



3rd November 2022

Dear Tony, Nancy and Jacquelyn,

RE: Bushfire Survivors for Climate Action feedback on the NSW EPA's draft Climate Change Policy and Action Plan 2022- 2025

Our organisation, Bushfire Survivors for Climate Action (BSCA) is a non-partisan, community organisation made up of bushfire survivors, firefighters and local councillors, working together to call on our leaders to take action on climate change. BSCA formed shortly after the Tathra and District fire in March 2018, and its founding members were all impacted by bushfires, including the Black Summer bushfires in 2019-20, Blue Mountains in 2013, Black Saturday in 2009 and Canberra in 2003.

BSCA welcomes the release of the EPA's draft Climate Change Policy and Action Plan 2022-2025, a year after our landmark win in the NSW Land and Environment Court. We congratulate the NSW EPA team and the Environment Minister on developing it and thank you for continuing to work with us throughout the process.

"It's very encouraging to see such a strong draft document that acknowledges the danger we are in, and that the EPA has a legal duty to protect the community and environment from harm caused by climate change." James Shirley, bushfire survivor, Sydney.

The explicit acknowledgement within the draft policy that the NSW Government has a statutory duty to address climate change is very encouraging to those whose lives have been heavily impacted already by the impacts of climate change. It's a major step forward in addressing climate change and reflects an important cultural shift in recognising and discharging the duty to act on it.

Our organisation strongly supports the draft plan as we know first hand that climate change is happening to our communities now. However, the window to adapt to climate change is rapidly closing and the next few years are critical to mitigating the worst impacts of the climate crisis.

Therefore our view is that while it is a good starting point, the plan needs to be strengthened and made more ambitious.

We are already two years into the critical decade for climate action and the plan needs to reflect the urgency and the scale of the climate challenges we are already experiencing. We're rebuilding and doing everything we can to protect our homes, families and communities from future bushfires and floods. But we can't do it alone. We need the EPA and the NSW Government to help reduce the risk and intensity of disasters by implementing a strong climate policy next year, safeguarding Australians and the environment we live in.

"Bushfire survivors like me have already endured the devastating effect of climate change on our lives, homes, jobs and security and we know that extreme weather events like these will only increase in intensity and frequency as global temperatures increase. We need drastic emissions reductions this decade to keep our communities safe from further climate dangers. We're pleased that the EPA has released this draft climate change policy because it's an important first step in addressing the harmful effects of climate change but it needs to go further." Fiona Lee, bushfire survivor who lost her house in Warrawillah in the 2019/20 bushfire crisis.

"The impact of bushfires on my community has been severe and long-lasting. The trauma of the 2019/2020 fires in particular is still causing harm in some parts of our community, and I know volunteer firefighters who say they don't think they can face fires of that intensity again. That the NSW EPA is taking their climate change responsibilities towards communities and the environment seriously does offer some consolation and hope." Serena Joyner, bushfire survivor and spouse of a volunteer firefighter, Blue Mountains.

Please find our comments below, under each question in the EPA survey on the draft policy and plan.

Do you have any general comments on the EPA's draft Climate Change Policy and Action Plan?

This is a crucial moment to get climate policy right. Climate change is, right now, driving more climate extremes like bushfires, heatwaves and floods. At least one person has died due to the current flooding situation in Central Western NSW, about 4,000 people were affected by evacuation orders in Moree over the last week and the value of wheat crops lost in north-western NSW is estimated at \$192m.

How much worse climate change gets and how many more lives, homes, crops and services will be lost depends on how quickly we can drive emissions towards zero.

"Every ounce of greenhouse gas, every minute counts, right now. We can't afford to keep increasing pollutants. My community is exhausted by repeated climate events. This draft policy and plan will bring us some longed-for hope that we can recover - but it needs to be ambitious!" Jo Dodds, Tarthra bushfire survivor and President Bushfire Survivors for Climate Action.

There are a range of elements of the draft policy and action plan that BSCA strongly supports including:

- Developing a series of greenhouse gas emissions reduction targets and related pathways for regulated industry sectors (Pillar 2: new action 7)
- Progressively placing greenhouse gas emissions limits and other requirements on licences for key industry sectors. (New Action 9)
- Increased partnership with DPE to embed climate change considerations into NSW planning laws to ensure the transition away from fossil fuels to renewable energy. (Pillar 1: new action 2C)
- New requirements for Climate Change Mitigation & Adaptation Plans (Pillar 1; New Action 2B)

- Engagement and consultation with First Nations people (p17 Draft Policy; Pillar 1: new action 3 Action Plan) and young people, consistent with the principle of intergenerational equity (Pillar 1: new action 4, and Pillar 3: new action 14)
- Annual reporting of progress against the Action Plan.
- Inter-agency engagement to further a whole-of-government approach.

There are a number of areas where the draft policy and action plan should be clarified and strengthened:

- Gathering data and ensuring a methodical and comprehensive approach is important, but this focus means the policy does not reflect the urgency of the climate challenge leaving the majority of actions proposed for 2-3 years time.
- The emissions reductions targets should be comprehensive, science-based and legally enforceable within the next 3 years and consistently applied to new and existing environment protection licences. It is essential that all key emitters are covered by these limits to ensure this process delivers real impact in reducing emissions.
- Unfortunately this draft policy and plan still leaves the door open to new coal and gas projects.
 - We need a coordinated and enforceable approach to embedding climate considerations in not only DPE but in all relevant assessments, approvals and conditions across all agencies and the whole of the NSW Government including removing DPE's exemption from considering NSW's climate targets. There is an unacceptable dissonance between planning assessment and outcomes, and the NSW's stated goals of solving climate change.
 - This approach should include other agencies responsible for industry and agriculture because an integrated approach is crucial for long-term policy success.
 - The final policy needs to be clear that there is no room for new coal and gas if we are to keep global warming within safe limits as stated by the International Energy Agency. Burning fossil fuels will mean more frequent, intense and severe bushfires right across NSW and with climate impacts already baked into the system we need strong regulation of existing climate polluting projects to safeguard against climate change.
- If emissions reductions targets can't immediately be enforceable then there should at least be strong monitoring and reporting of those targets against a deadline from when they will become enforceable.
- The EPA should use their existing regulatory tools to regulate greenhouse gas pollution now, in line with science-based targets and not wait to consider stronger regulatory responses in the future.
- Emerging technologies should prioritise renewable technologies and not technologies that prop up the continued use of fossil fuels including offsets and carbon capture and storage.
- Because the climate and technology landscape is constantly changing the EPA should continually do "horizon scans" and report on them every six months.

- The EPA needs to place greenhouse gas limits on coal-fired power stations. We appreciate that emissions from the “electricity generation sector are forecast to reduce significantly as existing coal-fired power stations retire and the State shifts towards renewable generation” but stationary electricity generation accounts for 38% of NSW’s total Co2 emissions and this number needs to be urgently reduced.
- The EPA should increase environment protection licence fees to be more reflective of the cost burden on communities impacted by climate disasters.

“Seeing companies continue to make a profit polluting our planet and worsening climate change makes me wonder if it’s worth rebuilding in the bush at all. If I could see a clear plan, with more specific information about how industries will be required to regulate their emissions for bringing CO2 down I’d feel more hopeful and safe.” Jan Harris, bushfire survivor who lost her house in the Reedy Swamp bushfire in 2018.

Are there any other initiatives or actions that should be included in the plan?

The EPA has a huge opportunity to include new initiatives in the Climate Change Plan that in partnership with other NSW and federal agencies will accelerate decarbonisation in NSW, including in areas not regulated by the EPA. Some ideas include:

- The EPA could instigate and implement the roll out of new policies to encourage the uptake of electric vehicles across the state. This will save households money, reduce our reliance on petrol and reduce pollution which improves air quality.
- The EPA could work with the NSW Health Department to fund a study into the true cost to the health budget of increasing extreme weather events if emissions continue to rise and climate change continues to worsen. This helps the EPA make the case for stronger action, since the health impacts of climate change are so severe and costly.
- The EPA could work with the Ministry of Health to examine the economic benefits of reducing emissions, such as the benefits from reducing particulate air pollution from petrol vehicles due to less presentations of asthma and respiratory illnesses.
- The Ministry of Health should focus on reducing emissions across the health sector and strengthening energy security in the case of floods or bushfires that may affect power lines, by ensuring all public hospitals are equipped with solar and batteries.
- Introduce more incentives for households to electrify their homes, improve air quality for healthier homes and reduce household energy costs through replacement of gas appliances, and take up of solar and batteries. These incentives could also be extended to small businesses.
- Working with the Agriculture Department to introduce new policies, and expand existing policies, that reward on-farm best practices to reduce agricultural emissions, improve biodiversity, water and soil health.
- The EPA should work with First Nations cultural burning practitioners and relevant agencies across NSW government to develop an implementation plan to support the appropriate take up of cool and cultural burning practices across the state. This includes reviewing the Protection of the Environment Operations (Clean Air) Regulation 2021 that regulates

hazard reduction burning (HRB) based on large smoky hot burns rather than smaller, lower smoke-producing cool burns with different risk profiles. The impact of this regulation is that it is difficult to get approval for small cool or cultural burns especially in regions near other populated Local Government Agencies (who currently have the right of veto over HRBs).

- The NSW Coal innovation fund uses taxpayer dollars to pay for pet projects of the industry - CCS, clean coal and a demonstration methane-capture technology that has no plans to be used at this stage. The EPA could require coal mines to install methane-capture technology.
- Consistent with the polluter pays principle, the NSW Government and the EPA could facilitate the reduction of GHG emissions by putting a price on carbon. This could be achieved by introducing an emissions trading scheme that sets an appropriate price signal for reducing GHG emissions in NSW.

In closing we would like to thank the EPA and its staff for the hard work that has gone into the Policy and Plan, and in these next stages of consultation. We are a quarter of the way into the critical decade of acting on climate change to prevent the worst of its impacts, and every effort is needed. For that reason BSCA will continue to ask the EPA and the NSW Government to act faster and with more urgency so that NSW residents can be safer in the long run.

Yours sincerely,



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