

Upper Goulburn Water Users Association

'Eagles Drift'

**Submission
Independent Planning Commission of NSW
Ulan Coal Mine MOD 4**

Wednesday 19 June 2019

Good morning Commissioners, Ladies and Gentlemen.

First of all I wish to acknowledge the traditional folk who belong to this land and the land under discussion today, the Wiradjuri people.

My name is Ted Finnie; I am a retired veterinarian. My wife and I have a 700 ha beef cattle property at the junction of the Goulburn and Krui Rivers where we have lived for over 30 years.

Thank you to the Commissioners for the opportunity to address you today.

Our property has a 2.5 km frontage to the Goulburn River which we use for stock and domestic water. We also have a licence to irrigate our river flat country.

About 18 months ago the large property known as Coomealla immediately down stream from our property on the Goulburn River was sold to developers who have subsequently broken up the property into 26 separate allotments all of which have been sold.

Each of these allotments have basic stock and domestic water rights from the Goulburn River. These rights are in addition to those in existence for properties between O'Brien's Crossing and Ulan.

The Upper Goulburn Water Users Association has been formed in response to apparent threats to the water rights of landholders along the upper Goulburn. As well as the irrigation licence for our property there are several other properties with active irrigation licences. These water users on the Upper Goulburn are expressing concern about the ongoing expansion of the coal mining and its impacts on the head waters of the river system, and the long term implications of loss of base flows, increased salt load, and the volume of water intercepted across the three mining operations.

In our initial submission of objection we outlined the key concerns in regard to cumulative impact of Ulan Coal Mine Mod 4. These concerns have not been addressed in the company's 'Response to Submissions Report' or the Department of Planning and Environment Assessment Report.

UGWUA disagrees with the conclusions of DPE that continuing to approve incremental increases in environmental impacts on water sources is sustainable,

particularly in this period of climate change and decreased rain fall. The claim that Mod 4 would not change the impacts on water sources to any extent greater than those approved for existing operations fails to recognise that these approved impacts are already too great. There is no equity in the system. It appears that the principal of 'might is right' is the only one to be adopted by these companies.

The Response to Submissions fails to respond to a number of our objections:

- (a) That the 900 EC maximum level for mine water discharge into the Goulburn River is nearly twice the background level measured prior to mining development on the river. The assessment of environmental impacts on water sources for Mod 4 does not measure salt load. This is a critical issue for downstream water users. The total loss of base flows to the river and increasing salt load has not been assessed.
- (b) The 'Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2009' does not allow for upstream trading of water licences. There is no disclosure or discussion of how or when the 600 ML surface water licence for take at Ulan Mine was acquired.
- (c) The long term loss of base flows including through the open cut mining of the alluvial aquifer system adjacent to the river at Ulan Mine from 1982 has not been addressed. The duration of the loss of base flows is also not addressed.

The Response to Submissions breaks the UGWUA submission down to three issues:

- (a) Cumulative impact assessment,
- (b) Discharge dependency of the Goulburn River, and
- (c) Impacts due to cessation of discharge.

It completely fails, however, to deal with the key issue of the overall impact of mining on the Goulburn River and how that could be improved.

The cumulative impact assessment provided in App B of the Response to Submissions does not address the key issues. This report concentrates on flows at the mid river gauge at Coggan. UGWUA members have properties upstream of the Coggan gauge. There is no river gauge between SWO2 immediately below Ulan Mine and the Coggan gauge 210006, that is 125 km downstream from the mine.

App B highlights the problems with water measurement and management in the Goulburn River since large scale mining operations commenced at Ulan Mine in the early 1980s. The discontinuation of the gauging station 210046 above the mine at the village of Ulan in 1982 removed access to this important natural river flow data. A new gauge has been installed by Glencore at this old Ulan site in late 2018. The readings have not been made available to the public.

App B makes some use of low flow data collected from gauge 210046. Table 4.5 demonstrates that the river above the mine had less days of low flow records than the other downstream gauges.

App B Figure 4.1 Flow duration curves also demonstrates that the top of the Goulburn River always had some flow. This is contrary to the argument in the report, based on flows at the Coggan gauge that flow variability in the river is similar now to that shown in the past.

These arguments have also been developed to counter our concern that river flow below the mines is now dependent on releases from Ulan Mine. We highlighted the total loss of flow in late 2017 caused by the cessation of water releases. The cumulative loss of base flows and interception of surface water flows on the Ulan Mine site plus the loss of base flows and surface flows at the Moolarben and Wilpinjong Mines has not been assessed in relation to Mod 4 or any other mine approval in the Upper River catchment. Any incremental increase in these losses is an addition impact on the river.

App B has not addressed this concern for water users above the Coggan gauge.

The Response to Submissions concentrates entirely on the model scale of loss of base flows from Mod 4 being 0.001 ML/day. However, this is not added to the daily loss of base flows from approved operations at Ulan, Moolarben or Wilpinjong Mines.

The model predicts an increase in inflows to the Mine of 0.2 ML/day from Mod 4 which brings the cumulative total to 27.9 ML/day at Ulan Mine alone. This equates to a loss of water from the landscape of over 10 GL/year. This volume is twice the annual water usage of the entire Cudgegong Valley including the wine grape industry, lucerne production and town water supply for Mudgee and Gulgong.

As the Response to Submissions states 'the Goulburn River is not regulated by any dams for water supply', (App B p 18). Water users on the river do not have a Windemere to regulate water use. What we now have are significantly large coal mining operations capturing base flows and rainfall runoff on a scale much greater than the entire water use from the Cudgegong River.

The only water users recognised in the assessment are private bore owners in the immediate vicinity of the mine drawdown. The lack of the consideration of the rights of downstream water users is a failure of the planning process. We consider that the loss of access to a significant ^{Volume} of water and loss of river health should be compensated by a clear set of rules that better manage mine water discharge into the Goulburn River.

UGWUA highlighted the need to reduce the accumulating salt load in the Goulburn River by decreasing the maximum level of EC in Ulan Mine discharge from 900 EC down to 500 EC. The DPE report states that the EPA may change these limits over time under the provisions of the 'Protection of the Environment Operations Act 1997'.

We urge Commissioners to look more closely at the combined salt load entering the river from the Ulan and Wilpinjong Mines and the proposed Mod 14 for Moolarben Mine, still under consideration. We request that the new consolidated conditions for Mod 4 include a reduction in discharge salinity levels to 500 EC. This would bring the approval in line with conditions for Willpinjong Mine.

We also urge Commissioners to consider our request to include rules for mine water

water discharge to more closely mimic the natural variability of river flow including low flows, to improve the health of the river system.

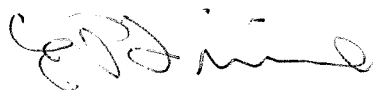
Our initial submission requested that 'the discharge of large volumes of water from Ulan Mine should be regulated so that they mimic natural flow events and reflect background salinity levels'. This is essential to restore variability into the river system, to provide good quality water for downstream water users in times of low flow and compensate for the scale of flow interception. We stand by this request because this is critical for landholders and water users living on the Goulburn River above the Coggan gauge.

We request that Commissioners consider the inclusion of environmental flow rules for mine discharge water in the new consolidated conditions for Mod 4.

Ulan Coal Mine Mod 4 provides for access to an additional 6.4 MT of coal. This coal will ultimately generate a total of 16,093,298 tonnes of CO₂ equivalent greenhouse gases. This is made up of 27,535 tonnes of CO₂ equivalent in Scope 1 gases (generated in the mining processes); 65,763 tonnes of CO₂ equivalent in Scope 2 Gases (generated during transport) and 16 million tonnes of Scope 3 gases (generated during burning).

Current research by the Scripps Institute shows that the earth's atmosphere contains over 414 ppm CO₂. This is far higher than at any time in the past million years and the increase in the last 12 months is the highest ever recorded worldwide. Australia has approximately 1.5% of the world's population yet we produce 3% of greenhouse gas pollution. This 3% does not include the massive amounts of CO₂ produced from the coal shipped overseas (Scope 3 CO₂ equivalent), and it is not counted in Australia's contribution to the Paris Agreement.

The climate scientists tell us that climate change is occurring at a faster pace than any of their models have predicted and we now have less than 12 years to solve the problem. I personally am not concerned for my sake but I am concerned about the inequitable burden our burning of coal will place on future generations. We need to be placing less emphasis on the economy and more emphasis on the future wellbeing of the world. We can do this by transitioning away from coal into more sustainable employment in renewable energy, but we need to act quickly.

A handwritten signature in black ink, appearing to read 'C. P. ...'.