affected. Families would be forced to relocate, and our communities would be forever changed. My partner works at Port Waratah Coal Services, and if Hunter Valley Operations did not continue, I have no doubt the broader consequences for businesses and industries that rely on coal from this region.

25

30

One of the things I'm most proud of is that Hunter Valley Operations isn't just an employer, it genuinely gives back to the community. A very close friend of mine is currently battling breast cancer. Knowing my workplace actively raises awareness and funds for breast and prostate cancer through the Truck Tray Initiative makes me incredibly proud.

35

Commissioners, I appreciate the responsibility you carry in making this decision. Please consider the stability it provides, the opportunities it creates, the businesses it supports, the families who rely on these jobs. I am proud to work for Hunter Valley Operations and proud to stand here today in support of the continuation project. Thank you.

40

DR SMITH: I call Mitch Russell.

45

MR MITCHELL RUSSELL: Good afternoon. My name is Mitchell Russell. I am here today representing Les Russell & Son, which was established here in Brantxton, 1945, by my great-grandfather. Currently, we are the fourth generation earthmoving business servicing the local area, carrying out general earthworks, dam desilting and

roadworks. We also actively work in two coal mines in the area, one being Mount Thorley Warkworth, and the other being Hunter Valley Operations. We employ approximately 90 locally sourced workers, which range from plant operators, plant mechanics, admin people and management.

5

I am here speaking today in support of Glencore and Hunter Valley Operations continuation expansion application. As a company, we have had a relationship with Hunter Valley Operations dating back to the early '90s. We started contracting at HVO with minimal resources, approximately three to five workers, and the same amount of equipment. During that time, and with the help of the support of Hunter Valley Operations, our business growth grew yearly.

10

Around 2003, we signed our first major rehabilitation contract with HVO, enabling more growth within the business. Our core business switched to mine rehabilitation, which involved restoring previously mined areas back to or better than its original landform so it can be used for future generations. We have continued to successfully keep the mine rehabilitation contracts at HVO since 2003.

15

Currently, we employ between 20 to 30 workers each day on site at Hunter Valley Operations, depending on the client's work demand. Approximately 10 more workers, including administration, plant mechanics, truck delivery drivers are directly involved with the day-to-day running at Hunter Valley Operations. Whilst having a big footprint at HVO/Glencore in partnership with many contract companies like us, have continued to be leaders in minimising local environmental impacts along with providing various economic benefits to the community.

20

25

LRS also, with the continued support from Glencore, have been able to give back to the community by employing local workers, supporting businesses and sponsoring many local teams, sporting teams, clubs and events. It has also given us an opportunity to donate to various much-needed charities in the area. Many workers and families working for LRS live week-to-week in this current climate. They rely heavily on the community support and sponsorship, which provide financial relief with sporting registrations, team uniforms, et cetera.

30

The extra shifts that Glencore provide for Les Russell & Son workers over and above their normal hours also helps ease any financial struggle. We believe without the opportunity, they are forced to look elsewhere for work or, in some cases, get a second form of employment.

35

As a company, we are concerned that if Glencore is unsuccessful with the continuation application, we would be forced to downsize and potentially make redundant up to one-third of our current workforce. On the other hand, we strongly believe if Glencore is successful with this extension, Les Russell & Son will see more business growth, enabling us to employ more workers, update equipment and infrastructure, which eventually supports the local economy and community. The extension also creates an opportunity for Les Russell & Son to continue as a family business, promote the current fifth generation family members working for the company to lead us into the future.

45

Thank you for letting me have this opportunity to speak on Les Russell & Son and Glencore/Hunter Valley Operations continuation application this afternoon.

DR SMITH: Thank you. Everybody, we'll be taking a short break and resuming, if you could be back at your seats by 4:25 p.m. Thank you.

[BREAK]

DR SMITH: Kerry Walker. Thank you.

MS KERRY WALKER: Thank you. My name is Kerry Walker. Good afternoon and thank you, commissioners, for the opportunity to address you today. I'm speaking to you in relation to my lived experience on the impacts of climate change on wildlife in the Hunter.

As a process engineer early in my career, I used to design and commission coal processing plants. I was the operations coal prep engineer at the BHP Steelworks and the engineer for the production of by-products from the off-gases generated in burning coal to coke for primary smoking.

Today, I'm heavily involved with the licensed Wildlife Rescue Rehabilitation and Release Volunteer Group that covers the entire Hunter region. I've been involved since walking through the firegrounds of Yango National Park in early 2020, looking for injured wildlife, which largely was incinerated. That summer, predicted decades before by Ross Garnaut as being a critical turning point in climate change effects in this country, should have been the belated wake-up call our corporations and governments needed to, with urgency, put in place a plan, a fair transition for all coal-centred communities, just like BHP did for me and over 3,000 other steel workers and contractors over 25 years ago, and they managed to do it in two and a half years.

Instead, despite their own Net Zero Commission spotlight report finding that continued extensions and expansions are not consistent with our climate goals or the Paris Agreement, the NSW Government, here we find ourselves considering approving projects that result in adding more greenhouse gas emissions into the atmosphere and continuing destruction of habitat.

Our group rescues all land-based native animals. One of the most important ecologically is the flying fox, a keystone species. Flying foxes pollinate virtually all our native gum trees. They are particularly important for long distance pollination and seed dispersal, which impacts numerous other species that rely on our native gums. In the Hunter, we have 11 flying fox camps, including at Singleton, Muswellbrook and Denman, each with 5,000 to 10,000 animals, so around 100,000. They include the little red, the black and the grey-headed flying fox, the last of which is only found in the southeastern part of Australia and classified as vulnerable under our National EPBC Act.

Heat stress is the most common cause of mass mortality in Australian flying foxes. What does this look like in reality in the Hunter? I helped to monitor a camp at Denman in December, just this past summer, when there was an event, a run of days of

temperatures in the high 30s to low 40s at times, with minimal relief at night. The Hunter Valley had already had a super dry spring with hardly any rain in September and October and into November. This green drought produced feed flowers, but the lack of rainfall meant little nectar, so adult flying foxes were starving and already compromised.

In response to high temperatures, bats start by fanning their wings to help cool their bodies, then panting and saliva spreading to promote cooling by evaporation. They then move down from the upper canopy, where they normally roost, to seek out the cooler microclimates on tree trunks. Once the critical temperature is crossed, these thermal regulation methods may not work, and they start to cluster on trees in anxiety. We call this clumping, often descending the tree, and we call this dropping. They become weakened, dehydrated, lethargic, comatose, and end up on the ground, which we refer to as a drop. If we don't get to them quickly, they can die within 20 minutes.

Adult females who breed over summer and their young that they carry are most vulnerable. At Denman in December, the bats dropped between two and three metres off the ground for three days in a row, but luckily they recovered and we didn't have a full drop. Wildlife Health Australia reports that the summer of 2013 recorded over 50,000 deaths in flying foxes, 2018–19, 48,000 deaths, and in the Black Summer, eight discrete extreme heat events resulted in a mortality of 75,000 individuals. That sustained death rate puts a significant hole in the species' ongoing viability.

In this past summer gone, we had three events in the Hunter, in November, December, and January. Our resources were stretched to breaking point. Our volunteers, we monitored 11 camps over the summer, collected 230 dead bats and took 83 into care and released, after four months of solid care, we released 81 of them back to the wild. Australia already has the dubious distinction of having the highest native mammal extinction rate in the world. With climate warming continuing – if I may just do a little bit more?

DR SMITH: Yes, if you could finish.

MS WALKER: With climate warming continuing to increase the incidence and severity of heat events, this trend is going to continue. We must reject the proposed emission of additional 15 million tonnes of greenhouse gas emissions into the atmosphere locally, and almost 800 million tonnes globally. It may be less than 1% of global emissions, but every single project can claim that they are only less than 1%.

The revegetation of habitats and pouring money into funds is not helping the animals that are dying today. And the EPA's ability to monitor this – I'm sorry, to monitor greenhouse gas emissions, I'm not totally confident in that, given the record-breaking amounts of illegal land clearing that's occurring under their watch in NSW at the moment, and the multiple breaches of Forestry Corporation activities.

Instead, we must, as the Net Zero Spotlight Report states, systematically prepare for the decline of coal extraction and provide for just an orderly transition. If we don't, we will lose this keystone species and many others, and the systems below them, the ecosystems, will collapse like a house of cards, and that will impact everybody.

When I was born, the atmospheric CO₂ concentration was 320 parts per million.

DR SMITH: Sorry to interrupt. We've just got a number of speakers to finish within time. Is this your final point?

MS WALKER: Yes, it is.

DR SMITH: Thank you.

MS WALKER: When my grandson Billy was born last year, it was more than 30% higher, at 427. It's past time to stop. We have to reverse it. I'm here today on behalf of Billy and 100,000 Hunter flying foxes and many other animals that can't speak for themselves. To quote a famous and much-loved actor who passed away just this week, "If we only get one chance to save our planet, to protect it for the next generation, then we have to take it." I ask you as a Commission to consider that this is your chance. If not now, when? And if not us, then who? Thank you.

DR SMITH: Thank you.

MR CHILCOTT: Thank you.

DR SMITH: Our next speaker is Kathryn Dolphin.

MS KATHRYN DOLPHIN: Hello, commissioners. I'm grateful for this opportunity, but I sort of wish we didn't have to get up and speak and defend our planet for our grandchildren.

I am a local grazier and physiotherapist, so I work on both social impact of the effects of the drought and the floods that have followed since the drought, and also, personally, my whole farm was burnt with no – the local fire service, run by volunteers, was not able to help at all, different to back in 2002, when I had 12 local brigades able to come and help, but this time it was just so catastrophic and widespread. There was absolutely no help, and my forest will never recover to what it was before. Pockets of rainforest have now gone forever because they were burnt so hot.

And I am just so concerned, as a grandmother of eight grandchildren, for their future. I find it really – I want to help their families in preparing for what's coming, and I feel for all you workers. Like, yes, you can get up and say, we've had it so good under HVO, but we have all had it so good in Australia. We've been so privileged. I really don't like that term, the lucky country, and we continue to be. We're still living in the best of times, but we can see it changing.

Like the town where, in the Manning Valley, we had those huge floods, May of last year, and now there's no bridge. One of the main thoroughfares going into the town, there'll be no bridge for maybe five years to come. And on the way to my farm, the bridge is completely washed away, and it's just devastating, the impacts that keep on continuing, that we've never seen. At the end of the drought in 2019, the creek that all

my lifetime the farm's been in my family, has never run dry, was dry for a year before those bushfires came through.

5 So, it's just we really need – we just can't delay any longer. We thought maybe – yeah, we thought we would have learnt our lessons and made decisions that we need to for all of your grandchildren too, so that you can look them in the eye and say, we did what we could in time. I'd like to be able to say I've been to the future, and we won. And I hope that we can say that. So, thank you.

10 **DR SMITH:** Thank you. Our next speaker is Jonathan Teubner.

MR JONATHAN TEUBNER: There we go. So, on behalf of the Institute for Energy Economics and Financial Analysis, I'd like to thank the Commission for the opportunity to present today and also note that a written submission will be coming
15 before the end of the month, we just haven't provided it as yet. So, next slide, please.

Oh, sorry, and the next one. So, we've seen these charts before. I just wanted to sort of focus on the fact that it just supports what Nic Clyde was saying earlier, that the proposed production limit is substantially above the current production level. This
20 chart also shows that the – and I think it was referred to in the early talk, that 42 million tonnes a year is the current complex limit, and the production level is well below that. So, the link between production and complex limit is not as firm as might be indicated.

25 With that increased production comes increased emissions. If you look at the source of those increased emissions, approximately, or almost 60% of them, come from diesel. If you convert that into litres of diesel, over the life of the project, the proposal is for 3.2 billion litres of diesel to be used in an environment where the security of supply of diesel is increasingly risky.

30 Next slide, please. So again, the charts that we've seen before. From an emissions point of view, the substantial increase in emissions and the 15 million tonnes over the life of the project, which are balanced against offsets for the safeguard limit. I think Dr Lafleur from ACCR spoke about both the offsets as well as the accuracy of methane reporting. He probably spoke about that at a far more expert level than I
35 could, so I won't delve into that anymore.

Mr Dayal from ACCR also spoke about the cost-benefit analysis. I've recently published a paper on our website, the link will be in the submission, in respect of the
40 fact that the guidelines under which that application has been made, being the 2018 guidelines, are significantly out of date. Mr Dayal referred to the fact that 3.8 million was the cost of emissions, not the 2.1 billion. Another way of looking at that is that the 15.3 million of Scope 1 and 2 emissions is effectively downgraded to 51,000 in the way that they've assessed the report.

45 So next slide, please. We've heard about the NSW Government Coal Report for 2650 and about how that allows applications. It is worth highlighting that that allowance of applications was sort of enforced by the fact that they would be assessed against the

rigorous process. That rigorous process is what you as the Commission are currently undertaking, so that is ahead of you.

We've heard a little bit about the Net Zero Commission, significantly less about the Spotlight Report, although the previous speaker I note did mention it. The Net Zero Commission did, undertook a deep dive into the coal industry with a Spotlight Report in December '25. It came up with five key findings in respect of the coal industry. The analysis that I've undertaken for IEEFA has shown that the HVO application is inconsistent with each of those five findings.

So, one of the findings, on-site abatement, is essential to achieve targets. Well, as we've heard, there's no on-site abatement strategy. It's just purely through offsets. Collaboration and accuracy of fugitive emission reporting is required. As we've heard in terms of the accuracy of the fugitive emissions, that's questionable, so therefore inconsistent.

NSW consent needs to meaningfully consider emissions and their impact. Well, if you're just going to value 51,000 tonnes of emissions, not 15.3 million, I don't think that's meaningfully considering them. The expansions and extensions are not consistent with legislative targets. Clearly, it's inconsistent with that, because this is an application for expansion and extension; and provide for a just and orderly transition for the community.

I think in terms of the cost-benefit analysis, that part of that is to develop up a counterfactual for what life would be like without the mine. That there was no consideration given to the economic development of, say, a renewable energy project on the mine land, notwithstanding that the majority owner of HVO in Yancoal has just had such a project approved, and reinforced with that was \$1.6 billion worth of local expenditure. So, if that was included in the cost-benefit analysis, that would, again, decrease the benefits.

Next slide, please. So, I guess the main finding is at the bottom, that the application is inconsistent with the Net Zero Commission's findings, and therefore inconsistent with the NSW legislative targets. The importance of that finding, the importance of the Net Zero Commission's conclusions, I think is what's in front of the Commission. If it chooses to go an alternative way, we would recommend a number of conditions.

So greater transparency of data, a reassessment of the cost-benefit analysis based on current guidelines, current production and also alternative rehab uses. And then picking up Nic's point, we would say that prior to any mining commencement that the technical feasibility study should be completed and/or successfully completed. Thank you.

DR SMITH: Thank you. Just in relation to the pending submission and your observation about conditions, the current proposed conditions drafted by the Department are fully available on the website. If you wanted to actually make specific comments on individual conditions, then you have that opportunity to do so.

MR TEUBNER: Okay, thank you.

DR SMITH: Thank you. Our next speaker is Sally Hunter.

MS SALLY HUNTER: Thank you. My name is Sally Hunter. I'm from Narrabri and I'm representing the Social Impacts Alliance. The Alliance is a network of people from coal and gas affected communities across NSW working to improve the recognition and management of social impacts. We object to the project and seek that it be refused by the IPC. However, if the Commission approves the project, we ask that it set a condition of consent reflective of the following four points.

One; a common date for the end of the mine life for both HVO North and HVO South of the 31st of December 2031. Two; a coal production limit that is consistent with a 1.5-degree pathway and HVO's proportionate contribution. Three; an annual coal production limit that ratchets down each year consistent with emissions reduction targets, and HVO's contribution to that. And four; a comprehensive, fully funded by HVO workforce transition plan, including paid training leave, career and financial advice and practical assistance into new employment starting immediately.

We consider this a reasonable and practical condition of consent that is within the IPC's scope to impose. About 98% of the project's estimated emissions would be Scope 3 emissions, a staggering and unprecedented 800 million tonnes of emissions. Clause 2.2 of the Resources and Energy SEPP requires the Commission to consider conditions aimed at minimising greenhouse gas emissions, including downstream emissions, to the greatest extent practicable. And yet neither HVO nor the Department has proposed a condition specifically designed to manage and reduce Scope 3 emissions. And the justification? That HVO's emissions are only a small contribution to global emissions, the same argument we hear from every coal project.

If every project is considered to be too small to matter, then no individual planning decision will ever help NSW to meet its legislated targets. Our recommended condition of consent will help the IPC discharge their obligation and contribute to NSW meeting its emission reduction targets whilst protecting workers.

HVO's own Social Impact Assessment (the SIA) recognises that effective transition planning depends on a workforce and business stakeholder transition plan. And yet the assessment provides no transition plan or even steps towards it. Instead, it just seeks to delay it for another two decades or so.

The Alliance is also concerned that HVO's SIA was not based on the final amended project that is now before the IPC. In the last few years, community and government expectations about social impacts have evolved swiftly. The HVO project has evolved, and yet the SIA has not kept up with these changes. What the commissioners have before them is inconsistent and inadequate information on which to base this incredibly important decision.

The social context has changed. For decades, the primary argument for extending coal mines has been jobs, and jobs matter. However, the Hunter Valley of 2026 is very different from the Hunter Valley of 20 years ago. Unemployment is low. Businesses across many sectors are competing for workers. There are many advertisements,

including Les Russell, advertising for jobs right now. They need more people. Major investment in renewable energy transmission, advanced manufacturing, and infrastructure is creating up to 34,000 new jobs in the Hunter, and that changes the social context.

5

The question for the IPC is no longer simply whether this mine is needed to maintain employment, it is whether approving another two decades of coal production is the best way to support the future prosperity of the Hunter.

10

And finally, why this matters to me. We have a regenerative grazing enterprise in northwest NSW. During the 1920 drought, we were forced to sell almost all of our cattle and leave our home for alternative work. Earlier this year, another drought forced us to sell more than half our herd. Few businesses can survive that twice in six years. In my parents' generation, it happened twice in 20 years. The NSW Net Zero Commission estimates that the 1920 drought cost NSW about \$10 billion in lost agricultural production.

15

20

Climate modelling for the Hunter predicts an increased frequency in drought, more hot days, more natural disasters, more water scarcity. These costs are borne by farmers and families and communities. So, we ask the Commission; where is the balance between jobs at this mine and livelihoods already being lost in agriculture and other climate exposed industries and communities? This is the fundamental social impact question that should have been addressed by the Social Impact Assessment, but it is sadly lacking.

25

30

Commissioners, the transition is here now, not in two decades' time. The only question is whether we manage it properly or we leave it for the market to decide, dropping projects overnight and leaving workers stranded. Our submission concludes that consent should be refused. However, if you do decide to approve the project, we ask that you set a common end date of 31 December 2031, progressively reduce coal production limits, and require the workforce transition plan to begin immediately. Thank you for your time.

35

DR SMITH: Yes, just some questions from the Commission, please.

40

MS MILLIGAN: A quick question. We heard earlier in the day from another speaker, speaker number 36, who also commented on the SIA and made the point, I think agreeing with your point, about the cumulative impact. I was just going to suggest that if you were planning to make a submission to the Commission, you might want to have a look at that person's evidence and if there are other aspects that you wanted to comment on.

45

MS HUNTER: Yes, thank you. No, we'll definitely be putting a written submission in, probably not before the due date, though. Thank you.

DR SMITH: Sorry.

MS HUNTER: Another one, yes?

DR SMITH: Just to clarify. So, in relation to the current social impact assessment, you made an observation that it hadn't embraced the amendment that was made to the application in August 2025.

5 **MS HUNTER:** Yes.

DR SMITH: So, your observation was that there's been a material change since the document with its lodgement in 2023?

10 **MS HUNTER:** So, yes, the SIA that was amended in August 2025 was based on the amended project of November 2023, not the amended project of August 2025. So, it hasn't kept pace with the changes that came about in the project.

15 **DR SMITH:** Yes. So, in your written submission, if you want to take the opportunity to identify what the material change is that you would say would make to the original report.

20 **MS HUNTER:** Yes, certainly can. I mean, it's just that the guidelines of the Social Impact Assessment that the NSW Government has is about evolving and changing over time, and that our social lives change over time. And so, this is kind of a really good example that it didn't change as the project changed. Do you know what I mean?

DR SMITH: No, I do.

25 **MS HUNTER:** So, it's back two years previous. So that's not keeping up with social change.

30 **DR SMITH:** And then the second thing is there's already an extensive body of conditions that have been proposed. In your submission if you want to take the opportunity to look at the actual wording of the present conditions, and then if you have a submission in relation to an alternative condition, to include that.

35 **MS HUNTER:** Yes, definitely. And we've got the numbers and justification in that written submission, yes.

DR SMITH: Understood. All right, thank you.

MS HUNTER: Thank you.

40 **DR SMITH:** I call our next speaker is Manjot Kaur. No? That's all right. Our next is Don White, please, if you could come forward.

45 **MR DON WHITE:** G'day. My name is Don White. I'd like to acknowledge the Wonnarua people, the Traditional Custodians of this land, and I pay my respects to their Elders past, present, and emerging. This land was never ceded.

I hold several roles, but today I speak as an individual, although I'll draw on my experience as Chair of the Wollombi Valley Resilience Network. My wife and I live south of here in the Yengo National Park in the Wollombi Valley. I'm also a bush

firefighter in the volunteer brigade with medals for the fires and floods I've fought. So, when I talk about climate change, I'm not talking in the abstract; I've lived it.

5 In 2019, our property sat right at the junction of the Gospers fire and the Little L fire. The main valley wasn't hit, but the whole community lived through months and weeks of dread and stress. That fear doesn't switch off when the smoke clears, and we've seen that landscape and ecosystems then take years to recover as well.

10 We've lived in this valley for 45 years, as I said, and in that time, the yellow wattle has started flowering six to eight weeks earlier than it used to. I used to know it because it was my birthday. But this is because of a warming climate, and it's visible in our own backyard, but it's shrinking the spring window for hazard reduction and cool burns. So, as RFS volunteers, we're the ones that are left fighting fires when that preparation runs out of time, and every year it gets harder.

15 Then in 2022 came record-breaking floods. Many in the valley were cut off for extended periods. We were spared what Lismore suffered, but it was still a major disruption. Once we were marooned when our property went under for a week, and another time we simply couldn't get home for days after an essential medical
20 appointment in Sydney. The government and the council spent millions rebuilding the bridges and roads in this area as a result of that; some of it was on writing off assets.

25 So, these disasters brought our community together. We learnt that we had to work together. We learnt that our neighbours had to know each other and look out for each other. But let's be honest about what's driving this need for resilience; the increasing frequency of climate change disasters, fuelled by the burning of fossil fuels. We're having to organise ourselves to survive a problem that we shouldn't have to be preventing. That's why we oppose digging out more coal from projects like HVO.

30 We recognise that this supports real jobs, and several Wollombi residents work in it, as you guys do there. But we don't dismiss that. But the answer isn't to keep expanding the amount we dig out. It's to invest seriously in the transition, so you guys, you workers that work here in the region, don't depend on a future that depends on digging up the very thing that's burning us out and flooding us in.

35 The Hunter Valley has travelled through these changes before, including the closure of the steelworks, and it needs to do it again. We've shown through the fires and floods that our community can pull together in Wollombi Valley and adapt. And I heard Simon Hawse and Sally Hunter earlier make sensible suggestions about how this could
40 be achieved. What we're asking is to stop this growing problem at its source, which keeps forcing us to react year after year at greater cost each time and with increasing lower likelihood of success.

45 So, that's my submission. Thank you for the opportunity. Any questions?

MR CHILCOTT: Thanks.

DR SMITH: Thank you. Our next speaker is Stephanie Luke. Thank you.

MS STEPHANIE LUKE: Hello. Is that good volume?

DR SMITH: Yes, we can hear you. If you could state your name and then commence your evidence, please. Thank you.

5

MS LUKE: My name is Stephanie Luke from Bathurst, NSW. We're getting used to records. The hottest day on record, driest month, longest summer, worst flooding event. We could be forgiven for tuning out. But why does the mantra jobs, jobs, jobs still carry so much weight, especially when the cost for everyone is exponential?

10

My father worked for James Hardie. There may be some lessons here on how to compensate and diversify. He used to say asbestos is a great product, just a shame it kills people. Coal was a great product, but it's outdated technology and it is killing us.

15

I left Adelaide in 2010 after the hottest day on record. Personally, I find 48.9 degrees Celsius unliveable, especially during the worst heatwave on record, three weeks over 35 degrees. The Murray River at its lowest levels, and 2 million South Australians will one day need to be rehoused. Mars doesn't look like a great option; I don't really want to live with Elon Musk. So, I moved to Bathurst instead. Worst drought on record, 2017 to 2019, Chifley Dam at its lowest levels on record, 10% of water left. Orange Council came knocking at our door, desperate for water. So did Cadia and McPhillamys gold mines. Meanwhile, they were trying to work out where to relocate the Bathurst residents.

20

25

I've been minding properties and animals around NSW, Victoria and South Australia. Gives the owners a chance to get away from it all, and there's a lot. The last seven years have been horrific. I stay a few months and listen to the story.

30

Mallacoota Art Gallery were running workshops, trying to get people into town so that they weren't sitting on their burnt properties, living out nightmares and managing PTSD. The town was in a state of collective horror. Kangaroo Island ran a bus trip for all the locals into Flinders Chase. I'd been there a few months before, walking through amazing bird-filled forests, about to buy a shed. When I went back, the shed had exploded, the water tank melted, and it was a desert landscape with black stumps, no birds, complete silence. All the old blokes on the bus just sat quiet, looking out the window. It was a very weird experience.

35

40

I've stayed in the flood zone, Eugowra and Northern Rivers; stench, black mould. My brother and sister live near Murwillumbah. He's a builder, warns me, don't go near a house that's been under, no matter how cheap. The mould wrecks your lungs. You never get rid of it from the buildings, even if you gut them. I don't know how you offset this kind of relentless damage.

45

And then there are the droughts. Already a farmer friend running cattle around Mudgee has that panic in his voice. Second driest April on record, and with the threat of El Nino coming this summer, and if Europe is anything to go by, next summer will be a complete bastard.

The crunch came for me last year on Kangaroo Island during the algal bloom. Standing on Min-Oil Beach, watching dozens of sharks and stingrays swimming a metre offshore, circling round each other, out of oxygen and completely disoriented. And I was standing on the beach, surrounded by so many dead stingrays and fish. Ocean in SA was 2.5 degrees hotter than average that year.

Last summer, Sydney water was 3 degrees hotter than average. These are the –

DR SMITH: Just one more minute, if you could.

MS LUKE: These are the unintended consequences when climate change hits the tipping point and moves beyond a point of no return. That's when the freaky apocalyptic stuff starts to happen.

And I just want to say, we're not just tourists passing through Branxton and Newcastle. We're the down-streamers, the domino-affected, the next generation, the camel that rejects that one last straw being placed on our backs. Mining jobs are a short term sugar fix being fed to a country with diabetes. I implore you to take into account the health of Australians, and the ongoing climate impacts when deciding whether to expand Hunter Valley Operations. Thank you.

MR CHILCOTT: Thank you.

DR SMITH: Thank you. All right, and our final speaker for today is appearing online, Charmian Eckersley. There we go, we can see you. If you could state your name and then commence your evidence.

MS CHARMIAN ECKERSLEY: Hi, thank you for allowing me to speak today.

DR SMITH: Yes, we can hear you.

MS ECKERSLEY: I've just got feedback, but my name is Charmian Eckersley, I'm a retired consulting arborist from the Lower Hunter. I object to the proposal for the extension of the HVO Coal Project. I object to the government putting this proposal forward in the face of all the local, state, national and international commitments made to help arrest rising temperatures.

I feel for the communities of Hunter Valley who have developed a dependency on coal mining over the last couple of hundred years and strongly support a just transition from coal extraction. Funding and training for transition must come from the industry itself, as happened with the BHP in my area, which friends of mine, they moved into lots of different trades and felt they were supported. If contractors aren't supported and associated in industries, it's not right.

However, the external cost to communities and the planet in general through the extraction and burning of our coal around the world can no longer be sustained. Namely climate change, creating climate chaos. Scientific research has shown that bushfires are increasing in NSW, in Australia and the world. The increase in bushfire

frequency is a direct result of climate change, and we are confronting unbelievable firestorms with the intensity of the fires so hot they create their own weather system.

We were camping at Nariel Creek, we went south for the holidays in 2019 near Corryong, over the border in Victoria. We were evacuated by police late one night as fires were approaching from the south. We drove one and a half hours late in the night through to Albury to – be looked after, I guess. The flames in the south appeared higher than the Mount Kosciuszko range itself. It was a horrific conflagration.

Two weeks later, we returned to clean up the abandoned camp to a scene of regional devastation. From dead animals in the paddocks to a – sorry – to a devastated Corryong community, many hectares of incinerated paddocks and forests in the local region. We returned home to a fire near our own home in Eraring, home of the largest coal-fired station in NSW. Irony.

I can tell you as a retired consulting arborist who undertook work in the Mount Kosciuszko ranges for the national parks that it will be hundreds of years before the Great Mountain Ash recover. Extreme weather events are an external cost of coal mining that the community in general can no longer sustain.

Thank you for permitting me to present today. I object to the project.

MR CHILCOTT: Thank you.

DR SMITH: Excellent, thank you. We heard all of that material and it's formally on the transcript. If you were speaking from notes, you can also send those through and we'll have a copy of that as well. Thank you so much for your time and taking the opportunity.

MR SMITH: Thank you, everyone, for your attention today. That brings us to the end of the hearing for today. I wanted to make a particular thank you to – like I was unbelievably impressed with the quality of all of the submissions that we received. We're really grateful for the time that you've made to prepare to make a submission, and for the time that you've taken to be here to present and to listen to others. So, congratulations to everybody.

I wanted particularly to acknowledge those who recounted very challenging personal experiences. Many of you, you would have all seen, many presenters have been through some pretty tough times and thank you for sharing that with us.

A transcript of the hearing will be on our website within the next few days. And just a very important reminder that you can still make a written submission to the Commission after today, and this can be done on our website up until the end of Sunday, the 2nd of August.

So, we'll be back tomorrow for more at 10 a.m. Now, during the day, we've been taking a lot of notes, you would have seen, and the commissioners will have a discussion this evening to just go over everything that we've heard. But we have identified a number of issues that we've asked the applicant to come ready to talk

about tomorrow afternoon, which we'll do at four o'clock. So, I just wanted to signal what those issues would be. We'll never be able to get through all those issues in only one hour, but we're very grateful and we'd like to give the company an opportunity to at least make an initial response on the following points. We'll certainly be able to take those up in writing in more detail after the hearings are complete.

So, the initial list that we've made, and I'd stress that we haven't reviewed all of our notes today, but the issues that we'd like to cover would be issues to do with greenhouse gas offsetting in jurisdictions outside NSW, and their relationship with the attainment of the state targets. We'd just like some feedback on a number of submissions that raise views about the difference between current levels of activity and emission, and those that might apply if the project is approved as put.

There was raised by quite a few people issues to do with the timelines for the pilot and research project on pre-mining drainage of methane, and its juxtaposition with the mining of the potentially gaseous seams. We're interested in the reference that was made to the advice of the independent expert panel about salinity monitoring, and we hadn't seen references to that in the Department of Planning's Assessment Report, so we'd just appreciate any advice from the company on that.

A number of submitters raised the questions about the economic and environmental relevance of Scope 3 emissions for our decision, and I do want to emphasise that, as I said at the beginning of the day today, our job is to look to the laws and the policies that apply to this decision. So, any points that you'd like to make about that would be welcome.

We would welcome also any information you can provide about the differences of view between the compliance record of the company and the efforts made to manage noise and dust impacts on neighbours, and other reports of frequent health alerts for people to stay indoors in Singleton due to dust.

You would all have noticed some comments from a couple of presenters about the adequacy of the Social Impact Assessment, so any response that the company might like to make on those. Any views from the company on the potential of an approval for less than the duration that is sought. And finally, the Applicant's view on the role of the company in transition planning. I think it's been clearly acknowledged that we are in a transitional phase. A number of submitters have made suggestions about what the company's role might be, what form that might take.

So, those are the issues that we hope the company could touch on. What we'll do is we'll look at the information we've been given today, we'll prepare some questions, and James will help guide us through so we can spend an hour looking at those questions to hear from the Applicant. And as you can imagine, we'll only really be touching the surface, but I guess we wanted to demonstrate that we've been listening carefully to the range of issues that have been presented today.

So, with that, we'd like to wish you all a very safe and pleasant evening. Drive carefully in the rain if you're driving, and we look forward to seeing as many of you as you choose to come tomorrow at 10 o'clock. Thank you very much. That ends the day.

>THE MEETING CONCLUDED