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**To:** [IPCN Enquiries Mailbox](#)  
**Subject:** Comments in relation to new condition for Export Management Plan  
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Comments in relation to new condition for Export Management Plan:

Thank you for calling for public comment on the IPC proposal for an Export Management Plan “to ensure that all practicable measures are adopted by the Applicant to minimise greenhouse gas emissions identified as Scope 3 emissions in the EIS.”

I am heartened that the IPC is taking a consultative approach to ghg emissions, and I am hopeful that such a move indicates new government led pathways will open (and at a faster rate) to develop alternative and clean energy options to coal and fossil fuels.

We face a climate emergency in Australia and across the world.

The Rocky Hill determination in NSW Land and Environment Court, [accepted arguments from climate change experts](#) showing that if the Paris Agreement targets are to be met most of the world's existing fossil fuel reserves must be left in the ground, unburned.

I understand this proposal is in relation to the United Wambo Open Cut Coal Mine Project and Associated Modifications now under consideration. The IPC has stated that the purpose of the proposed condition “is to ensure that all practicable measures are adopted by the applicant to minimise greenhouse gas emissions”.

To me, the most practical measure to reduce ghg emissions would be for the IPC to ask the applicants to withdraw their mining proposal, on the grounds that a) we are in a climate emergency and b) the world is already over-producing export coal and NSW coal exports are declining. New coal projects simply cannot demonstrate a sound business case in an increasingly carbon-constrained world.

It is important to consider climate change related litigation taking place globally will inevitably occur in Australia. The recent tide of comments from the Australian Securities and Investments Commission, the Australian Prudential Regulatory Authority and the Reserve Bank of Australia are testament to this (<https://www.canberratimes.com.au/story/6184421/brace-for-impact-climate-change-litigation-is-fast-approaching> May 29 2019 Arthur Marusevich). These organisations have all cited risks posed by climate change as a central concern for our economy and financial stability.

The CPD notes (<https://cpd.org.au/wp-content/uploads/2019/02/CPD-Discussion-Paper-Public-authority-directors-duties-and-climate-change.pdf> **Public Authority Directors’ Duties and Climate Change Discussion Paper Jan 2019**), if the stewards of public authorities are failing to account for climate risk in their decision making, this represents a dereliction of the responsibility of these entities to contribute to broader government promises made internationally.

It seems to me that it is incumbent on the NSW Government, and their representatives to immediately re-examine their approach to assessing and mitigating climate change risks. But I’m not sure that the IPC’s approach, the suggested Export Management Plan, goes far enough or can act as an effective mechanism in preventing and reducing ghg emissions by the development proposal.

Through its pledge made under the Paris Agreement, the Australian Government has made a political commitment to other nations to reduce its emissions and contribute to the global goal of achieving net-zero emissions by 2050. However, if we aren’t complying with our commitments, and we don’t have the planning laws in place to prevent and reduce emissions, how can we expect others to comply?

On the other hand, providing clear guidance to industry, decision makers and the community by incorporating climate change and risk considerations into planning and development decisions, the NSW Government can provide the certainty and framework for investors, industry and the community to strengthen and sustain our economy and environment (preferably through a renewable energy and economy framework) and fulfil NSW’s obligations under the Paris

Agreement.

I look forward to reading of your deliberations, and again thank you for the opportunity to comment.

Yours faithfully,

Megan Benson

