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TRANSCRIPT OF PROCEEDINGS

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INDEPENDENT PLANNING COMMISSION

PUBLIC MEETING

RE: RIX'S CREEK COAL MINE MOD 10

PANEL:

**PROF MARY O'KANE
TONY PEARSON
ANDREW HUTTON**

ASSISTING PANEL:

DENNIS LEE

LOCATION:

**CHAMELEON ROOM, CHARBONNIER
44 MAITLAND ROAD
SINGLETON, NEW SOUTH WALES**

DATE:

9.59 AM, MONDAY, 20 MAY 2019

PROF M. O'KANE: We might start. Can you hear me down the back, if I speak about the microphone? So good morning and welcome to this public meeting of the Independent Planning Commission, looking at Rix's Creek MOD 10. It is good to see several familiar faces from being in this room a few months ago. Before we
5 begin, I would like to acknowledge the traditional owners of the land on which we meet, the Wonnarua people, and pay my respect to their elders past, present and future and to the elders from other communities who may be here today.

As I said, welcome to this public meeting on Rix's Creek South Coal Mine
10 Modification 10 from the Bloomfield Group, the applicant, which is seeking to extend the approved period of coal extraction of Rix's Creek South Coal Mine, and which is due to expire on 24 June 2019 and there are seeking an extension of nine months. The purpose of this modification is to allow for the continuation of mining
15 at Rix's Creek South Coal Mine while the assessment of a new State Significant Development, SSD6300, which would extend mining operations for a further 21 years, is finalised and determined. My name is Mary O'Kane.

I'm the chair of the Independent Planning Commission and I chair this particular panel and this panel has been appointed to determine this proposal. Joining me are
20 my fellow commissions: Andrew Hutton near the window and Tony Pearson. Dennis Lee is here from the Commission Secretariat. I note, just for your information, that we did not undertake a sight inspection, as this panel is familiar with the site as it visited the site last year when conducting the review for SSD6300. Before I continue, I should state that all appointed commissioners must make an
25 annual declaration of interest identifying potential conflicts with their appointed roles.

For the record, we are unaware of any conflicts in relation to our determination of this proposed modification. You can find additional information on the way we
30 manage potential and real conflicts on the Commissions website. In the interests of openness and transparency, today's meeting is being recorded and we're very lucky to have a representative of Auscript here, and a full transcript will be produced and made available on our website. This public meeting gives us the opportunity to hear your views on the assessment report prepared by the Department of Planning and
35 Environment, before we determine the proposed modification.

So turning to the role of the Commission in this determination. The Independent Planning Commission of New South Wales was established by the New South
40 Wales' government on 1 March 2018 as an independent statutory body operating separately from other government agencies, including the department of planning and environment. The commission plays an important role in strengthening transparency and independence in the decision-making processes for major development and land use planning in New South Wales.

45 Key functions of the Commission include to: determine State Significant Development applications; conduct public hearings for development applications

and other matters; provide independent expert advice on any other planning and development matter when requested by the minister for planning or the secretary of the Department of Planning and Environment. The commission is an independent consent authority for State Significant Development applications where one of the following clauses applies: more than 25 public objections, as happens in this case; reportable political donations; objections from the relevant local council.

The Commission is not involved in the Department's assessment of this project. The preparation of its assessment report or any findings within that report. So where are we with the current process? This public meeting is one of the parts of the Commission's process. We have also met with the Department, met with the applicant and met with the local council. Transcripts of these meetings are available on our website. After today's meeting, we will convene with relevant stakeholders if clarification or additional information is required on matters raised. Transcript of all meetings will be published on our website.

The Commission will continue to accept written comments in relation to the project until 5 pm, Monday, 27 May 2019. In other words, seven days and we're very strict now about accepting only for seven days. So the next steps: following today's meeting, we will endeavour to determine the modification as soon as possible, however there may be delays if we find need for additional information and if the Commission needs to do additional assessment. So now to the ground rules for this morning. Before we hear from our first registered speaker, I'll lay down these ground rules, and we expect everybody taking part in today's meeting to follow them.

First of all, the meeting is not a debate. Our panel will not take questions from the floor and no interjections are allowed. Our aim is to provide maximum opportunity for people to speak and be heard by the panel. The panel, however, reserves the right to ask questions of the speaker. Public speaking is an ordeal for many people. Though you may not agree with everything you hear today, each speaker has the right to be treated with respect and heard in silence. Today's focus is public consultation. Our panel is here to listen, not to comment beyond to ask questions. We may ask, as I said, questions for clarification, although this is not generally necessary. It's often for further information.

It will be most beneficial if, in your presentation, you focus on issues of concern to you. It is important that everyone registered to speak receives a fair share of time, and everybody has been allocated the time they requested. With Dennis's help, I will enforce the time-keeping of allocated times. I reserve the right, however, to allow additional time or to insert another speaker if necessary. A warning bell will sound two minutes before the speaker's allotted time is up and again when it runs out. Please respect these time limits. As I said, I might, if I decide, allow another speaker if somebody comes in late, but if you know of somebody who can't attend today, please tell Dennis and then we can just move the schedule up.

- If you'd like to project something onto the screen, please give it to Dennis before your presentation. And if you have a copy of your presentation, it would be appreciated if you could give a copy to Dennis after you speak or before and thank you to those who have already done that. Please note that any information given to
- 5 us may be made public, unless it's in one of the categories that is kept quiet. The Commission's privacy statement governs our approach on this matter and governs our approach to the information you give us. If you'd like a copy of our privacy statement, you can obtain it from the secretariat or, guess where, the website.
- 10 Today, a gentleman has asked to film speakers and he tells me he doesn't intend to film speakers except where he has already sought explicit permission. If you're uncomfortable with that filming, please let me know, or let Dennis know, and I will talk to him. He's very kindly agreed that he'll stop if there's discomfort. And finally, request that you turn your mobiles to silent. So now we will start with the
- 15 first speaker and that's Geoff Moore from the Bloomfield group, who's been given 15 minutes. Geoff, if you want to come forward.

- MR G. MOORE: Thanks thank you, Professor O'Kane. Firstly, I would like to thank the Commission for the opportunity to present today. As noted, this is about
- 20 the Rix's Creek South Modification 10 and to provide some context to this, I would like to start by providing an overview of the Rix's Creek mine. So Rix's Creek South forms part of what is now referred to as Rix's Creek Mine, and this includes Rix's Creek South and Rix's Creek North.
- 25 Bloomfield, who owns and operates the mine, is an Australian-owned company, with the vast majority of operations based in the Hunter Valley. The black line that's presented on the plan, to the right there, shows the current lease boundary for Rix's Creek South and the green line on the plan is the approved disturbance boundary.
- 30 Current operations at Rix's Creek South are concentrated on the southern side of the New England highway, in this region through here. We have the New England highway, which bisects the operation. On the northern side of the New England highway, we have some active areas of bore roads and dump areas. The majority of the area on this northern side consists of an area that has been mined during the
- 35 period since operations first commenced in 1990, has been mined and rehabilitated in that area.

MR HUTTON: Geoff, that also has a pointer.

- 40 MR MOORE: Yes. Yes. Thanks. Yes. Thanks Andrew. So Rix's Creek North, which sits adjacent to Rix's Creek South and to the north of Rix's Creek South, and is defined by the lease boundary for Rix's Creek North there, that was formerly the Camberwell Coal Project and was later referred to as the Integra Open Cut. Rix's Creek North was purchased in 2015 by Bloomfield and part of Vale's sale of the
- 45 Rix's Creek operation included the sale of the Integra Underground to Glencore. And the Integra Underground is located in this area here. Mining operations at Rix's Creek North commenced under Bloomfield in 2016 with operations integrated with

Rix's Creek South, including the processing of Rix's Creek North coal at the Rix's Creek South preparation plant.

5 So this location – the location of the Rix's Creek South preparation plan is here and that's the Rix's Creek North preparation plant there. So the Rix's Creek North operations, the haul – we haul coal from Rix's Creek North into the Rix's Creek South preparation plan for processing there and then blending on the stockpile – product stockpile for transport. Rix's Creek North preparation plant is contracted to wash coal from the Integra Underground. The infrastructure areas that sit next to the
10 preparation plants at both Rix's Creek North and Rix's Creek South are utilised by Rix's Creek Mine for maintenance and administrative processes.

Rix's Creek South currently operates under DA49/94 and this consent, as you mentioned earlier, allows extraction of coal until 24 June this year. The other item
15 that relates to Rix's Creek South is the state significant development, SSD 6300, which is currently under assessment, as was also mentioned earlier. This is also referred to as the Rix's Creek continuation project. The term of that application is for 21 years, which will allow the remaining open cut resource at Rix's Creek South to be fully extracted and the majority of that area sits in this region through here.
20 Now, while this is about MOD 10, its existence is related to the timing of the determination of the Rix's Creek continuation project.

As presented here, the Rix's Creek South continuation project has been in the approval process for five and a half years, since November 2013. Prior to that, there
25 was preparation that went to get to the first stage of this so it has been a significant process. Up till late last year, there was some confidence that a determination of the continuation project would be delivered by 24 June but as time has moved on, the confidence level has decreased and in mid-February we discussed a modification for an extension to the current consent with the Department of Planning. Following that
30 meeting, we submitted this modification on 26 February.

The modification, as you pointed out earlier, Professor O'Kane, was to provide a time contingency to enable due process for the assessment and determination of the Rix's Creek South continuation project whilst maintaining current operations at
35 Rix's Creek South. While the initial discussions with the department were around a two year extension, we selected the nine month period based on our best estimate of where we believed the assessment process for the continuation project was at at the time. The purpose of the MOD and gaining approval prior to 24 June will avoid significant disruption to the business, to those who work for us and those who service
40 the operation as well as the local economy.

It will provide interim security of employment while the continuation project is being determined for around 250 employees, as well as the contractors that support the operation, and will provide confidence to our workforce, to the local community and
45 importantly our customer who rely on a flexible and reliable supply of coal. Key points from the MOD 10 submission are that it was submitted under a section 4.55(1A) with all aspects of the operation remaining as currently approved, including

within the approved footprint and, as was mentioned, is for a nine month extension. The total volumes that would be mined to the end of the extension period would be within the volumes that were approved to be mined under the current consent and operational activities will be consistent with what has been previously assessed.

5

These plans were presented in our response to submissions document and on the left they show the current mining domains at Rix's Creek South as at April this year and the right hand plan has planned activities as at March next year. Again, the bright green lines that are shown on the plans are the approved disturbance boundary. The pink areas show active extraction areas, the orange areas present active emplacement areas, and the green areas are of rehabilitated land. On the right hand plan you can see there are some areas that are hatched and these indicate where the domains have changed status over the nine month period.

15 So in this area here mining has been completed to the base of the mine and backfilling operations have commenced. We would be continuing to fill the tailings emplacement area that's here and also rehabilitating areas on the north side of the highway as well as some small pockets on the southern side. In relation to the submissions from agencies, there were seven submissions made by the regulators and agencies with none requiring any additional information. Of note, New South Wales Health stated:

The modification will have minimal impact on public health.

25 And the EPA considered that:

As the current environmental impacts will not be changed by the proposed extension, then the environmental impacts can be managed under existing conditions if the modification is granted.

30

In response to impacts raised in submissions objecting to the project, we note that the total emissions and impacts from the project, including the nine month extension, will be less than originally approved. This is because Rix's Creek South has operated at a lower annual rate than approved and intends to continue to do so for the nine-month extension. And, as a result, the cumulative material moved will be around 24 million bank cubic metres less than what is approved under the current consent.

40 Of note: all of the coal that will be produced during the nine months will be sold to countries which are signatories to the Paris agreement, or have a similar strategy in place for the reduction of greenhouse gases. We noted earlier that the Bloomfield Group is an Australian owned company. It consists of the Rix's Creek Mine and a smaller operation at the Bloomfield Mine, which is located near Maitland, and has an engineering division which provides support to the mines, as well as general engineering support to industry. About 730 people are effectively employed working for this business, with net direct wages of \$50 million injected into the Hunter community annually.

45

The business, through the Bloomfield Foundation, provides donations and sponsorships to support local community initiatives. There is an annual expenditure in the Hunter of 230-odd million dollars. And as an Australian owned company, pays its fair share in taxes and, along with royalties, contributes over \$100 million to the State and Federal Governments. We are presenting these taxes as Rix's Creek South is a significant contribution of about 50 per cent of the business. The numbers presented on this slide are for the nine month period.

And the benefits of maintaining operations at Rix's Creek South while the Rix's Creek South continuation is determined is continuity of employment for 255 employees and the equivalent of 44 full-time contractors, ongoing support to community initiatives, wages of just under \$16 million injected into the community and expenditure of \$70 million in the Hunter, as well as the \$37 million that goes to State and Federal governments. It will remove the need for destructive and costly short-term plans, and maintain that customer confidence which has been established over many years.

PROF O'KANE: I think if we could wind up here.

MR MOORE: Yes. This is the last – yes.

PROF O'KANE: Well, I think maybe people can read that.

MR MOORE: Right. Okay. Can I draw your attention, perhaps, to the – I guess the department's – Planning Department's conclusion that the socioeconomic benefits of the modification significantly outweigh the minor continuation of impacts. And further, that the modification is warranted to protect the mine's workforce, contractors, suppliers, customers and owners from unnecessary disruption. And the Department was satisfied that the proposed modification was in the public interest.

PROF O'KANE: Okay. Thank you. And the next speaker is Wendy Bowman. Mrs Bowman, you've been allocated 10 minutes, as you requested.

MS W. BOWMAN: Good morning, Commissioners. My name is Wendy Bowman, and I am an immediate neighbour of the Rix's Creek Mine. I met you on the mine tour held last year while you were reviewing the continuation project. My property, Rosedale, is used for intensive agriculture, breeding and growing out cattle, growing crops for silage and hay, and growing green feed for the cows and calves. I've had a long association with the Bloomfield company. Years ago, when the company started, we were the nearest homestead and property. A few years before my husband passed away – he was only 51 – he had signed a contract to sell at a later date. And in that contract, it stated that I had to give the mine six months' notice so they could save up the money to buy me out.

But when they heard that I was trying to have the homestead heritage listed because of the history of the whole place, I was told to get out in three weeks. And that had a big effect on me and the family. My key concern with the current operation of Rix's

Creek Mine is when there is a south-easterly wind blowing, even a light one, the dust is blown straight towards me. These are the prevailing winds in this part of the valley. Depending on the wind, there is also noise, on occasions, coming from the mine. I am regularly aware of the blasts, and there are times when the blast
5 emissions come over the hill onto my property. These are not minor impacts from the current mining operations.

Under its current approval, this mine is supposed to be closing by June this year. If
10 his happened, I would no longer have that mine dust, blast fumes, noise, diesel emissions coming at me from the south-east. The combined impacts from all the mines surrounding my property have never been properly assessed. Sorry. I have dust in my lungs from living at Rix's Creek and I find that I'm getting a lot worse now with all the extra – thank you very much. If you were going to approve this additional nine months of mining at Rix's Creek South then the current impacts from
15 the mine must be assessed under the new standards. And they must be assessed with the combined impacts of all the other mines in the area.

I had my lungs tested approximately 12 years ago. I have recognisable dust on my lungs, but also in the last few years, it has all gone into my sinus and I have big
20 problems there. I blame the increase in open cut mining all around the whole of that Ravensworth and Rix's Creek area. There have been tests done on over 600 children in the Singleton and Muswellbrook Shires; lung function machines. And the children – the ages were between nine and 11, these children, in all these different country schools and town schools. 20 per cent of them had lost lung function
25 already. Now, at my age, if I have problems, I've had a pretty good life. But what are those children going to be like when they get to their 30s and 40s, when they start getting dust in their lungs and problems at the young age that they are now? And it's getting worse and worse in this area.

30 If the Rix's Creek Mine stopped mining in June then at least one sort of this massive air pollution would be gone from the area. When a north-westerly wind blows, the dust from Rix's Creek goes straight to the Mason Dew industrial area and all the new housing in that area, and likely into the Singleton Township, especially during the night. The airflow or katabatic drift that flows down the valley – and if you wake up
35 early in the morning and you look where the mines and the power stations are up the valley, it's like a brown road going right down the valley and down into Singleton. It goes by about half past nine in the morning but it is there overnight. Every single night that is there. And with these big fogs and mists we've been having, that is all coming down and people are breathing this in.

40 I am particularly worried about the health of children in the area. It's okay for somebody of my age. I've already had the best part of my life. But it's the young children. It is a tragedy that we have to live with in such a highly polluted environment. Rix's Creek Mine is the closest to Singleton, particularly Singleton
45 Heights, where there are schools and many young families. The environmental, health and social impacts from this mine are not minor and have not been properly assessed.

The current impacts must be assessed before you can make an informed decision on whether the mining should continue for another nine months and on further as well. Because of combined impacts of mining already occurring in this area, the proposed continued operations project should not be approved. Therefore, it would be better for everyone if the mine stopped, as currently required under the existing conditions. I strongly disagree with the Department of Planning that Rix's Creek South has minor environmental impacts. The impacts have not been correctly assessed. Commissioners, you should not approve this modification 10 with the information before you. Thank you.

10 PROF O'KANE: Thank you. The next speaker is Tim Dagg, and he has been allocated the 10 minutes he requested. Mr Dagg, if go forward, I will just move the water for you.

15 MR T. DAGG: Good morning. My name is Tim Dagg. I thank you for allowing me to speak in favour of the proposal for Rix's Creek Mine – consent to go ahead. I could stand here and talk about the controls the company will put into place to make sure all consent conditions are adhered to. But I will leave that to the professionals. I would like to get personal. I've worked at Rix's Creek Mine since April 1995.
20 Rix's Creek Mine is a family-based and Australian owned mine, fairly unique in this day and age. I live in Muswellbrook, although I was born in Singleton. My family has a rich history in farming around the Singleton area.

My father farmed at Scotts Flat, then at Lavington, and now many of my family members work in the mining industry. At Rix's Creek Mine, there are two generations of my family members that work at the mine. There are also many fathers, sons, daughters from the same families working there. The company has been family-oriented from its humble beginnings. It's easy to see why so many of the same family members work for the company and usually stay until retirement. It would be wonderful if these family members could still be working at Rix's Creek Mine until they reach retirement age. A prime example of the fulfilment in seeing family members of Rix's Creek Mine developing the company is our present mine manager, who has proudly followed in his father's footsteps in joining this mine.

35 I also have had my own experience, as my son has worked as a weekend machine-cleaner at a young age, which installed a great work ethic, allowing him to acquire work in other industries associated with the mining industry. When I started work at Rix's Creek, the workforce was no more than around 20. But now the company provides work for over 500 people. The Bloomfield Group have been good for the Singleton district, as it supports local businesses, schools and sporting groups around the district. Regular donations are made to the Cancer Council, particularly Relay For Life events in surrounding communities.

45 I could more than likely talk for some time about the company, as I am proud to work for them. But I will leave you with a short story about my late grandfather, my mother's father, who was a farmer at Lavington. When I was about six to 10 years old some 50-odd years ago, my grandfather and I would go up to the hill paddock –

as he called it – and pick up lumps of coal off the ground around scrubby trees. We would take the lumps of coal down to the homestead to burn in the open fires to keep us all warm in the winter time. And I will always remember what he used to say to me back then. That was: “One day this barren land, with all this coal, will bring
5 good fortune to surrounding communities and families.”

That is certainly the case today, as my family and many other families have had great opportunities from working at Rix’s Creek Mine. My grandfather would be surprised to see how well the land looks now after rehabilitation, supporting cattle,
10 and to think the same land hardly sustained sheep. So in conclusion, I hope you might consider not only the families that work for Rix’s Creek Mine, but the flow-on effects and the benefits to the wider community and businesses. I thank you for your time.

15 PROF O’KANE: Thank you. And the next speaker is Kevin Taggart, and he has been allocated five minutes as requested. Mr Taggart. Not here? Okay. In which case, we will move on to Joshua Dagg, who has been allocated three minutes, as he requested. Mr Dagg, if you would like to – and we won’t ring a bell at 2 for you.

20 MR J. DAGG:

PROF O’KANE: So it goes right through to 3. Thank you.

MR J. DAGG: I would just like to introduce myself. My name is Joshua Dagg. I’m
25 a Plan Operator out at Rix’s Creek. I was lucky enough to do one of the initial father-son traineeships out there in 2008. I spent a couple of years, all up, away from Rix’s Creek and have been back there for about – coming up nine years. My father is obviously there. He’s still there. I work directly with him. My brother works there in management. My dad’s cousin Tim just spoke. So we’ve got a long history
30 there as a family, and it means, you know, obviously, the company means a lot to us for those reasons. Another thing, the roster that’s provided out there for me, you know, is unbelievable.

I’ve got two young kids. I’m able to develop a great relationship with them due to
35 my roster. I pick them up from school every day. So again, that’s more reason why this means a lot to me. Another role that I have out at Rix’s Creek is I am the Lodge Secretary. I think this gives me a unique perspective on the workers and developing a tight relationship with the workers on the job, particularly the operators and the engineering guys, our fitters and electricians. You know, we do have day, night and
40 afternoon shifts, so I don’t think a lot of workers out there would get a diverse relationship that I have with the workers.

We have monthly lodge meetings, and I speak to them directly every month. And the biggest thing I’ve seen in the last few months, from a worker’s perspective,
45 particularly since we’ve had to apply for the modification 10, we’re starting to see a lot more, I suppose, fear and uncertainty coming into the workers. And at the meetings this topic is probably the hottest topic that we’ve been speaking about at

our meetings. There's even guys that have thought, "Do I" – you know, they've talked about, "Do I need to leave the company, do I need to start looking elsewhere?" because the fear is coming into it. Like, obviously, they don't know the process, and those fears creep in.

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The next part, I would like to talk about the Bloomfield Group Foundation that exists. They do great work for charities, schools, sporting teams, festivals, country shows. And one thing that people probably don't realise is our lodge do the same thing. Our workers have our own fun and we donate to a number of things, too, Cancer Council, Ourcare Group, and sometimes the company will go dollar-for-dollar with us in these charities. So that's a great thing. Next point is probably – I think Geoff did go over it, but I will just mention it briefly – the advice from the government agencies. There was no objections to the proposed modification. I will only need a little bit longer.

15

So no proposed objections to it, which Geoff highlighted. Also, the department, a few of their comments. Socioeconomics benefits of the modification significantly outweigh the minor continuation of impacts. And unreasonable – it would be unreasonable to cease operations at Rix's Creek South while pending SSD 6300 remains on foot. Why I point those things out is, again, the longer this goes on just really disrupts the workers, it disrupts the company. If this does go post June 24, it will have more ramifications for the workers, those socioeconomic things that I mentioned, and also to the company. You know, we're going to have to – we've sat down with the company and had a consultation.

25

They're going to have to, you know, think about moving the workforce around, equipment. It's a big financial cost to the company and, you know, in the mining game at the moment, everything counts. We need to meet our bottom line, so those factors are significant. And, finally, obviously, we're here for the MOD 10 today, but more importantly to my workers is that this SSD6300, you know, happens. You know, we're ready to go, the workers. I spoke to them on the ground and we're ready for it. Thank you.

30

PROF O'KANE: Thank you. And our next speaker is Deidre Olofsson, and she has been allocated 15 minutes. Mrs Olofsson.

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MS D. OLOFSSON: Before I start I'm going to say I have hand written this. It's probably not up to standard. I have been not well, so I'm sorry for that. To give a background of my history, I have worked at the Dell Power Station for 37 years as electrician and I know in 2022 the station I work at will close. So I have prepared to do what I'm going to do in the future. So nothing is going to be permanent and that's part of life and I've learned that. Rix's Creek Modification 10. In response to the Department of Planning's assessment report of the application, the objection to the modification has not changed status.

45

Significant concerns relate to the modification is not implementing new standards and policies and assessment modelling, which are current now of 2019. In

consultation with family and the remaining private land holder in the village of Camberwell, a consensus is that the number 1 priority of concern is air quality, air pollution and impacts on health, which is deemed significant that requires addressing.

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That the comment “nothing has changed” is not good enough excuse that a department accepts Camberwell deserves to have air quality exceedances for three years running of the opinion is acceptable behaviour is substandard and a failure of our systems, protect the environment of Camberwell, the removal of the rights of others to have clean air and the failure to manage air pollution in Camberwell by the Department.

10

Air quality standards on page 11 of the Department’s report:

15

A modification is unlikely to change the air quality impacts of the mine.

So the standard used by the mine is not the new standard nippon and does not include 2.5. Australia’s standards must be implemented. Why should this mine be exempt? Is the Department stating they are being exempt because air quality in Camberwell is in exceedance now and we don’t need to change the status quo? That these individuals health is not important? If we change the standard to new standard, we’d highlight a larger area of concern related to air quality. Assessment page 12: Department states, “Air quality-related conditions were recently updated under modification 8 in 2016.”

25

Looking at MOD 8, there’s no reference to the new current nippon, or modelling under 2016 EPA assessment, the table does not include PM 2.5s or the change in the annual average, but in MOD 8, number 6, “Coordinate the air quality management on the site with air quality management of nearby mines, Integra Underground, Ashton, Rix’s Creek North, Mt Owen complex to minimise air quality impacts.” Has this been achieved is questionable, especially when Camberwell’s air quality has not improved since 2016 but has deteriorated. I had difficulty in finding documentation that MOD 8 6 has met compliance and how. All these mines had a management procedure as a unit.

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Cumulative air quality. The recent response to submission by Glendale Mine, Modification 4, Mt Owen complex, was still on the Department’s website under assessment, relates to Camberwell. Glendale’s consultant Jacobs: “Modelling resulted indicate the cumulative annual average of PMT and concentrations are predicted to exceed 25 µg/m3s approved method of assessment criteria and the current 30 cubic PMT10 annual average impact criterion again, Glendale consent.” So 2020, this is already going to be in exceedance. So why would should we guard nine months of more exceedances? Here is another example where a Glencore mine has a small modification application under assessment, but the Department of Planning request the mine to use the criteria under the new modelling of air quality.

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So is it clear that a department is not consisted in its use of current modelling standards? There should be no discrimination at all. Bloomfield should not be exempt. Air quality in Camberwell due to large number exceedance of daily 24-hour average and 24-hour rolling average of PM10 has further implication on water quality of tank water as this village has no town water supply and Singleton council has stated it is too expensive to provide. So air pollution into play as a significant concern in health of tank water supply. Rix's quick is a contributor to the cumulative air quality impacts on this village. On the purchase of Rix's Creek North in complex and coal landing plant, the importance of modelling of air quality assessment in implementing new standards to the whole of a site of is important.

As air quality-air pollution issue would not only just have impacts on Camberwell but the greater area, where Singleton wanted to part of the upper hundred air quality network records large number of exceedance of PM10. Second concern raised about the modification is the revised voluntary land acquisition mitigation policy, which includes EPA revised assessment criteria for air and noise quality. A note from from on the site: "Air quality assessment criteria have been tightened with annual average annual assessments criteria for course particular PM10, changing from 30 to 25 and the introduction of new criteria for particulates PM 2.5 at 24 average and 8 annual."

Also clause 12AB of the mining set now aligns the non-discretionary standards with EPA revised policy of noise and air. Clause 12A of the mining set now refers to the revised voluntary land acquisition mitigation policy 2000. This clause requires the consent authority to give consideration to the VLAMP before determining an application. This has not been subjected to this modification, which cleared disadvantages land holders, especially land holders in Camberwell are clearly impacted by air quality and the modification has not aligned to the criteria. As this mine is active in Rix's Creek North and Rix's Creek South, which are close together, near the New England Highway, that a policy which has been updated must be implemented, no matter the time frame.

So therefore the IPCN under 12A of the step understanding must take in account the VLAMP and used a new EPA assessment of noise and air quality to the approved criteria. Concern 3: Department of Planning referenced Rix's Creek South continuation project assessment in 1.3 in relation to the cessation of mining. This project is still in assessment. The outcome is unknown factor. It has no bearing on MOD 10, which clearly relates to the development consent DA in 49th, 94. Commencement in – which has been proved to extract to 24 June 2019, but nowhere in that approval did the consent condition state a company could mine without approval of 96 acres, remove or extract coal without approval, destroy ecosystems without approval, not follow policies and procedures without approval.

If the mine had not mined or disturbed land without approval, would they have needed extra time as MOD 10 application? Now, this mine has received income from mining practice outside the approved area. Employment was being considered and covered. Now, Department state if MOD 10 was not approved, it would be a

negative impact. Is this just and fair statement when the mined actually mined land without approval? Didn't the mine benefit from this activity? Now, did the environment benefit?

5 The Land & Environment Court consent orders dated 11 July 2017 relates to biodiversity offsets, retiring of 2716 ecosystem credits in accordance with the framework of the biodiversity assessment relates to the of mining and land clearing in the breach of the consent. But it's nearly 24 months and there's no information in CCC minutes that court orders have been met. What type of
10 ecosystems are part of the court orders? The only documentation information related to orders and enforcement undertaken was on 19.10.17 in the minutes. I'm reading the response of counter representatives on 10 May 2019, point 5, were not aware that there's technical breaches part of the enforceable undertaking council received \$25,000 for improvement of the Hunter River, part of the LE&C quarters.

15 This statement from the council raises great concern related to the money if they actually understood where the money was spent. The other concern is the council is unaware of the breach that the council was on the CCC but there is no minutes related to the ecosystems. Whether it was discussed is difficult to conclude. Point 5:

20 *The community has no concerns.*

If there was no concerns, then there would be no submissions by the public. And the concerns related to air quality, health, was commented on the submissions. If the
25 council took notice to the material presented, they would identify Camberwell has major concerns. In conclusion, one, the new standard must apply to the modification. Two, EPA air quality assessment modelling 2016 must be applied to actually coincide with the 2018 Voluntary Land Acquisition and Mitigation Policy.

30 The 2018 VLAMP must be applied to the assessment process. Air quality – pollution in Camberwell is in exceedance of the annual average and has a large number of 24 hour daily and rolling average exceedances of the department and Bloomfield has not provided documentation that the ecosystems have been retired as per the court orders and this is part of the DA 49/94.

35 We have standards and policies that should be adhered to. There should be no exemptions depending on timeframe. Camberwell landholders and others who are impacted by air quality and air pollution, which impacts their lives and the value of their assets, require a better policy and should be looked at. Thank you.

40 PROF O'KANE: Thank you. Can I just check, has Kevin Taggart arrived? No. Okay. We will go on to Karl Tautari. Mr Tautari, you've been given five minutes as you requested.

45 MR K. TAUTARI: Thank you. Hello. My name is Karl Tautari and I currently work at Rix's Creek Mine. I've worked there for over 10 years and I also live at Singleton. I have many friends that work with me. This whole process is making

everybody very anxious at work and I'm speaking on behalf of all our families and friends that work at the Rix's Creek Mine. This indecision and lack of certainty is really putting a strain on everybody's mental health, whether they're for or against. I've seen the change of character with some of the guys at work. They are stressed and the last thing I want to see is one of my workmates or one of our neighbours harm themselves.

We would like to see the mine be approved so we can continue to work locally for a locally owned coal mine and a stress free environment. People are coming to me and asking me what's going on with the mine expansion. I can see they are stressed and I believe this whole process is putting a big strain on their lives. I don't have the answers because I, myself, don't know what the future of the mine holds. If this project doesn't go ahead, it will affect all our families and friends in the surrounding areas.

All I ask is that you make the decision and approve the Rix's Creek coalmine expansion so it can continue to support our friends and family and put food on the table. I'm an operator out there. We control the environment. The company, they provide us with all the facilities for us to combat that environment. We – if we think it's too dusty, we stop. We don't wait for management to tell us. We stop. They provide us with all the support, equipment. And that's all I've got to say. Thanks.

PROF O'KANE: Thank you. And our next speaker is Jan Davis, speaking on behalf of the Hunter Environmental Lobby Incorporated and she has asked for 20 minutes and that's what's allocated. Ms Davis.

MS J. DAVIS: Thanks, commissioners. First of all, I would also like to acknowledge that we are on the land of the Wonnarua peoples. I would like to acknowledge their elders, past, present and emerging. This land was never ceded. Hunter Environment Lobby, as you know, is a regional, community-based environmental organisation that has been active for over 25 years on the issues of environmental degradation, species and habitat loss and climate change. We've been following the many modifications and expansions of the Rix's Creek Coalmine for many years, particularly the proposed SSD63300 continuation project currently under determination by the Commission.

We appreciate that the same panel of commissioners is considering this current modification application. The two determinations are intricately linked. Hunter Environment Lobby strongly objects to both proposals and continues to argue that both should be rejected. We commissioned legal advice from the Environmental Defender's Office in regard to the modification application being lodged under section 4.55(1A) of the Environmental Planning and Assessment Act 1979, also in regard to the relevance of the February decision in the New South Wales Land and Environment Court in Gloucester Resources Limited v Minister for Planning.

This advice was sent to the Commission on 16 May and we trust that the panel has seen the document. In summary, the advice details that section 5553 is relevant to

applications lodged under 4.55(1A). Section 4.55(3) requires that the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development of the subject of the application. Section 4.15(1) provides that the consent authority is to take into consideration:

- 5 (1) any environmental planning instrument;
- (2) likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- (3) submissions made in accordance with this Act or the regulations; and
- 10 (4) public interest.

The planning assessment report refers to section 75W which is no longer relevant in the statement that the development as proposed to be modified would remain substantially the same development as last modified under section 75W. Planning has taken the approach that previous assessments undertaken on air and noise impacts remain relevant and are not required to be updated. We maintain that the determination is to be made under the statutory regime by which it was lodged. Planning has failed to assess the modification under the requirements of the Mining SEPP. The consolidated conditions for the Rix's Creek Coalmine do not meet the non-discretionary development standard for cumulative air quality levels, as required by clause 12AB(4) of the Mining SEPP.

This clause requires consideration of changes in the receiving environment and not just what is p[eriod by the modification. We note that the regional air quality monitor at Camberwell regularly records air pollution above the national standards and has reported poor air quality in the village 19 times so far this year. Other nearby monitors in Singleton and at Maison Dieu have also recorded high levels of air pollution. This is not a minor environmental impact and must be assessed as required under the Mining SEPP for cumulative annual averages of PM10 and PM2.5 air quality levels. We note that the most recent air quality assessments for the current mining consent was undertaken by Todoroski in 2014, as referenced in the applicant's response to submissions report. Clause 12AB(3) of the Mining SEPP requires consideration of cumulative noise levels of the development.

No assessment has been undertaken under the noise policy for industry 2017 in relation to the modification. Given the lack of certainty of the impacts of the modification, it is difficult to understand how planning formed the view that the modification was of minimal environmental impact for the purposes of 4.5(1)(a). Because of the intricate relationship between the SSD6300 application and modification 10 currently under determination by this panel, we consider that the recent Land and Environment Court decision rejecting the Rocky Hill Coal Mine is highly relevant to both. In the Rocky Hill decision, Chief Justice Preston held that although noise and air quality impacts would comply with the relevant non-

discretionary development standards in clauses 12AB(3) and 12AB(4) of the mining this did not preclude consideration of the social impacts of the mines, noise and air quality impacts.

5 We note that there are regularly noise complaints lodged at Rix's Creek Mine. The 2017 annual review report cites 38 noise complaints in 2016, and 30 noise complaints in 2017. There were also 10 complaints in regard to blasting impacts in 2017. The modification has not been assessed against the social impact assessment guidelines. Also, there has been no cost benefits analysis conducted under the
10 Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals 2015. The applicant and planning reiterate that the purpose of the modification is to prevent disruption to the workforce, contractors, suppliers and customers while the determination process for SSD6300 is still underway.

15 However, there is no information provided about the number of workers and associated businesses likely to be directly impacted given that mining operations are still occurring at Rix's Creek North until 2035. The proposal is to extract a further 1.9 million tonnes of coal over a nine month period, with no contemporary assessment of environmental impacts, costs or benefits. There is no analysis of the
20 economic impact if this does not occur. The future land use conflicts with the township of Singleton are another key social and economic consideration for the larger Rix's Creek project. The Rocky Hill decision found that the project would have significant social impacts on peoples' way of life, community, access to and use of infrastructure, services and facilities, culture, health and wellbeing, surroundings
25 and fears and aspirations.

These considerations are important for both the modification and SSD6300. The Rocky Hill decision also rejected that mine on the basis of direct and indirect greenhouse gas emissions, and their cumulative impact on global climate change.
30 We note that the SSD6300 application is to extract up to 4.5 million tonnes per annum of run of mine coal until 2038. The significance of this generation of new greenhouse gas emissions in terms of the carbon budget as considered in the Rocky Hill judgment must be taken into account in the determination. The Hunter Environment Lobby contends that it is in the broader public interests for the panel to
35 reject both the modification and the SSD6300 application in regard to the cumulative climate change impacts.

A further issue of concern is the ongoing loss of biodiversity connectivity across the floor of the Hunter Valley. The land proposed to be disturbed by the Rix's Creek
40 continuation project contains a significant remnant corridor between the north of the valley and the Hunter River. We have outlined our concern in previous submissions in regard to the unassessed biodiversity impacts caused by the illegal mining of 96 hectares outside the Rix's Creek mining lease. We note that the applicant is required to retire 2716 ecosystem credits under the Land and Environment Court consent
45 order granted on 11 July 2017. We understand that there is a 24 month period in which to meet this order – that is, by July 2019.

It is disappointing that no clear information has been provided in the modification application in regard to meeting this requirement. The proposal to disturb an additional 200 hectares of land, including a critically endangered ecological community, for the purpose of continuing mining in Rix's Creek until 2038 is unacceptable. This is a large scale land clearing that cannot be adequately offset. The issue has been the cause of a great deal of to-ing and fro-ing between government agencies and the applicant. It is very unclear how the required biodiversity offset credits, including the additional 2716 ecosystem credits under the consent order, will be met.

The recent United Nations report on global species extinction is a reminder that we have a duty to protect threatened species and their habitats at a local, regional, national and global scale. The global assessment report on biodiversity and ecosystem services released on 6 May found that around 1 million animal and plant species are now threatened with extinction, many within decades, more than ever before in human history. The report exposed that the health of ecosystems on which we and all other species depend on is deteriorating more rapidly than ever. We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide.

It was identified that transformative changes are needed to restore and protect nature. Transformative change means a fundamental system-wide reorganisation across technological, economic and social factors, including paradigms, goals and values. We consider it imperative that the commission consider this need for transformative change in the determination of both the modification and SSD6300. A number of the predicted extensions are right here in the Hunter Valley. Hunter Environment Lobby considers that the current planning system practiced in New South Wales does not allow for environmentally sustainable development, particularly in regard to large-scale mining projects in the Hunter Valley.

The commission has a responsibility to consider ESD principles and the requirement for transformative change to protect our life support systems from both climate change and species extinction. Both are intricately linked. Just as this modification is intricately linked to the determination of SSD6300. While the planning report maintains that a decision on the modification will not pre-empt a decision on the larger continuation project, it is concerning that discussions held with planning staff in regard to mine rehabilitation and mine closure make it clear that planning expect SSD6300 to be approved.

Such statements from planning staff appear in the transcripts of a meeting held with the panel on 10 May. For example, knowing that the SSD is nearing its finalisation, all these rehab conditions will be fully contemporised under the new consent. And with this new extension, they will also have to update their mining operations plan, which is also referred to as their rehab management plan. This discussion was in regard to the current conditions for rehabilitating the Rix's Creek South mine site. We note that the resource regulator has identified that while the current conditions do not reflect contemporary best practice, any identified risk or opportunities can be

effectively regulated through the conditions of mining authorities issued under the Mining Act 1992.

5 We also note that the panel is meeting with the resource regulator this afternoon, just after this public meeting. There has been an undertaking to the applicant to make the determination on the modification as quickly as possible. Hunter Environment Lobby maintains that the modification cannot be considered to have minimal environmental impact because the required assessments have not been done. Many thanks.

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PROF O’KANE: Thank you. And our next speaker is Robert McLaughlin, who’s requested 20 minutes, which has been allocated. Mr McLaughlin.

15 MR R. McLAUGHLIN: Good morning, Commissioners. My name is Robert McLaughlin. I’m here today to strongly express my objection to the Rix’s Creek MOD 10 proposal. I moved to the Singleton area in 1981 and have lived here pretty much ever since. At that time, this area was a food bowl. It’s now a dustbowl. People are getting sick from the sheer volume of air pollution the mines are creating in the Hunter. So far 2019 has seen the worst recorded air quality since the Upper
20 Hunter Air Quality Monitoring Network started measurements in 2012. Five Hunter towns and villages are tracking record PM10 levels that exceed national standards, according to date from the Office of Environment and Heritage.

25 So why is the government still considering extending the life of this mine in the worst-affected area when they still haven’t set basic thresholds to protect people from cumulative health damage? There has to be a limit, and I believe we’ve reached it, well and truly. The Independent Planning Commission I also believe has a duty to consider the landmark report by the UN Intergovernmental Panel on Climate Change, that is, the IPCC, released in October of 2018 that says urgent and
30 unprecedented changes are needed to reach the target of keeping global warming below 1.5 degrees. This means phasing out coal in OECD countries like Australia.

I would like to concentrate today on the economic benefits of diversification. In the past mines in the Hunter Valley, particularly in the Singleton LGA, have always been
35 approved because of the threat of loss of mining jobs. The approval of this modification would be delaying the inevitable, with great cost to nearby towns, the environment and the regional economy. More than 5000 jobs and \$705 million in wages will be lost from the Hunter without investment in new employment and industries over the next two decades. We need to transform the Hunter’s economy
40 away from reliance on coal.

A report by Neil Perry of the University of Western Sydney – he’s a senior research lecturer on corporate social responsibility and sustainability – his report, titled
45 Weathering the Storm: the case for transformation in the Hunter Valley, models the effects on the Hunter’s economy of a predicted 55 per cent contraction of the coal mining industry by 2040. It argues the Hunter’s economic future is – and this is a quote:

...intimately bound up with the global efforts to prevent dangerous climate change. Coal mining contributes 58 per cent of the economic output of the Singleton and Muswellbrook shires.

- 5 But economic output is just that – output to areas outside Muswellbrook and Singleton. You only have to see the vacant businesses and homes in both these towns to realise that money earned in the mines here is spent elsewhere. Most people who work in the mines live and spend their money in either Maitland or Newcastle. After all, why would these people live locally and knowingly expose
- 10 their families to the dangerous pollution level in this LGA, in Singleton? What has decades of mining done to enhance and develop these towns? It has, however, meant the demise of a number of small towns, such as Ravensworth, Camberwell, Warkworth, and my village of Bulga. The list goes on.
- 15 The threat of job losses in mining is not dependent on whether a mine modification is approved or not. Singleton is vulnerable to changes in coal demand and markets. While surges in the thermal coal price can produce the equivalent of an economic sugar hit to the regional economy, the effects of a slight downturn are also felt far more acutely within the local economy than at a state or a national level. Economists
- 20 are now concerned about the ongoing effects that the mining industry's infamous boom-bust cycle is having on regional economic sustainability. A House of Representatives committee hearing held here in Singleton was told the Hunter's exposure to the industry produced marked differences in economic trends in the Hunter compared to New South Wales.
- 25 Hunter Research Foundation lead economist Anthea Bill told the hearing that a decline in global coal prices to about US\$56 a tonne saw a 15 per cent decline in employment in the Hunter region between September 2013 and March 2015. This decline compared to a 1.1 per cent increase in employment across the state. The bust
- 30 phase was followed by a recovery phase. From March 2015 to July 2018 there was a 20 per cent growth in employment in the Hunter balance versus 10 per cent in the state overall. The hearing was held a week before 388 workers at Muswellbrook's Mount Pleasant Coal Mine were sacked as a nice Christmas present on December 21.
- 35 Nothing was said in the media, though, because mining companies use jobs as a reason to gain approval for mines. So we don't hear about people being sacked. We need our politicians to be upfront with the public and to provide support to start diversifying the economy now, and for governments to provide substantial financial support to affected communities such as Singleton and Muswellbrook. We must not
- 40 approve further mining. We must diversify our economy. If we fail to do so, it will be at our peril. We need to plan to diversify the Hunter and prepare for coal's decline. This is the only path that can protect the Hunter, its workers and communities.
- 45 We need to ensure mine site rehabilitation takes place and there is a review of all exploration and mining titles and the cancellation of titles that deter investment in sustainable rural industries. Proactive transition process would result in the creation

of 595 more jobs than would be lost from coalmining in the same period. At the same time, local wages and salaries would increase by \$315 million in 2040. This scenario would require significant diversification through building on the region's existing strengths in the agriculture, wine tourism and manufacturing industries. It would also capitalise on the strong skill base of machinery operators and drivers, technicians and trade workers.

In order to achieve this best-case scenario, an independent transition process to ensure resources are invested in the public interest to aid transition in both the electricity and mining sectors. Hunter Research Foundation Director Will Rifkin has said:

Attempts to predict future boom and bust cycles had resulted in over- and underinvestment in key infrastructure projects.

It is also noted that in the Singleton and Muswellbrook areas, you see in youth unemployment a much more volatile rate of unemployment. Youth unemployment goes up and down much more dramatically. The prospect of lucrative mining industry jobs was a contributing factor to areas like the Hunter having fewer people in the 25- to 34-year age bracket with university degrees or specialised training in other fields. This scenario has long term implications for the transition of people from the mining sector to other types of business when the mining industry goes into decline. There are also definite economic effects of land use and conflicts between mining, equine and viticulture industries. More and more people are calling for a plan to diversify the Hunter and prepare for coal's decline. We can protect the Hunter, its worker and communities if we are given the chance. I strongly object to the Rix's Creek Modification 10. Thank you.

PROF O'KANE: Thank you. And our next speaker is Bev Smiles, representing the Hunter Communities Network. Ms Smiles.

MS B. SMILES: Thank you, Commissioners. Hunter Communities Network, or HCN, is an alliance of community-based groups and individuals impacted by the current coal industry and concerned about the ongoing rapid expansion of coalmining and exploration in the region. HCN was established in 2011 to represent communities living near coal mines in the Hunter region. The ongoing cumulative environmental and social impacts a result of a major imbalance in decision-making that has increased the disadvantage to remnant communities and isolated private property owners. The Department of Planning and Environment, DPE, the assessment report for Rix's Creek South Modification 10, dated April 2019, once again demonstrates this concerning bias.

The modification before the panel is labelled by DPE as a minor extension of the operational life of the open-cut mine, and described as having minimal environmental impacts. There is no evidence provided in the assessment report to support this position. Our understanding of the planning and assessment process is that the IPCs role is to determine the merit of a mine proposal based on current

policy and assessment standards. The assessment process for this modification fails to provide this information.

5 HCN does not agree that an additional nine months of unassessed open-cut mining impacts in an area of high mining saturation and poor air quality is minor. This presentation will highlight the inadequacies in the assessment process and contradictions in the DPE report. There are a number of key issues with the DPE assessment process and reporting. These include the report provides contradictory advice on the process, considering the merit of the proposal. The assessment fails to
10 meet some objects of the EP&A Act; DPE fails to assess the cumulative impact of the proposed extension of current operations for a further nine months.

It fails to assess air quality impacts under the new NEPM standards as required by the Mining SEPP, and it fails to provide the number of jobs impacted by the
15 proposal. Firstly, to consider the merit assessment. The report states that merit assessment of the modification must focus only on relevant matters of consideration. We maintain that these relevant matters must include the environmental impacts as assessed under the current planning instruments.

20 The report also states that the question at hand is whether to allow the continuation of existing, approved impacts for a further nine months. The key purpose of the modification is to provide continuity of operations and employment during a period of uncertainty, while SSD3600 is finalised and determined. However, DPE has stated that approval of this modification does not assume or pre-empt the approval of
25 the continuation project. Therefore, this modification will not remove the uncertainty for the workforce or contractors, suppliers and customers.

The reason why the larger application has not yet been determined is because there are significant issues with the proposal that are yet to be resolved, and also because
30 Bloomfield breached the mining lease and conditions of consent in 2017. DPE has not conducted a merits assessment of the modification as a standalone proposal, and has failed to assess the environment impacts under current planning policy.

So secondly, the objects of the EP&A Act. The DPE assessment fails to meet a
35 number of the EP&A Act objects and the report provides misleading information on this matter. Object B is to facilitate ecological sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment. DPE responds that the modification can be carried out in a manner that is consistent with the principles of
40 ESD. The department's assessment has sought to integrate all significant environmental, social and economic considerations.

We maintain that DPE has failed to assess environmental impacts under current planning policy and has provided no specific information in regard to social and
45 economic considerations. The assessment has a bias towards economic considerations while discounting environmental impacts and not considering a range of social impacts. The lack of assessment under the updated Air Quality Standards,

Noise Policy for Industry and the Voluntary Land Acquisition and Mitigation Policy, and also the updated economic and social impact guidelines, is a failure to meet EP&A Act object B.

- 5 Object E is to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats. DPE responds that the modification would not directly impact any threatened species, populations or ecological communities beyond what has previously been assessed and mitigated.

- 10 DPE fails to refer to the fact that 96 hectares of land was mined outside the mining lease and consent conditions in 2017. This area of impact was not assessed for biodiversity impacts. A Land and Environment Court consent order of 11 July 2017 requires Bloomfield to acquire 2716 ecosystem credits for retirement in accordance with the New South Wales Biodiversity Offset Policy for Major Projects, and associated framework for biodiversity assessment. This order must be completed by July 2019.

- 20 DPE states that Bloomfield is currently complying with the consent orders. However, no information is provided about the progress towards meeting the required biodiversity credits. In the meeting held between Bloomfield and the panel on 10 May, it was stated that the Land and Environment Court:

- 25 *...required us to do relevant offsets, and we're certainly committed to getting those in place. This has been probably a bit longer process than we anticipated. I think there has been a few changes in that area over the period, as well with different methods of calculating offsets and assessments.*

- 30 No indication has been given about if or how the 2716 ecosystem credits required by the court order will be met by July this year. Therefore, there is no certainty that threatened species populations or ecological communities will not be impacted because of the lack of assessment in the 96 hectare mined outside the mining lease and the failure to report on mitigation measures.

- 35 The next is the assessment under environmental planning instruments. DPE states in the assessment that it has assessed the modification under the required provisions of the SEPP Mining, Petroleum Product and Extractive Industries 2007. However, clause 12AB(4) of the Mining SEPP sets the non-discretionary development standard for cumulative air quality levels. This standard is that the development does not result in a cumulative annual average level greater than 25 micrograms per cubic metre of PM10 particles, or eight micrograms per cubic metre of PM2.5 particles for private dwellings.

- 45 The DPE reports that as the modification is unlikely to change the air quality impacts of the mine – that is, no change in just generating activities – that Bloomfield was not required to undertake an updated air quality impact assessment. The most recent air quality assessment referred to in the Bloomfield's response to submissions report

was undertaken in 2014 and does not meet the requirements of the updated Mining SEPP. There has also been no updated noise impact assessment under the new Noise Policy for Industry 2017. Therefore, DPE has not assessed the modification under the required provisions of the Mining SEPP.

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It is imperative that the IPC require this assessment to be undertaken as part of the merit assessment for the proposal to continue open-cut mining operations for a further nine months. Next are the identified key assessment issues. Section 5 of the DPE report inadequately deals with the assessment of the key issues raised in submissions of objection. These are laid out in table 3 of the report. Under air quality, DPE considers that the previous assessments undertaken for the project remain relevant and there is no need to update previous air quality impact assessments. DPE considers that recently updated air quality related conditions of consent under modification 8 in 2016 remain appropriate for the development as proposed to be modified and no other changes are required.

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Hunter Communities Network does not support this position as outlined previously in regard to the requirements of the Mining SEPP. DPE recognises that the modification would result in a prolonging of the approved impacts. There has been no demonstration that these impacts are minimal. DPE admits in the meeting with the panel on 10 May that there is no set test for testing what is minimal. Under Greenhouse Gas Emissions, DPE refers to the greenhouse gas assessment provided with a response to submissions report and the estimated scope 1 and 2 emissions of 40,934 tonnes of carbon dioxide equivalent over the proposed nine months extension to mining.

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There is no reference to the scope 3 emissions, estimated to be 2,943,597 tonnes of carbon dioxide equivalent. The impact of these emissions cannot be ignored, and should be taken into account under ESD principles. Under noise, similarly to the air quality assessment, there has been no contemporary assessment of noise impacts for the modification. Significant changes to the surrounding receiving environment have occurred since the current noise conditions were approved.

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Again, DPE recognises that the modification would result in a prolonging of the approved impacts, and again there has been no demonstration that these impacts are minimal. Under the topic of socioeconomic assessment, DPE makes sweeping statements about the modification providing significant socio-economic benefits to the mines, workforce, contractors, suppliers, customers and owners, with no data provided to back this up. More detail on the socioeconomic impacts is provided later in this submission.

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In regard to cumulative impact assessment, DPE fails to assess the proposed modification in relation to recent expansions of coal mining in the vicinity of the Rix's Creek South mining operations. Neighbouring mines such as Mount Owen and Hunter Valley Operations have received approval to expand mining operations and impacts since the most recent modification assessment for Rix's Creek Mine. The 2017 annual review report for the Rix's Creek Mine Complex – and this is the only

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one available on the public record – highlights that the requirement for cumulative protocol has not been developed in co-ordination with the nearby mines or included in the noise management plan. This is a non-compliance issue. Similar requirements for blasting, air quality and greenhouse gas emissions have also not been met.

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It is unreasonable to consider the merit of this modification without assessing the cumulative impact of an additional nine months of noise, blasting and air pollution from open cut mining operations near Camberwell Village and neighbouring communities, including the expanding township of Singleton. We note that the recently release response to submissions report on the Glendell Mine Modification 4 outlines the model sources of dust in Camberwell Village from all sources by 2020. Background levels provide 39 per cent. The Rix's Creek complex provides 17 per cent of dust levels, while other surrounding active mine sources combined at a further 39 per cent.

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It is unreasonable for DPE to consider the modification as having minimal environmental impact when there has been no assessments undertaken, and cumulative impact is not considered. The Upper Hunter Air Quality Monitoring Network regularly measures high levels of air pollution in the Camberwell and Singleton area. The various programs put in place by the EPA to manage mine dust are not working. The orderly closure and rehabilitation of open cut coal mines in the region is the only solution to improving the worst air quality in Australia. The Commission has a real opportunity to commence this process by rejecting the modification application before you, as well as the proposed continuation project.

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So in regard to socioeconomic impacts, DPE considers that the modification is warranted to protect the mine's workforce, contractors, suppliers, customers and owners from unnecessary disruption while the final determination for SSD6300 is underway. However, neither the assessment report, nor the response to submissions report, provides any detail about the number of employees likely to be impacted or whether contractors and local suppliers are solely dependent on mining operations at Rix's Creek South. No costs benefit analysis has been provided to justify that the cessation of mining on 24 June as per the current conditions will cause unnecessary disruption.

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We note that at the meeting between the panel and Bloomfield, reference is made to 255 full-time employees, including ancillary staff at Rix's Creek Mining Complex. There is no breakdown of the actual number of people employed in the extraction of coal at Rix's Creek South. We also note that Bloomfield has a plan D to accommodate that workforce. They could be directed immediately into the rehabilitation of the mine site. If the determination of the continuation project is not already a done deal, then Bloomfield needs to be preparing to enter into the rehabilitation phase. In regard to disruption to customers, Bloomfield has stated that contracts would be snapped up by other very large producers.

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The argument about disruption during a time of uncertainty in regard to the determination of the larger mine expansion does not hold up. There are many greater

uncertainties hanging over the thermal coal industry in the Hunter. Now is a good time to commence an orderly transition away from thermal coal production. So just in regard to the analysis of the submissions, we note that the response to submissions breaks down the areas from which objections were raised in regard to proximity to the mine. However, the supporting submissions were not treated in the same way, other than a generic statement they were from the Hunter region.

It is well-known that most of the mining workforce in Singleton area drive in and out every day, taking their pay and spending activities away from the communities of immediate impact. A transition to a cleaner and less impactful employment sources would encourage more people to live near their place of work. In regard to the IPC process, we're very concerned that the panel has undertaken to get a determination as quickly as you can after this public meeting. If this quick determination is going to occur prior to 24 June to give some certainty to Bloomfield, then it must be a rejection of the modification. The panel does not have the required information before it to make any other determination in regard to minimal impact and the merit of the application.

So, in conclusion, DPE recommends that condition 2 of schedule 2 of the consent is amended to allow coal extraction until 24 March 2020, and that no other changes to the consent are considered necessary. Hunter Communities Network strongly disagrees with this recommendation. The current conditions managing environmental impacts are inadequate and not contemporary. Management plans to manage environmental impacts are not based on current best practice. There has been no assessment of the environmental impacts to demonstrate that they are minimal. The panel does not have adequate information before you to make an informed decision on the merit of the application. And for this reason, it should be rejected. Thank you.

PROF O'KANE: Thank you. And the next speaker is Bob Vickers from Doctors for the Environment. And he has asked for 20 minutes, which has been assigned. Dr Vickers, please.

DR B. VICKERS: And I just have some slides as well that I will just bring up, if that's all right.

PROF O'KANE: Thank you. Of course.

DR VICKERS: Yes. Okay. Good morning to the IPC chair and panel members. Thank you for the opportunity to speak today about the Rix's Creek modification and continuation. I would first like to also acknowledge the traditional owners of the land and water that we speak on today, the Wonnarua people, and I would also like to pay my respects to their elders past and present. My name is Bob Vickers. I was born and raised in Singleton. I'm now working as a GP obstetrician here in town. Tony, I apologise, you've heard a lot of this speech already at the United presentation so I do have to go over some of that data again because it's still relevant.

But I'm going to keep telling it to anyone who will listen because lives depend on this. I do also today speak for Doctors for the Environment Australia but I am also speaking as a local resident. I actually live in Maison Dieu, so I am a close neighbour to this mine as well. Doctors for the Environment Australia is a national
5 non-profit organisation of Australian doctors and medical students. My main aim today is to speak on the health risks of the Rix's Creek continuation, both the local and population. The threat of climate change is the number one. This is going to increase the risk of heat stress, extreme weather events, increases in infectious diseases, food insecurity, mental illness, temperature increases significantly affect
10 vulnerable populations.

These are our older and younger populations, those with chronic diseases like diabetes, heart disease, kidney disease and others at risk of dehydration. Temperatures are still rising. We all know this by now. It's saturating our media.
15 Vulnerable populations are already starting to suffer. Australia is already the proud winner of having the first mammal go extinct this year due to the direct effects of climate change. The IPCC, the International Panel on Climate Change, which was mentioned previously has already accepted that we are likely to have a rise in global temperature from the pre-industrial age of 1.5 degrees Celsius.

20 This projected rise in global temperatures is already going to lead to an increased number of temperature related deaths compared to 1990 levels. If climate change continues to worsen without dramatic action to reduce global carbon dioxide emissions, we will see a significant increase in the number of temperature related
25 deaths, and this is the current data on average temperature increases globally. This is I think the most important line from the IPCCs report:

*To achieve a reduction in emissions that would limit the temperature to rise to 1.5 degrees Celsius or less, use of coal would be reduced to zero per cent for
30 global electricity by 2050.*

Emissions come from many sources but reducing emissions from energy generation is the easiest first step to take. Therefore, to reduce the health risks associated with climate change and temperature rise, the department should not approve this project
35 as it will not help us meet the modelling set out by the IPCC report. According to the Bureau of Meteorology – Australian Bureau of Meteorology, it has been the warmest January to April on record for Australia. Rainfall is also below to very much below average over most of the country. Large areas of Australia are still in significant drought. Natural disasters, such as droughts, cyclones, bushfires, flooding are indeed
40 related to the effects of climate change and they all lead to direct and indirect negative health effects, as mentioned previously.

A monitoring station in Hawaii, which is starting to be used as the world standard for measuring atmospheric CO₂ concentration, just hit 415 parts per million last
45 weekend. This is the first time in human history. Not since pre-industrial levels – not since the invention of agriculture, like, 10,000 years ago, this has never before seen in our human history. The last time CO₂ levels were at this level there were

trees at the North and South Pole. This is unprecedented. Our next generation is pleading with us to provide them with a habitable planet and we're squabbling over franking credits and negative gearing. The federal executive arm of Australia has just had a huge influence by coal mining past, I think, any point of salvation.

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Clive Palmer just spent \$60 million to put a United Australia candidate in every single seat and every disgruntled LNP and Labor vote that went to Palmer went straight back to the LNP and I have no doubt that Clive Palmer will be very richly rewarded for that contribution. The IPC has real power here to make meaningful action on climate change and I really hope you take this opportunity. Air pollution. This is the big issue for Singleton. It has been associated with multiple dangers to human health. Most people are now aware that poor air quality contributes to upper airway diseases, lower airway diseases and heart disease.

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PM10 and PM2.5 particulates enter the lungs and bloodstream and can cause heart disease, lung cancer, asthma and acute lower respiratory tract infections. When combustion of coal is added to the consideration, we need to look at increased levels of sulphur and nitrogen dioxide. These chemicals are known to cause airway irritation, shortness of breath, headache, asthma exacerbation and actually in very high level exposures to nitrogen dioxide, for example, after exposure to a blast plume, high enough levels of nitrogen dioxide can actually lead to lung inflammation and immediate death. A recent study by Ben Ewald, a GP and public health expert from the University of Newcastle, showed that combustion of coal in New South Wales could lead to 233 extra low birth weight babies and 369 people developing type 2 diabetes in New South Wales annually.

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My personal concern, this data is based primarily off the emissions from five key power plants, two of which are in close proximity to our region, Liddell and Bayswater. So the nitrogen and the sulphur dioxide produced by those power plants actually do bind to a lot of the ambient PM10 and PM2.5 particulates in the Hunter Region and that's what does the real damage when it enters the bloodstream. These pictures are actually from my back yard. This is – to be fair, this isn't Rix's Creek, this is Mount Thorley but this is the example of a blast plume in the Hunter and what kind of happens over time. So these two pictures are taken 15 minutes apart.

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This was 26 April so this is not even more than a month ago. Looking to the left of those photos is Bulga and a little bit further left, outside the range of the photo, is the township of Singleton, about five or six kilometres away. Using that kind of frame of reference and distance, that blast plume in 15 minutes has travelled about two to three kilometres. I know that I live much closer than that to the edge of a Rix's Creek mine. So we get no warnings of these. We have the Upper Hunter monitoring system where we will get texts for air quality alerts once it reaches a 24 hour average but we get no warning for blast plumes.

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That, comparatively, doesn't look too bad in terms of its colour. Most people will tell you, with a blast plume, if it looks orange and yellow there's a very high concentration of nitrogen dioxide. So with no warning system, fast travel of blast

plume and the potential for high levels of nitrogen dioxide, we could very well see a fatal case from exposure to nitrogen dioxide. Sydney and Melbourne have seen thunderstorm asthma where emergency departments were overrun. We could very much see this in town. I grew up locally on the other side of town, along Dyring Road. We experience noise pollution from explosions at Ravensworth and the surrounding mines.

I've seen blast plumes happen unpredictably as a child as well and I did grow up with asthma. I was frequently set up with a Ventolin nebuliser at home and I had multiple exacerbations of asthma as a child due to dust and blast plumes from Ravensworth. As a GP, personally I see multiple local patients with diseases that are known to be exacerbated by poor air quality including upper airway diseases like otitis media, sinusitis, lower airway diseases like asthma and emphysema. These patient populations suffer exacerbations in clusters which I can attribute to spikes in air pollution data. There have recently been fines for breaches of air quality standards for some mines in New South Wales.

Quite frustratingly, the numerical value of these fines pales in comparison to the profits made from these projects. It took the EPA to financially punish Whitehaven for a dangerous blast plume. The fine equated to .001 per cent of their annual revenue. It's not a deterrent to breaches of conditions. My sickest asthma patient that I currently have lives at Camberwell. He's compliant with his medication. He's powerless against the increasing air pollution. Why should an asthmatic teenager living in a small rural community have to suffer one of the country's worst air pollutions. It's not fair. As mentioned previously, blast plumes are unpredictable.

Our local health systems are not designed to cope with a health crisis like we saw with the thunderstorm asthma events recently in Sydney and Melbourne. If a blast plume was to carry over Singleton or Muswellbrook with little warning, I've no doubt that there will be critically ill patients who may not be able to access the required treatment. This table shows the air quality alert data from the Upper Hunter Air Quality Monitoring Network for winter 2018. There is more recent data, which I will go on to talk about. But, as you can see, using the benchmark of 50 micrograms per cubic metre there were 29 days over the PM10 particulate benchmarks for the local region.

If the more appropriate World Health Organisation targets are used, the benchmark of 20 micrograms per cubic metre, this number becomes much higher. Note that the sites recording the highest number of days were in closest proximity to existing mine sites: Camberwell, Mt Thorley and Maison Dieu. Camberwell and Maison Dieu are the closest recording monitors to Rix's Creek open cut mine. This is consistent with previously established data by research overseas that proximity to the coal mine equates to worse health indicators.

This is the more recent data for the average concentration for both PM2.5 and PM10 particulate. Despite raising our concerns – when I say ours, Doctors for the Environment – we've been talking about this for the last 12 months, very loudly,

about air quality earlier last year. There has been a steady increase in the number of monitoring stations recording particle levels above the recommended levels. Another continuation of a mine project and expansion of a mine project poses a significant health risk due to the cumulative effect that this is having on air pollution.

5 We would expect this to lead to higher rates of previously mentioned illnesses, and we actually already have data that confirms this happens.

Having suffered through asthma during my childhood here in Singleton, this is kind of sobering data. As you can see from the graph, the rate per 110 – sorry, 100,000 of children between the age of zero to 14 in respiratory presentations to emergency departments between Singleton, Muswellbrook and other areas of New South Wales are considerable different. We saw rates of asthma in this population more than double the rate of Sydney. The earliest data we have from the upper air quality monitoring network is from the 2012 annual report. Camberwell monitoring stations

10 had 20 days above 50 micrograms for the entire year. So that's, again, more confirmation that potentially this data is getting worse over time.

15

A local GP, Tuan Au, who I work with, along with another GP who left town due to concerns about air quality, Dr Craig Barry, did measurements, as previously

20 mentioned, of peak flow of high school students a few years ago. So peak flow is a marker used to indicate asthma. It's a measure of how quickly people can blow air out through their lungs. This research found that Singleton high school students had much higher rates of restrictive airway diseases than the national average.

Australia coal price – it's currently in a downward spiral due to decreasing demand overseas. Our major importers of coal are transitioning away. The economic benefits of this project are very much overestimated and we will be likely left with a stranded asset if this is approved. A large percentage of employees, we already know, will be drive in and drive out. They create stress on our local population

25 socially. They cause an increase in the demand for a community's health and emergency services. More jobs in the mining sector and moving to casual contracts, and casual workers are paid less than permanent staff, further exacerbating financial stress and its effect on mental and physical health.

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We have 9000 workers drive into the region daily. The drive in and drive out workers cause an increase in a demand for emergency services. So a recent report into ED presentations for all causes found that while Maitland and John Hunter had a reduction in their number of presentations, presentations to Singleton Hospital actually increased by 30 per cent. The increased pressure on our health service

35 forces local families to travel longer distances for vital medical and allied health services.

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The Climate and Health Alliance has done some modelling, and actually estimates that the air pollution in the Hunter Valley and the associated health costs cost the Singleton Council – or the Singleton Health Service \$47 million annually in health costs. So whilst the donations to Cancer Council and community events are

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appreciated, it pales in comparison to the actual health costs that are contributed to by the mining here.

5 Is that a timer warning? No. The increased traffic congestion through town at the time of shift changeover for the local miners contributes to high levels of air pollution through diesel emissions. This also creates mental stress for people who work in Singleton and are stuck in traffic. It's not uncommon for someone to have to take 30 to 40 minutes to drive from central Singleton to the heights during peak traffic times. We also see a skills drain on our population due to the drive in and drive out nature of the employment. Many school leavers are electing to forgo skills training and further education and instead choosing to work in roles in the mining industry with skills that have limited transferable options to other industries and a limited employment future. This further exacerbates health inequality due to financial stress.

15 Water quality and quantity have important health implications as well. The World Health Organisation estimates that eight litres of fresh water are required to dilute every litre of poor – polluted water in order to prevent harmful contamination. There is potential for continued mining in this area to lead to increased incidences of excessive pollution and infectious diseases, and I note that the extension planning for the continuation of Rix's Creek would involve a final void, and that can create irreversible damage to our region's major water source, the Hunter River.

25 In summary, Doctors for the Environment of Australia opposed a Rix's Creek expansion project due to concerns over risk to human health directly and indirectly from climate change, air pollution, social impacts, water impacts and environmental risks. I have multiple person objections as both the health provider for the local population and as a Singleton resident. I directly suffered health consequences as a result of open cut coal mining and blast plumes. I currently live in Maison Dieu.

30 The first speaker put up the photo of the planning for where the mine's lease sits. My house is just off the photo where the labelling at the bottom is – where the key is.

I worry about the risk to my daughter if open cut continues to create dangerous air quality in the area. I'm may also make the same decision as Dr Craig Barry to leave town if this mine continues operations amongst others in the area due to its cumulative effect. I currently provide one-third of Singleton Hospital's surgical obstetric cover, during a time where a large percentage of rural maternity units are shutting down, so. If you like, you can feel free to add an increase rate of roadside births and neo-natal mortality to your social impact lists if this project is approved. It is my personal and professional opinion that this project do not be approved. Thank you.

PROF O'KANE: Thank you. The next speaker is David Burgess from Lock the Gate. Mr Burgess and he's asked for five minutes.

45 MR BURGESS: Thanks for the opportunity to speak today. Lock the Gate is a group that was formed just over a decade ago in order to assist rural communities

and, indeed, industries whose environments were being impacted upon by coal and gas projects. While acknowledging that this proposal is essentially an extension of time on an existing approval, it should be taken to account that there's a bigger plan here and the key issue to us is the impact of dust upon the immediate neighbours of the mine, the community of Camberwell, and the growing neighbourhoods coming out of Singleton nearby.

The cumulative impact are having a huge impact on the community as a whole. They haven't been assessed cumulatively, or under current standards and continue to lead to these continued mine-by-mine conflicts where it's put in a contexts of jobs versus health, clean water versus environment, as dictated by the current planning system. In the past few months, we have worked with local industries in the Hunter Valley, namely the Equine and Wine industry to create and map critical industry clusters. We've produced a report on the success or otherwise of mine rehabilitation in both Queensland and select mines in the Hunter Valley.

And we've also worked with the University of Western Sydney to produce a report called "Weathering the Storm", which analysed the economic impacts on the Hunter Valley of various scales of the predicted decline in demand for thermal coal globally. One of our current projects is to engage with the communities of Singleton and Muswellbrook in what we think needs to be a preparedness to have a community based discussion about transition and, as referred to on radio by the prime minister this morning, where the world decides to go in terms of its demand for coal, and where indeed this valley decides it's had as much as it can take in terms of liveability.

During this engagement, we've knocked on the entire residential areas' doors in Singleton and Muswellbrook, and quite often woke up a number of shift workers who were sleeping the day off. 90 per cent of these people believed, at the very least, we need a plan. It was a fifty-fifty call where the residents thought that too much mining had occurred already in the Hunter Valley. We ask that Rix's Creek be assessed under current air quality standards in accordance with what many people here today have already asked for, in a way that doesn't disadvantage land holders and people against each other.

The modification should be assessed under all contemporary standards, air quality under the current mining step, noise and socio-economic standards. Future continuation of mining itself will clear our critically endangered eco-system and the imbalance of the planning system is working against the affected communities. We note that an approval of this modification does not guarantee approval of the delayed SSD continuation project and therefore the uncertainty just continues regarding health, environment and employment. That'll do.

PROF O'KANE: Thank you. And the next speaker is Wendy Wales, who's asked for five minutes, which is granted. Ms Wales. Can I just check – is Kevin Taggart here? No. She's the last speaker. Do you want to speak straight away? Yes. I've

just allowed – another lady is going to speak for five minutes so. Straight away and then she can – Ms Wales, this lady will speak. So your name?

5 MS M. MCGILL: Thank you. My name is Mary McGill. I'm the CEO of PHC Group. Our business has been around for 33 years and we service the coal industry totally and that goes from Port Waratah, NCIG, right up to all of the Glencore and down to Centennial Mine. So we're working both open cut and underground and we currently have a number of our employees that work up to six days a week at Bloomfield Colliery. I would like to say that in support of the expansion and in
10 relation of supporting Bloomfield also, they're a very professional company who audit us in relation to safety, etcetera, making sure our materials, vehicles, etcetera, protective equipment is supplied properly.

15 They go through that process annually. I would also like to remind the panel that – as I said – we have 170 employees and every two years they have to have an order 43 medical, which also includes their lung testing and x-rays. I have never in the history of the PHC group known of anybody to come back from the doctor's in relation to any complaints. All my previous working career, which has been quite a considerable time, I was responsible for BHP, power stations, the manufacturing
20 industry, the mining industry and was tied up with Newcastle traits or council and numerous government bodies.

25 There's always been issues in all of these industries, not just the coal industry, and we've always worked with the different groups and tried to look at improvements but not stop growth and not stop employment. I've also been on the other end of dealing with redundancies and seen numerous side effects from this. So no matter where we live in Australia, that we have to work together to try to improve these things, but we definitely need the expansion in any industry. So I totally put my support behind the Bloomfield expansion. Thank you.

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PROF O'KANE: Thank you. And Ms Wales. You've asked for five minutes, which we've granted.

35 MS W. WALES: No, I asked for 15.

PROF O'KANE: It's five on the list, Dennis.

MS WALES: But the list - - -

40 MR LEE:

PROF O'KANE: You've got it down as five. That was you – okay. Yes, you can have 15.

45 MS WALES: Thanks so much. Now, I do have a slide. Okay. My name is Wendy Wales. Can you hear okay?

PROF O’KANE: Yes, we can, thank you.

MR PEARSON: Yes.

5 MS WALES: I’m speaking on behalf of DAMSHEG today. That’s the Denman
Aberdeen Muswellbrook Scone Healthy Environment Group. I would like to
acknowledge and respect the Wonnarua People, the traditional custodians of the land
we meet on today, and note that this land was never ceded. We’re objecting to this
modification because we know we must leave this carbon sequestered in the ground.
10 Since our last meeting about Rix’s Creek continuation, at least two significant
international reports have been published. They are the IPCC report on climate
change, the special report on the impacts of global warming of 1.5 degrees C above
preindustrial levels and related global greenhouse gas emission pathways in the
context of strengthening the global response to the threat of climate change,
15 sustainable development and efforts to eradicate poverty.

The second report is the Intergovernmental Science-Policy Platform on Biodiversity
and Ecosystem Services. Both these reports add to our knowledge of climate change
and its impacts. The IPCC report provides a huge amount of information to support
20 the prediction that making the fast turnaround to keep global average warming to 1.5
degrees C compared to two degrees C would be a significant benefit for humanity
and the environment:

Limiting global warming –

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I quote –

*to 1.5 degrees C would require rapid, far-reaching and unprecedented changes
in all of society ... with clear benefits to people and natural ecosystems,
30 limiting global warming to 1.5 degrees C compared to 2 degrees C could go
hand in hand with ensuring a more sustainable and equitable society.*

The IPBES headline that one million species are on the verge of extinction due to
environmental collapse identifies five main drivers. These are: changes in land and
35 sea use; direct exploitation of organisms; climate change; pollution, and invasion of
feral species. In recent more local context, the Rocky Hill decision in February this
year, the court accepted Professor Will Steffen of ANU’s expert opinion in relation
to the climate change impacts of the Rocky Hill coal mine project. Professor Steffen
again wrote an expert report a few weeks ago for the Moolarben IPC public hearing
40 against the fallacy of the argument that any single polluter is small in the entire
context, and also against the other fallacy of continuing to mine because “if we don’t,
others will”.

He said that any carbon budget hoping to meet the current temperature target is
45 incompatible with, firstly, development of new or expanded fossil fuel expansion;
and (2) with increases of any size in fossil fuel production. Rix’s Creek Modification
10 is an increase in coal production, adding close to three million tonnes of carbon

dioxide just over nine months. Therefore, the Rix's Creek Modification is inconsistent with the carbon budget approach to climate stabilization.

- 5 The carbon budget approach places importance on the quantity of fossil fuel CO₂ emissions, not on the purpose for which they are burnt. Australia is the only major fossil fuel producer in the OECD and over 90 per cent of its existing coal reserves cannot be burnt if we are to say within the Paris Accord's two-degree target, let alone the more stringent 1.5-degree target.
- 10 The action required of Australia is in not just refusing to expand further fossil fuel exploitation, but actually closing mines and gas wells before their economic lifetime is complete. Steffen's team calculated a carbon budget for 2011 to 2050 suitable for meeting the two-degree target. They found that 62 per cent of the global fossil fuel reserves in Australia need to be left in the ground, unburned, to fulfil that carbon
- 15 budget. The graph drawn by Steffen shows that in order to meet the Paris Accord emissions must be reduced rapidly and deeply, requiring the quick phasing out of existing fossil fuel mines and wells. Delaying the peak of earth carbon emissions by one more decade gives too little time to transform the economy.
- 20 Since as recently as 2016, the carbon budget allowed to us has reduced, Steffen shows, by 30 gigatonnes. That is seen against the global – against a total of 600 gigatonnes we can spend to stop at 1.5-degree warming or 800 gigatonnes beyond two degrees. So that graph is just a reflection of the urgency, and if we burn it now, we haven't got that CO₂ sort of budget left to sort of draw out. We have to do this –
- 25 that radical figure of the red line sort of just is impossible for us to do that quickly economically and, you know, in our social context. The carbon budget approach shows us the necessary trajectory of emission reductions for reasonable survival.
- 30 Delaying the peak emissions just five further years would create a reduction trajectory which economically and technologically the world can't achieve. The recent IPCC special report gives us only 15 years to meet the 1.5-degree target. But Steffen says that following for – allowing for carbon feedbacks, this must be cut back even further to eight or nine years at the present rate of emissions. The carbon feedback he refers to, which reduces the carbon budget we have left to spend, is
- 35 made up of phenomena in the natural carbon cycle.
- For example, the melting of permafrost and the collapse of the Amazon Rainforest back to savannah lands. He considers these natural events would be significant and, like the rising seas from melting ice, completely out of our control. He says that that
- 40 the non-carbon dioxide gases which also contribute to warming are assumed to be reducing also, but this is more difficult for us to manage. They come from food production.
- 45 So he says we need to deepen cuts in CO₂ to compensate for that difficulty. The carbon budget Stephen gives us is calculated from estimated reductions in global greenhouse gas emissions required to meet a temperature target. The estimates emerge from the linear relationship between gases in the atmosphere since 1870 and

the global temperature rise over that time. The gap is measured between the energy into and out of the Earth's atmosphere due to varying gas concentrations and the Earth's varying reflectivity. He also provides an integrated graph which I haven't got today. He names carbon dioxide as being the most important greenhouse gas, saying that 90 per cent of the human-induced emissions of this gas come from burning fossil fuel, and 10 per cent from land use change.

Clearly the average surface temperature of the Earth has increased with a cumulative amount of CO₂ emitted from all human sources since 1870. Analysis shows that in only 20 to 21 years, the world economy must reach zero net emissions. Following from that, emissions must be at their peak next year, 2020, at the latest. We are seeing the effects of overall one degree rise in temperature worldwide already. The upshot for Australia is that it is not doing nearly enough to meet obligations under the Paris accord. Also most shamefully, if every country followed Australia's level of reduction activity, the trajectory would lead us to a temperature rise of three to four degrees by 2100, and an extreme danger – damage to our children's biosphere.

In this context, the idea of yet another extension of Rix's Creek Mine is unconscionable. Significantly, Professor Stephens' evidence was not contested by the Minister for Planning in the Rocky Hill decision. The court found that the direct and indirect greenhouse gas emissions of the Rocky Hill Coal Project will contribute cumulatively to the global total greenhouse gas emissions. And all anthropogenic greenhouse gas emissions contribute to climate change. Furthermore, the Environmental Defenders' Office said that the Rocky Hill decision confirmed that climate change must be in the minds of decision-makers when assessing impacts of greenhouse gas emissions on climate, environment and people, and that decision-makers are obligated to make decisions having regard to the need to limit global warming to 1.5 degrees C above pre-industrial levels.

The ruling emphasises that the global problem of climate change needs to be addressed by multiple local actions to mitigated emissions by sources and remove greenhouse gases by Commissioners, we in the Upper Hunter survived the hottest summer of our lives, and on record. We, in late May, are still wearing short sleeves, and only thinking of winter. Last summer, 664,000 cattle died in one rain event in North Queensland. The previous fortnightly rainfall up there had been – the record was 800 mil in a two-week period, and this event was 1400 mil. This event was the same pattern as unprecedented floods in Houston in South Carolina, and then the American Midwest. In 2010, half of Pakistan was flooded. You must remember the fires last summer in Tasmania, and that was only a few years earlier.

This small sample of the extreme weather events, catastrophic as they are, should be enough to move us to work together to find new ways of sharing this planet and looking after, not just exploiting, the environment. Our Healthy Environment Group is based around the towns of this locality, and is concerned for the life and welfare of all our children. DAMSHEG condemns the application as having no consideration for the future or our nation, and of life on Earth Modification 10 must be refused.

And just on a personal note, I commented at the Rix's Creek IPC Meeting in February last year that cancer is typically an environmental disease, and was appalled at the Cancer Council's advocacy for the Rix's Creek 20-year expansion. Since that time, I and two of my four neighbours have been diagnosed with cancer. Many
5 people are now moving to Musselbrook because of the now cheap rents. Musselbrook is no longer a desirable place to buy a house. The poor air quality and devastated landscape are oppressively visible to all of us. This is social engineering at its worst. Thank you for the opportunity to speak. I know the farmer – that's all right. That will do. Okay. Thank you very much.
10
15 PROF O'KANE: Thank you. And unless Mr Taggart is here, that's the – I will close the meeting. And thank you all for attending and those speakers who spoke. And remember, there's a week if you want to put in further submissions. So thank you. And I will close the meeting.

RECORDING CONCLUDED

[12.18 pm]