



Mackay Conservation Group Inc.

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6 October 2016

Research Director
Agriculture and Environment Committee
Parliament House
BRISBANE QLD 4000
By email: aec@parliament.qld.gov.au

Dear Sir or Madam

I am writing to you on behalf of Mackay Conservation Group in regard to the Agriculture and Environment Committee's enquiry into the *Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016*.

Mackay Conservation Group is not in favour of mining companies having uncontrolled access to associated water and non-associated groundwater.

We support the Queensland Government's *Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016*. The bill will ensure that resource developments are assessed in a similar manner to other developments in Queensland that require access to underground water.

However, we believe that the bill should be improved by including the principles of Ecologically Sustainable Development as one of the criteria by which water licences for resource projects are assessed. Ecologically Sustainable Development is a principle that has underlain assessment of projects in Queensland for several decades. It has been included in assessments to ensure that future generations do not suffer, biological diversity does not decrease and ecosystems are not disrupted as a result of a development.

Where there is insufficient scientific knowledge that a project is ecologically sustainable and there is a plausible risk that it would cause harm then the Precautionary Principle should be applied. The onus should be on proponents to show that a proposed resource development will not cause ecological harm. Scientific evidence that the project is ecologically sustainable should be provided before any underground water licence is granted. Farmers and other businesses applying for water licences must adhere to the Precautionary Principle and the principles of Ecologically Sustainable Development. Mining projects have far greater impacts on water than most other forms of development, so more lenient rules should not be applied to them.

This amendment will not be disruptive but will level the playing field between current resource projects and those planned for the future. The amendment will not affect the vast majority of resource projects in the state. Most operating mines have been required to obtain a water licence under the *Water Act 2000* for taking or interfering with associated groundwater (water required to be taken or interfered with to access the resource) and non-associated groundwater (all other groundwater). The amendment will affect expectations rather than practice.

Mackay Conservation Group supports the amendment's provision that people affected by the granting of a licence can challenge the decision in the Land Court. Mines, both underground and open cut, can have significant effects on aquifers and the water table in areas surrounding the mine. The provision to allow appeals to the Land Court ensures that the rights of people who are affected by the actions of another are not diminished.

We also support the provision that water impacts will be assessed during the Environmental Impact Assessment stage of an application for an Environmental Authority for a mine. This bolsters the EIA process and ensures proper consideration in a public manner.

Mackay Conservation Group supports the bill's provision that an "associated water licence" must be obtained for projects that are already in the system but were expecting to not need a licence.

Regards

A handwritten signature in black ink, appearing to read 'Peter McCallum', with a long horizontal stroke extending to the right.

Peter McCallum
Coordinator