

Response to additional information: Stage 3 Narrabri Underground Mine

Inadequate and misleading Social Survey - Social Impact Assessment (Department Attachment A)

The “social survey” as described by the Department is inadequate to make an informed judgement of community attitudes. It is misleading to call the “social survey.” It is vital that the IPC have access to a high standard (and independent) social survey. The documents provided by the Department and NCOPL fail to competently assess the social impacts of the proposed mine. The number of objectors or supporters does not constitute a social survey.

In my former career, I was responsible for undertaking a social survey. I was an employee of the State Pollution Control Commission. The survey was used to determine the appropriate noise level criteria for noise annoyance associated with shooting ranges. Trained interviewers were used who had previously conducted ABS surveys. Questions were devised which had multiple ways of gauging community responses with two tail answers. The question formation was developed with assistance of Andrew Hede and Rob Bullen from the National Acoustics Laboratory (who developed the Australian Noise Exposure Forecast for aircraft noise in Australia.)¹ ²The claim by the NCOPL and the Department that the number of supporters/objectors constituted a “social survey” is rejected. These number are a failed methodology. Surely, the IPC should be given a social survey prepared in accordance with current best practice?

A fundamental principle for a competently prepared social survey is for respondents to be randomised. An advertisement in a local newspaper by the proponent fails this test. Another element is for respondents to have their views sought by indirect questioning with two tailed responses and in multiple approaches. Clearly, the newspaper advertisement failed this requirement too. Why was the Department or the proponent required to prepare a social survey to address the social impacts of this proposal?

The independence of the IPC and the provision of information suitable for the IPC to respond to the proposed development falls on the Department. The IPC should not be swayed by the numbers of objections or supporters for the proposal. The Department has failed to supply the IPC with a competently prepared social survey relating to the merits of this proposal based on a randomised social survey of the NSW population. The lack of such information provides the IPC with some justification for rejecting this proposal.

Reliance on Aquifer Interference Policy (AIP) (Question 2 and 14)

The Department relies on the AIP to “protect” the interests of agricultural land owners. In reality, the AIP protects NCOPL against future impacts arising from the proposed mine. The IPC should consider the AIP from its approach as an independent non-appealable arbiter of this proposal. The Department’s reliance on :”*where actual impairment of supply does occur then it is likely that impacts on existing bores could be “made good” by drilling additional and/or replacement bores elsewhere on the same property*” coupled with “best endeavors” must be replaced with an

¹ <https://nla.gov.au/nla.cat-vn2923564>

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https://www.infrastructure.gov.au/sites/default/files/migrated/aviation/environmental/transparent_noise/files/88_hede_bullen_NAL_Report_Feb1982.pdf

enforceable regulatory framework. Where is the evidence that replacement bores will be found on the same property? What happens if that is not possible?

The AIP provides for NCOPL to have a financial bond imposed on this proposal. Why was this not imposed?

The system of groundwater bore “regulation” developed by the Department is unfair and lacking in regulatory effectiveness. The IPC should exercise its independent role in this proposal and impose an independent regulatory framework for groundwater bores. The long-term funding of the independent body must be met by the proponent in the form of a substantial bond as provided for in the AIP. The simplistic 2 meter drawdown “criterion” must be replaced with criteria reflecting level, quality and quantity to describe groundwater. Groundwater monitoring has long past the simplistic level criterion included in the 2012 AIP.

GHG Scope 1 and 2 (Question 3)

The comments provided by the Department lack a coherent approach to the consideration of Scope 1 and 2 emissions and their impact on financial considerations. The Department wants the IPC to ignore GHG considerations and approve the project. This approach is irresponsible and reflects the ideology of considering GHGs to be someone else’s problem.

NCOPL in its submission draws attention to the decision of Justice Pain with respect to Scope 1 GHG emissions. The proponent makes no reference to the principle of polluter pays and the internalising of costs for GHG emissions. The case as to why the IPC should not impose on NCOPL the full costs of Scope 1 GHG emissions has not been made. The market for renewable energy projects in NSW has expanded and it would be appropriate for the IPC to require the full offsetting of all Scope 1 emissions including post closure emissions. This would ensure the polluters pays and incorporate intergenerational equity plus the pricing of resources.

The projections of future carbon price is part of the issue with the Department’s (and NCOPL’s) submission. There are an extremely large range of price projections. Has the Department made a projection based on the precautionary principle? Applying the precautionary principle does demand that higher carbon price projections are called for. What is the place of low price projections under a precautionary approach? In 2021, Rio Tinto stated in its climate change report³ that it has adopted a \$75USD/t CO₂ e for Scope 1 and 2 emissions to internalise energy efficiency improvements. In terms of Scope 3, Rio is applying carbon costs starting from \$9/t in 2023 and rising to \$250/t by 2050. Using Rio Tinto approach to climate change as some indication of what best practice might look like, the proposal submitted by NCOPL falls well short of best practice. In the IPC’s consideration of this project, it would be appropriate to adopt the precautionary principle and apply the carbon cost projections similar to those used by Rio Tinto. This would ensure that the project was assessed conservatively with best practice adopted.

Questions 3 and 7

The response of the Department is confusing. Part of the confusion arises due to claiming apportionment of the Scope 1 emissions based on the NSW population relative to the Australian population. The effects of climate change are being experienced by many residents in NSW. There is no correlation of those effects with State boundaries. The existing and projected future increase in daily temperatures in areas like Western Sydney is of major concern. The life cycle of Scope 1 emissions from this project are significant at NSW level.

³ Rio Tinto “Our Approach to Climate Change 2021” web

The Department has not provided information on which projects will deliver the reduction in carbon emissions necessary for this project to be approved to yield the planned reduction in carbon emissions year on year if this project is approved.

The Department's "Fugitive Emissions Minimisation Plan" has no stated reductions to be achieved. The indicative 1% reduction is within the margin of error of emission assessment. It is apparent that the Department does not propose to impose NCOPL to develop new technologies for carbon mineralisation for example. The proposed "plan" has no measurable carbon emission reduction. The comment made by NCOPL Clause 16(d)(iii) claims that the increase in global GHG emissions would be mitigated by the minimization of GHG emissions. This claim is frivolous at best as the claimed 1% reduction through minimisation is less than the margin of error.