

To the Agriculture and Environment Parliamentary Committee

Submission to the *Environment Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (EPOLA)*

The Darling Downs Environment Council (DDEC) supports the proposed EPOLA Bill (and the associated Water Legislation Amendment Bill 2015). We believe it provides for better protection of Groundwater resources which are a vital resource, a resource that must be managed to preserve the States ecological values and to support the development of Queensland.

Much is known about the chemical properties of associated water (pumped to the surface to facilitate CSG extraction or produced by the intersection aquifers by open cut mines) however the long term ramifications of bringing associated water to the surface are less well understood. Due to their nature we submit they are certain to be negative and pose as yet unquantified large risks for the natural environment and for residents, according to their proximity to CSG wells.

Therefore all 'make good' provisions should be proportional to the expected external costs of associated water. Historically, mining sector legislation dealing with externalities inflicted on the natural environment and neighbours inadequately, implying that miners are not meeting the full costs of their activities. Development of the legislation provides an opportunity to give explicit recognition to the externalities implicit in production of associated water, and in the process enshrine a key principle in legislation - one that quantifies the risk of adverse future consequences.

Of particular relevance to DDEC is the requirement for 'transitional mines' such as the proposed New Acland stage 3 to obtain an associated water licence, which according to the environmental impact statement will have nearly 9 billion litres of associated groundwater that will pass through it annually. Current water modelling for this project has had significant doubt cast upon it over the course of Land Court objection hearings.

We support proposed additional assessments for new mines which hopefully will identify the location, capacity and interconnectivity of aquifers likely to be impacted as it is absolutely vital to quantify those impacts, especially where they may extend to the capacity of other current users to access those resources and in relation to possible future uses.

We welcome monitoring that is proposed to identify these impacts over time. The extension of the requirement to have make good agreements is also somewhat welcome, however we contend that make good agreements;

- a) require addressing to remove confidentiality as this acts against the intent of having all information on groundwater use over time available to all interested parties and authorities;
- b) Make good agreements still allow a material impact on a resource which may be 'made good' by means of a financial settlement, and this, in our submission, is not a satisfactory address to a loss of productive capacity and does not address ecological impacts at all.

We submit that all impacts should be assessed as to their sustainability, both with respect to ecological values and ongoing sustainable uses of land. This should be considered as an important addition to the Bill and we submit that the bill should be amended to include sustainability as an overarching consideration for all aspects of the Bill.

DDEC thanks you for the opportunity to submit our views on the *Environment Protection (Underground Water Management) and Other Legislation Amendment Bill 2016* and looks forward to its passage and your consideration of making sustainability a principle within it.



Lee Mason - Secretary