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Referral Business Entry Point, EIA Policy Section (EPBC Act)  
Approvals and Wildlife Division  
Department of the Environment, Water, Heritage and the Arts  
GPO Box 787  
Canberra ACT 2601

11 Aug 2008

Dear Sir/Madam

**Re: Referral No 2008/4366 by Waratah Coal (proponents) for development of new coal mine in Galilee Basin QLD including, 495km new railway to new Port in Shoalwater Bay Training Area (SBTA) and 285km pipeline to Lake Dalrymple (Desert Uplands, Brigalow Belt North Bioregions).**

1. WWF concurs with proponents that the proposed project would likely significantly negatively impact matters of national environmental significance (Referral sect 7).
2. WWF believes that no mitigations could conceivably avoid or reduce the impacts to an insignificant level.
3. The proposed action is so large, has so many and extensive impacts on Matters of National Environmental Significance (MNES) and other protected matters under other legislation, that the Minister should require a **Public Commission of Inquiry** as the appropriate assessment approach under the EPBC Act, rather than the Queensland Government assessed EIS proposed by proponents.
4. The referral did not present estimates of the total greenhouse gas and other environmental pollutants emitted as a result of the project nor did it discuss the impacts of those emissions on MNES. Proponent does disclose that the mine would produce 3.12 billion tonnes of high grade thermal coal (IAS p 1.) which when burnt will evolve at least 9 billion tonnes of carbon dioxide in addition to other pollutants. This represents approx. 15 times Australia's annual estimated greenhouse emissions from all sources in 2007 and as such represents a highly significant contribution to global warming. The proponent could not feasibly guarantee significant mitigations for exported coal. Only onshore emissions associated with the project will be mitigated by the proposed Carbon Pollution Reduction Scheme. Global warming is predicted by numerous authorities to be the chief threat of extinction facing the Great Barrier Reef World Heritage Area and all its diverse species and MNES.
5. The referral does not discuss the extensive unavoidable impacts of the new linear infrastructure proposed for greenfield sites: including not only (a) direct destruction of habitat in the footprint, but (b) degradation of surrounding habitats through noise, breakage of natural continuity of vegetation, helping ingress of people, exotic animals and plants and disruptions of natural hydrology; (c) fragmentation of native habitat, preventing or impeding natural movement of animals and plants and their propagules. Even if proponents agreed to build green bridges across the linear infrastructure, it is highly unlikely that in so doing they would be able to reduce cumulative impacts to insignificance.
6. The proposed new rail-line and port duplicate existing infrastructure, are unnecessary and as admitted by proponents are a cost reduction measure to avoid using existing rail and ports which are described as "congested", not as unavailable. The proponents fail to consider transport alternatives that would be



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significantly less extensive and thus would largely avoid the destruction and degradation of MNES that will result from the proposed transport option. In particular the proposed action will require construction of 495km of new rail line and a new port in a World, National and Commonwealth Heritage and Ramsar site, compared with the option of building just 48km of rail to connect to the existing Gladstone port (Referral p 14). The proponents failed to develop a much less destructive and less costly alternative option of expansion of existing transport infrastructure such as the Alpha to Gladstone rail line and Gladstone Port to avoid destroying greenfield sites.

7. The project proposed to build a pipeline to obtain water from Burdekin dam by building a long pipeline through or adjacent to endangered brigalow communities and other MNES. This plan makes no apparent attempt to locate the pipeline parallel to existing linear infrastructure such as roads or railways to avoid and minimise impacts on MNES. The impacts of water withdrawals on Burdekin river flows are another significant impact on aquatic and marine MNES. The proposal does not consider a much less destructive and surely much less costly alternative of placing a pipeline within existing rail /road corridors to nearby Lake Maraboon south of Emerald to source water for the mine.
8. Brigalow Belt North within which the project chiefly lies is very high priority for the strategic growth of the National Reserve System which is central to Australia's ability to meet its commitments under the Convention on Biological Diversity to develop a comprehensive, adequate and representative reserve system. Many regional ecosystems in the project area are poorly protected and are high priority for inclusion in the reserve system, but are encumbered by mineral, coal and petroleum permits and leases. The proponent does not disclose that EPC1040 wholly contains the Bimblebox Nature Refuge gazetted under the Queensland Nature Conservation Act and included by DEWHA in the National Reserve System. The project would likely destroy regional ecosystems that are otherwise unprotected in the reserve system, significantly impairing Australia's ability to meet CBD commitments.
9. The Minister in determining whether to approve this project needs to determine all the cumulative impacts: viz. how the impacts of this project add to existing impacts of coal mining, land disturbance, infrastructure use and development already in the project area.
10. The Minister must also consider the off-site impacts of the project, not just the immediate footprint impacts, such as contributions to global warming, changes in hydrology, interference with natural wildlife movement, degradation of wilderness values, contaminated mine water.
11. The proposed new port and associated rail link and coal loader sites are of great concern:
  - The affected area was the subject of a 1993-1994 Commission of Inquiry under the *Commonwealth Environment Protection (Impact of Proposals) Act 1974*. The present proposal is inconsistent with the key findings and recommendations of that inquiry which concluded:

“By any measure the natural and cultural values of the Area are outstanding ... The area is the largest coastal area with high wilderness values on the east coast of Australia south of the Cooktown and, as such, is regionally and nationally very significant” (Page xvi Final Report Commonwealth Commission of Inquiry, Shoalwater Bay, May 1994).
  - Port loader and rail-link would be located wholly within RAMSAR wetlands, Commonwealth, National and World Heritage areas, significantly and permanently degrading those heritage values.
  - The port loader and rail-link would cut off Byfield National Park from the Shoalwater Bay Commonwealth Heritage site, which is listed in great part due to its coastal wilderness values. The



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rail line loader and port would irretrievably destroy those wilderness values, and impair the free migration of wildlife and ecosystems in response to climate change, without possibility of mitigation.

- Port would require amendment to the GBR zoning plan to allow shipping access.
- Dredging and wharf construction would destroy pristine sea bed. Sediment would likely be dumped unconfined at sea, affecting habitats and polluting the reef with sediments and possibly oils and other toxic wastes.
- Port would permanently degrade habitats for fish, turtles, dugongs, dolphins and whales.
- Engineering plans are already well advanced although no approvals have been granted.
- Trains would be 21,240 tonnes, with 180 wagons, 6 locomotives, 3.2km long operating 24 hrs per day and coal stockpiles 2.5km x 160m in size with expansion capabilities.
- A 1.7-km wharf would berth 2 ships loading 10,000 tonnes per hour. The ships would be among the largest coal carriers in service, drawing 24m.
- Port would also include stockpile reclaimers, conveyors, loaders and two rail loops. A tug harbour and barge dock would likely have to be situated in Port Clinton entailing further development of that area.
- Port construction workforce will be up to 600 persons with a permanent staff of 100 who will have to be housed on site with road access and significant in and out traffic in what is now a rarely visited wilderness area.
- The port alone will consume 800 mega litres of water per annum and require a 40 Mw power supply brought in via new transmission lines which will have additional impacts on MNES. The water is proposed to be sourced from the Fitzroy River with consequent impacts on species and MNES dependent on Fitzroy River flows.
- The project would significantly affect native title interests in the area.

Yours sincerely

Raymond C. Nias

Director of Conservation