Shire Climate Action Network

A Campaign Group within the Sutherland Shire Environment Centre
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To Whom It May Concern

On behalf of Shire Climate Action Network (ShireCAN) Members, I am making one submission on the three draft policy documents currently on exhibition:

1. The Climate Change Licensee Requirements,
2. The Climate Change Mitigation and Adaptation Plans; and
3. The Greenhouse Gas Mitigation Guide for NSW Coal Mines.

According to the EPA's website on addressing climate licensee requirements, it states, "Our aim is to drive emissions reductions across NSW, improve emitting practices and the transparency of greenhouse gas data and climate actions by our licence holders."

I am concerned then, that the three documents in question are not adequate enough to urgently reduce and limit greenhouse gas emissions from coal mines in NSW. These documents are not water tight and allow opportunities for large emitters to maximise loopholes that will impede NSW delivering vital change needed prevent NSW breaching legislated emissions reduction targets of at least 50% by 2030 and at least 70% by 2035.

In essence these documents still effectively allow business as usual at NSW coal mines. This is demonstrated by the fact that the last seven coal mines expansions that were approved have done nothing concrete to reduce methane emissions from existing coal mines.

Climate Change Licensee Requirements

In relation to the Climate Change Licensee Requirements, my major concern with the Licensee Requirements, is that the EPA is stating that they will not impose GHG emissions limits on facilities via Environment Protect Licences in the short term. This is a major failing; it should not be left to be implemented as a long-term action! I frankly find this position extraordinary considering the EPA's own expert panel found that "*….the panel's view is that*

it will be hard for the EPA to ensure mines actually reduce emissions in the absence of emission limits."

As a matter of urgency, enforceable, reviewable limits should be placed on emissions of greenhouse gases, especially methane, from NSW coal mines.

GHG Mitigation Guide for Coal Mines

This decade is critical to avoid dangerous tipping points. Therefore, it is paramount that the Mitigation Guide drives any significant abatement of direct emissions from either methane pollution or diesel emissions as coal mines. The Guide fails to do this.

Key Concerns with methane emissions from underground mines –

The EPA's role in mandating ventilation air methane (VAM) abatement at high-emitting underground coal mines in NSW is critical and also important is setting effective deadlines that will make a difference to emissions reductions. The Guide proposes that the EPA *may* mandate VAM abatement but not until July 2030 and then only for mines that will operate beyond July 2032. This is unacceptable.

In addition, the Guide indicates uncertainty about VAM abatement safety issues which is not planned to be resolved until 2028. Again, time is running out for us to turn the tide to mitigate again climate change. I urge and require NSW Government to fast-track action strengthening these policy documents, to ensure we have the best possible chance of success.

Key Concerns with methane emissions from open cut mines –

I query why EPA's own expert panel recommended 'adding surface mines to the gas drainage and flaring requirements' but currently the Guide does NOT require gas drainage and destruction of methane at open cut coal mines. This needs to be addressed.

Key Concerns with emissions from diesel engines at coal mines –

I understand that the EPA's does NOT require electrification of diesel engines at coal mines and proposed diesel actions place no pressure on coal miners to reduce Scope 1 diesel GHG emissions this decade. This is likely to facilitate an increase in diesel emissions, which is not a satisfactory situation. It is felt that this needs to be reviewed to encourage a transition to electrification away from diesel engines.

Another major concern is the fact that the Guide allows a pathway where companies can seek an exemption from a mitigation measure if it decides 'it is not feasible to implement'. This is another example of a serious loophole which is on par with the current requirements and provides no stringent controls i.e. that measures 'must be reasonable and feasible'. Neither 'rules' serve an effective purpose with the proposed option like the current option, likely to hold back any action as per the last 10 years.

In regards to Scope 3 emissions, why doesn't the Guide not contain any direction on how to constrain on the usually very large downstream Scope 3 emissions that occur when coal from mines is burnt in power stations either here in Australia or overseas? I understand there was a recent decision by the NSW Court of Appeal in relation to the Mt Pleasant Coal Mine which recognised downstream emissions as within scope of development assessments. This matter needs further consideration to be addressed within the Guide.

In regards to Scope 2 emissions another failing of the Guide is to not include requirements for reducing electricity emissions at coal mines. This perturbs me as this is one of the easiest of categories to abate by requiring renewable energy? It is not good enough for the Guide to quote that EPA will look at this issue 'later'.

In summary the Guide requires significant amendment in the following areas:

1. Strict requirements that prohibit venting of unabated methane from underground mines, mandate use of Ventilation Air Methane at highest-emitting underground mines from 2027 and at other underground mines from mid-2028.
2. Mandate pre-drainage of methane at all open cut mines.
3. Set an ambitious schedule for electrification of vehicles at coal mines that requires at least 50% electrification by 2030 and 70% by 2035 and require all mines to utilise renewable energy for electricity by 2030 at the latest.
4. Remove the proposed exemption to allow coal companies to avoid requirements because it will completely undermine the whole Guide and set strong penalties for failure to comply with it.

I hope you will seriously consider ShireCAN members' concerns as outlined above, regarding the three draft policy documents. Coal mining companies play a vital role in NSW's transition to a viable and clean economy. In helping these companies adapt the EPA's function is critical in setting and fast tracking enforceable, clear and decisive guidelines in relation to reducing greenhouse gas emissions to deal with the climate change crisis.

Gay Curtis
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3/10/2025