



114 Boundary Street  
Railway Estate, Townsville  
PO Box 364, Townsville  
Qld, 4810  
Ph: 61 07 47716226  
Mob: 0428 987 535  
[office@nqcc.org.au](mailto:office@nqcc.org.au)  
[www.nqcc.org.au](http://www.nqcc.org.au)  
**ABN: 55 903 033 286**

25<sup>th</sup> June 2018

Referrals Gateway  
Environment Assessment Branch  
Department of the Environment  
GPO Box 787  
Canberra ACT 2601  
By email: [epbc.referrals@environment.gov.au](mailto:epbc.referrals@environment.gov.au)

**Proposed Action:** North Galilee Water Scheme (NGWS) Project  
**Reference Number:** 2018/8191

To whom it may concern,  
North Queensland Conservation Council (NQCC) wishes to submit this submission on the EPBC referral for the North Galilee Water Scheme (**NGWS**) proposed by Adani Infrastructure Pty Ltd (2018/8191).

### **Our recommendation**

We recommend that you declare the NGWS as a controlled action under s 67 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) because it will have, or is likely to have an impact on Matters of National Environmental Significance (**MNES**). This submission will provide further explanation about our position on this matter and offer further recommendations.

### About North Queensland Conservation Council

NQCC is the voice for the environment in North Queensland with over 1500 members and supporters. With our office based in Townsville, we cover an area from Cardwell in the North, South to Bowen and extending West across to the Northern Territory border. We are the peak environmental organization for our region, campaigning on a range of environmental issues specific to the North Queensland region. For over 40 years we have been campaigning for the protection of the Great Barrier Reef and isolated reefs of the Coral Sea to opposing inland projects that would have adverse impacts on threatened species, habitat and our precious water resources.

### Further recommendations

As previously noted, NQCC recommends that you declare the NGWS as a controlled action because of the likely impact on MNES.

Our full recommendations are as follows:

1. Declare the NGWS project a controlled action with controlling provisions of:
  - Listed threatened species and communities
  - A water resource in relation to coal seam gas development and large coal mining development
  - World Heritage properties
  - Great Barrier Reef Marine Park
2. Require the full extent and impacts of the project on MNES to be properly assessed under the EPBC Act via a full Environmental Impact Statement.
3. Obtain expert advice on the water impacts of the project from the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (**IESC**).
4. Require the proponent to fully disclose the environmental compliance record of all associated companies both here and overseas in order for the public to properly understand the compliance history of the Adani group.
5. Recognise that the action is part of a larger action proposing to take far greater volumes of surface water than identified in the referral, by:
  - Exercising your discretion under s74A of the EPBC Act to reject the referral, or
  - Utilising your powers under s76 (2) of the EPBC Act to require Adani to provide further information about the full extent of impacts to surface water, including the proposal to supply other coal mines from the NGWS and other existing water permits held by Adani for construction purposes in the catchment.

**NOCC would like to emphasise the following points:**

1. The NGWS project needs to be assessed under the water trigger because:
  - a. the NGWS project is designed solely to facilitate extraction of coal from the Carmichael coal mine, therefore it is an action that involves “large coal mining development” as defined under s 24D of the EPBC Act; and
  - b. there is a real chance or possibility that it will have a significant impact on water resources in the Belyando Suttor sub-catchment.
2. The NGWS is also likely to have a significant impact on a number of threatened species and communities, including the Black Throated Finch, Ornamental Snake and the Koala.
3. Projects affecting the same threatened species with a far smaller footprint have been declared as controlled actions in the past by the Department of Environment and Energy.
4. The potential impact of the Suttor River water take and the associated infrastructure on the Great Barrier Reef World Heritage Area has not been considered by the proponent.

**Further details relating to the issues already noted:**

**1. The link between the NGWS project and coal extraction**

The purpose of the NGWS project is to supply a reliable source of water to form part of the coal extraction process of the Carmichael mine. In fact, the Carmichael mine cannot operate without the NGWS project because it is directly linked to the extraction of coal activities. On this basis, the NGWS should be assessed under the

water trigger of the EPBC act. When the 'water trigger' was introduced by way of the *Environmental Protection and Biodiversity Conservation Amendment Act 2013* (Cth), the then Minister for Sustainability, Environment, Water, Population and Communities in his second reading speech referred, amongst other things, to the "irreversible depletion.....of our surface and groundwater resources".

## **2. A significant impact on the region's water resources**

In the original Environmental Impact Statement (EIS) documents for the Carmichael Coal Mine, Adani stated that the expected average water demand of the Carmichael mine would be in the order of 12 billion litres (12GL) per annum. This represents the additional water that the project would require on top of that resulting from operational activities such as pit dewatering and on-site rainwater management.

The take from the Suttor River of up to 12.5GL per year for the NGWS project is likely to constitute a significant impact on water resources because it amounts to more than 50% of the total strategic reserve for the relevant sub-catchment under the Queensland *Water Plan (Burdekin Basin) 2007*.

We believe that referring the NGWS without providing full details of the entire water take is contrary to the objects of the EPBC Act because it will allow the proponent to avoid a full impact assessment of the proposed action on MNES. We request that you exercise your discretion under s 74A EPBC Act to reject the referral or request Adani to provide further information about the extent of impacts to surface water resources that are likely to result from supplying additional billions of litres of fresh water to mines in the area under s 76(2) EPBC Act.

## **3. Potential impacts on the Great Barrier Reef**

When approving the Carmichael Coal Mine project, the Minister found that the proponent's proposed action may have indirect impacts on the Great Barrier Reef World Heritage Area (GBRWHA) via impacts through watercourses due to reduction in downstream flow. However, the Minister did not consider the cumulative impacts of the project with the flood harvesting proposed in the NGWS project.

The significant impact guidelines for the Great Barrier Reef World Heritage Area, identify changes to natural water regimes as examples of possible significant impacts arising from actions/activities likely to occur in or adjacent to the Great Barrier Reef World Heritage. It also refers to mining operations, dams and/or other infrastructure that may have downstream impacts on the GBRWHA. The Burdekin catchment in which the Suttor River is located is an important catchment of the Great Barrier Reef. Recent research has identified that the Burdekin River is one of just four rivers that are most likely to affect water quality into the GBR. Therefore, any activity, such as flood harvesting in the catchment and associated infrastructure, should be considered likely to have a significant impact unless or until extensive hydrological assessment and modelling has been conducted to prove otherwise.

## **4. Environmental Record**

In its EPBC referral for the NGWS, Adani claims that “*The Proponent (Adani Infrastructure Pty Ltd) has adhered to its regulatory responsibilities in association with its activities. The Proponent has not been the subject of any environmental legal proceedings that have resulted in fines or prosecution.*”

However, in making this statement, the proponent is restricting itself to Adani Infrastructure Pty Ltd, and is ignoring the environmental record of other, closely associated Adani companies and the environmental history of the company’s directors. The company has an identical ownership structure to Adani Mining Pty Ltd, the proponent of the Carmichael mine. Both are ultimately owned by Indian listed company Adani Enterprises Limited.

Adani Infrastructure Pty Ltd should be required to disclose the environmental breaches described above and any other environment incidents that have occurred across all associated entities within the Adani Group to the Federal Government.

#### **5. The NGWS proposes to provide water to other mines**

Adani notes that the NGWS could be used **to supply water to other proposed coal mines in the surrounding area**, but does not specify what volume of water will be supplied or how this will relate to 12.5GL they have earmarked as being needed for the Carmichael Coal Mine. It is notable that the water licence provided by the Queensland Government to Adani for the Suttor River take authorises take **only** for ‘*water supply for the Carmichael Coal Mine and Rail Project*’.

The company names the China Stone Coal Project as one of the mines it could supply. The Environmental Impact Statement for the China Stone Project states that the mine will need to source a significant portion of its water supply from off-site, especially in dry years. The project proponent, Macmines Austasia, plans to secure an external supply of up to 12.5 billion litres of water per annum. In its recent EPBC referral for the Alpha North Project, Waratah Coal notes that it too is planning to source water “through the NGWS being developed by Adani”.

On the basis of this information we consider that this NGWS proposal is actually part of a much larger action. In addition to the additional water take mooted in the NGWS referral for other mines, Adani has already obtained water permits for additional water take that is not mentioned in the referral. Water Permit 617345 allows the take of 250ML from the Belyando River for mine construction and Water Permit 614017 allow the take of 8050ML from Mistake Creek for mine construction.

We believe that referring the NGWS without providing full details of the entire water take is contrary to the objects of the EPBC Act because it will allow the proponent to avoid a full impact assessment of the proposed action on MNES. We request that you exercise your discretion under s 74A EPBC Act to reject the referral or request Adani to provide further information about the extent of impacts to surface water resources that are likely to result from supplying additional billions of litres of fresh water to mines in the area under s 76(2) EPBC Act.

#### **6. Threatened species surveys inadequate**

Threatened species surveys conducted for the project by Adani are inadequate. They appear to have conducted only 6 days of site inspections – one three day period in December 2016 and one three day period in May 2-15. This is vastly

inadequate both in duration and in seasonality, particularly for a project that has a 500ha disturbance and proposes over 110km of pipeline installation.

There is very little information provided as to the nature or intensity of the surveys that were conducted. However, in Attachment D of the referral Adani refer to site assessments involving apparently visual '*assessment of fauna habitat values*'. In other parts of the referral, Adani make some reference to surveys for the Koala, Ornamental Snake and Black Throated Finch, but it is not clear if this is simply the 'site assessments' referred to in Attachment D. There is no information provided on what survey techniques were used for each species and where they were applied.

In light of the information that is available, it would seem that there were no systematic surveys for flora and fauna, and it seems unlikely that there were any extensive targeted surveys for relevant species using appropriate survey techniques.

In conclusion, NQCC is concerned about the changes to stream flow, potential impacts to the Great Barrier Reef and to threatened species. We are not satisfied that there is adequate information provided by the proponent. We would like to see your department ensure that no adverse impacts resulting from the proposed activities proposed by the Adani group of companies in the Galilee Basin will be left unassessed. The NGWS project forms part of a larger proposed project to extract coal as part of Adani's Carmichael mine project. Our organisation would like to see the NGWS project be assessed fully under the EPBC act because it has far reaching impacts and if it were to go ahead and will cause significant changes to water resources of the region.

Please do not hesitate to contact me if you have any questions regarding this submission.

Yours faithfully,

A handwritten signature in blue ink that reads "Tarquin Moon". The signature is written in a cursive, flowing style.

Tarquin Moon  
NQCC Campaigns Manager