



8 May 2018

Referrals Gateway
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Proposed Action: Alpha North Coal Mine Project, Galilee Basin Queensland

Reference Number: 2018/8189

To the Department of the Environment,

I am writing to you on behalf of the Australian Conservation Foundation (ACF).

The ACF is Australia's national environment organisation. We represent a community of more than 500,000 people who are committed to achieving a healthy environment for all Australians. For more than 50 years, the ACF has been a strong advocate for Australia's forests, rivers, people and wildlife. ACF is proudly independent, non-partisan and funded by donations from our community.

Thank you for the opportunity, under s 74(3), to allow the ACF to comment on whether the proposed action should be assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the EPBC Act).

Recommendations

In summary, the ACF's submission recommends that:

1. The referral for the proposed action should be rejected because:
 - a. It is a component of a larger action that the proponent is proposing to take, and;
 - b. It will have clearly unacceptable consequences for the Great Barrier Reef World Heritage Area.
2. However, if the Minister decides to refer the proposed action then he must direct the proponent to:



- a. Apply s 12 of the EPBC Act as a controlling provision due to the Project's direct and indirect impacts on the Great Barrier Reef World Heritage Area;
- b. Fully consider all emissions from the Project (i.e. Scope 1, 2 and 3) in the EIS;
- c. Fully consider the Project's impact on surface and groundwater resources including nearby Groundwater Dependent Ecosystems in the EIS. The EIS should also be required to consider the direct impacts of proposed off-site water infrastructure and the cumulative impacts of this Project and others in the Galilee Basin.
- d. Rigorously examine the extent of the Project's impacts on listed threatened species and ecological communities, with specific attention to those that are listed as endangered and critically endangered.

Overview

The proposed action, the Alpha North Coal Mine Project (the Project), is for two separate coal mines (Mining Area North and Mining Area South) in Queensland's Galilee Basin.

The Project's forecast lifespan is 30 years, with construction planned to commence in 2027 and mining operations to start in 2030. The combined potential capacity from these mines is 80 million tonnes per annum (Mtpa) of thermal coal. The proposed action also includes separate coal handling preparation plants, heavy haul standard gauge rail connections, electrical power substations and associated facilities, a 2,000-person accommodation village, an internal road network, water management system and other associated infrastructure. The Project area will disturb approximately 144,000 hectares and has a length of 130 kilometres.

Mining Area North is dependent on rail infrastructure proposed by Adani (i.e. the North Galilee Basin Rail Project). Mining Area South will leverage rail infrastructure proposed by GVK or that which has been approved for the China First Project. If the rail lines are not completed, the proponent proposes to construct its own rail connection to Abbot Point. The coal will be exported via the Port of Abbot Point. The proponent has proposed to upgrade the port infrastructure if sufficient capacity is unavailable.

Component of a Larger Action (s 74A)

Under s 74A of the EPBC Act, the Minister may not accept a referral if he is satisfied that the proposed action is a component of a larger action the proponent proposes to take.

The proponent's referral application contemplates several scenarios where additional water, rail and port infrastructure will be required for the Project to proceed. The proponent's Initial Advice Statement (IAS) identifies that none of this infrastructure or its impact on the environment will be considered in the EIS. This infrastructure includes:



- Water harvesting from the Belyando River or a pipeline to Burdekin Falls Dam;¹
- A heavy haul standard gauge rail system within the northern Galilee Basin State Development Area, developed by Waratah Coal, and;²
- A standalone coal terminal at the Port of Abbot Point, developed by Waratah Coal.³

Under the scenarios identified in the IAS, these pieces of infrastructure are essential components of the proposed action. Without them, the proponent would be unable to export its coal from the mine site. As it stands, Adani's North Galilee Basin Rail Project has been unable to secure finance and appears unlikely to proceed. This makes the prospect of Waratah Coal needing to construct its own rail infrastructure more than likely.

The objects of the EPBC Act includes adopting 'an efficient and timely Commonwealth environmental assessment and approval process that will ensure activities that are likely to have significant impacts on the environment are properly assessed'.⁴ Part of this process involves requiring proponents to bundle connected actions. This ensures that the public can have confidence that the environmental impacts of a proposed action on matters listed in the EPBC Act are fully considered and rigorously examined. Dividing projects into separate actions requiring approval not only provides inadequate opportunity to consider the aggregate impacts of a project, but it also creates unnecessary administrative burden.

In this instance, the proposed action is clearly a component of a larger action that the proponent proposes to take. On that basis, the Minister must reject the referral.

Significant Impact on MNES

(a) World Heritage Properties (s 12)

The proposed action is likely to have direct and indirect impacts on the values of the Great Barrier Reef World Heritage Area. However, the proponent's submission incorrectly states that the proposed action will not have *any* impacts on World Heritage properties.

Direct impacts are those 'where an event or circumstance is a direct consequence of the action'.⁵ Exporting thermal coal from the Project to the Port of Abbot Point and then through the Great Barrier

¹ Waratah Coal, [Alpha North Coal Mine Project - Initial Advice Statement](#) (1 April 2018) p 3-30.

² Ibid p 3-32.

³ Ibid.

⁴ *Environment Protection and Biodiversity Conservation Act 1999* (Cth) s 3(2)(d).

⁵ Commonwealth of Australia, [Environment Assessment Manual](#) (May 2012) p Glossary-2.



Reef World Heritage Area is a direct consequence of the proposed action. Shipping coal through the World Heritage Area carries the risk of collisions with other vessels and coal spills. These could cause serious consequences for the health of coral and other species that depend on this habitat. Ships can also kill or injure marine life within the World Heritage Area, including whales, dolphins and turtles. The proponent's IAS also contemplates the expansion of infrastructure at the Port of Abbot Point.⁶ This would involve seabed dredging, which would have significant direct impacts on water quality and the health of nearby reef in the World Heritage Area.

Indirect impacts are those where 'a primary action is a substantial cause of a secondary event or circumstance which has an impact on a protected matter'. The greenhouse gas emissions from the Project will contribute to atmospheric and ocean temperature increases (i.e. global warming). Ocean temperature increases cause coral bleaching, which has already caused extensive damage to the Great Barrier Reef World Heritage Area. A recent study revealed that during the record-breaking marine heatwave of 2016:

Fast-growing staghorn and tabular corals suffered a catastrophic die-off, transforming the three-dimensionality and ecological functioning of 29% of the 3,863 reefs comprising the world's largest coral reef system.⁷

Assuming full production from the Project is realised (i.e. 80 Mtpa), this would release approximately 170 Mtpa of CO₂ into the atmosphere. Over the 30-year lifespan of the Project, this is 5,100 Mtpa of CO₂. These emissions will substantially contribute to global warming, leading to significant impacts on the Great Barrier Reef World Heritage Area. Given the extreme vulnerability of the Great Barrier Reef to coral bleaching and its already damaged state, any further impacts on the site from coral bleaching are likely to have serious and irreversible consequences.

The direct and indirect impacts from the proposed action are clearly unacceptable. Accordingly, the referral should be rejected under ss 74A-D of the EPBC Act. If, however, the Minister decides to refer the proposed action, he should include s 12 as a controlling provision to ensure that the proponent considers the direct and indirect impacts of the Project on the Great Barrier Reef World Heritage Area.

As this submission has identified, the proposed action will release greenhouse gases including Scope 1, 2 and 3 emissions. The IAS identifies that the EIS 'will consider direct greenhouse gas emissions associated with the construction and operation of the Project infrastructure'.⁸ On its face, this would exclude consideration of Scope 2 and 3 emissions. If the proposed action is referred, the Minister

⁶ Waratah Coal, [Alpha North Coal Mine Project - Initial Advice Statement](#) (1 April 2018) p 3-32.

⁷ Terry P Hughes, James T Kerry and Andrew H Baird et al., '[Global Warming Transforms Coral Reef Assemblages](#)' (18 April 2018) *Nature* 556.

⁸ Waratah Coal, [Alpha North Coal Mine Project - Initial Advice Statement](#) (1 April 2018) p 4-15.



should direct the proponent to consider all emissions from the Project (i.e. Scope 1, 2 and 3) in the EIS.

(b) *Water Resources (s 24D)*

The proponent's submission identifies that the proposed action is likely to have direct and indirect impacts on a water resource related to coal mining, namely surface and groundwater resources within the Galilee Basin. The submission identifies that the Project will require water for its operations, specifically:

- Raw water supply for potable water production, firefighting, coal dust suppression and coal washing;
- Mine water obtained from dewatering the underground workings, and;
- Water harvesting from the Belyando River.

The proponent's Impact Table⁹ does not identify which groundwater resources will be specifically impacted (e.g. the Great Artesian Basin) and fails to provide even approximate volumetric estimates of surface and groundwater demands for the Project. Further, the IAS identifies that the proposed action relies upon infrastructure from neighbouring projects, including the Carmichael Coal Mine and Rail Project, Alpha Coal Project and China First Project. These coal mines will also have significant impacts on groundwater resources and indicate the need for a basin-wide cumulative impact assessment of surface and groundwater impacts.

It is highly appropriate that s 24D of the EPBC Act is a controlling provision for the Project. The proponent should be required to produce a detailed EIS that considers the mine's impact on groundwater resources including nearby Groundwater Dependent Ecosystems such as the Doongmabulla, Yukunna Kumoo and Hector Springs Complexes. The EIS should also consider any impacts from the construction of water harvesting infrastructure from the Belyando River or a pipeline to Burdekin Falls Dam. The Minister should direct the proponent to consider the cumulative impacts of the Project and others in the Galilee Basin on these surface and groundwater resources.

(c) *Listed Threatened Species and Ecological Communities (s 18)*

The proponent's referral application identifies a number of listed threatened species and ecological communities that are likely to be directly and indirectly impacted by the Project.¹⁰ These include 11 listed as vulnerable, 8 endangered and 1 critically endangered. The proponent has proposed to examine the extent of these impacts through field assessments as part of an EIS.

⁹ Waratah Coal, [Alpha North Coal Mine Project - Summary of Proposed Action](#) (2018) s 2.9.1.

¹⁰ Ibid pp 9-14.



Notably, the proponent has identified potential impacts from the proposal on the Curlew Sandpiper (*Calidris ferruginea*), which is one of only sixteen critically endangered species of birds listed under the EPBC Act. According to the Threatened Species Scientific Committee:

*The Curlew Sandpiper has 'undergone a very severe reduction in numbers over three generation lengths, equivalent to at least 80.8 percent and reduction has not ceased, the cause has not ceased and is not understood.'*¹¹

Given the critically endangered status of the Curlew Sandpiper and taking into consideration the unmapped causes of its population decline, any development affecting its habitat should be treated with extreme caution.

If the referral is approved, the ACF recommends that the proponent's EIS be required to rigorously examine the extent of the Project's impacts on listed threatened species and ecological communities. Specific attention should be applied to those that are listed as endangered and critically endangered (i.e. the Curlew Sandpiper).

For more information:

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The Australian Conservation Foundation is Australia's national environment organisation. We stand up, speak out and act for a world where reefs, rivers, forests and wildlife thrive.

www.acf.org.au

¹¹ Threatened Species Scientific Committee, [Conservation Advice: Curlew Sandpiper](#) (14 May 2015) p 7.