

Joan Meecham



4 October 2016

Research Director
Agriculture and Environment Committee
Parliament House
Sent via email only: aec@parliament.qld.gov.au

Dear Chair and Committee Members,

Re: Submission to Committee on Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016

Thank you for the opportunity to make this submission to your inquiry into the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (**Bill**).

My name is Joan Meecham and in my professional life I worked in natural resource management including on the impacts of coal seam gas extraction and mining on underground water resources. I am greatly concerned that the **Bill** proposes to allow coal seam gas and mining companies a right to take water, whether associated or not. Regardless of the proposed 'beefing-up' of the groundwater impact assessments for projects, it is vital that the State balance this with a requirement through its water legislation for resource companies to obtain an authority for any water taken incidentally or deliberately. Under no circumstances should an environmental impact assessment be taken as a substitute for a water authority: both are required and the assessment ought to precede the authority.

The potential for future mining projects, and the already documented knowledge of existing mining projects, to impact on groundwater sustainability, either locally or regionally, ought to be of paramount concern to the Parliament. It is particularly galling that while there have been years of effort expended justifiably to bring agricultural and pastoral industries into a regime of water authorities, that mining and coal seam gas companies should not be required to also be authorised to take water. We ignore to our peril the interlinked nature of the water cycle and have yet to fully understand the interconnections between groundwater and surface water systems.

I acknowledge also my support for the points enumerated below by the Queensland Environmental Defender's Office, and urge you to consider these in your deliberations.

- 1) **No resource company should get free, unlimited access to groundwater when extracting coal or gas, because it is risky to the environment and risky and unfair to other water users such as farmers.** The current laws giving such rights to gas companies ought to be changed. The plans of the current and former State governments to create a 'statutory right to take associated groundwater' for mining companies need to be rejected for the same reasons. For openness, transparency and accountability, a licence should always be required prior to groundwater being taken or interfered with, with public submission and appeal rights to an independent Court with powers of final determination.
- 2) **The improvements proposed in the Bill by the current State government to the groundwater impact assessment for projects at the environmental authority stage are good, necessary and supported.** Those improvements include a requirement for the applicant to provide more information as to the proposed impacts from their use of underground water, including detailing each aquifer likely to be affected and analysis of those aquifers, impacts on the quality of underground water, and identification of the environmental values that will or may be affected and proposed strategies to avoid or mitigate these impacts. Functional, clean groundwater resources are essential to many Qld farmers, businesses and ecosystems.

- 3) **The current government's proposal that mines obtain an 'associated water licence' if they have not gone through the improved groundwater impact assessment introduced by the Bill is positive.** This would mean the public submission and appeal rights would continue to apply to large, risky coal mines like Adani Carmichael and Hancock Alpha coal mines. Those proposed mines pose serious potential groundwater impacts that might affect natural areas and landholders who depend on groundwater. However, as stated above, licensing ought to be required in relation to all mining and gas projects not just older proposals. Also, as stated below, the licensing needs to be assessed against ESD principles.
- 4) **The Bill needs to be amended so that the 'associated water licence' is assessed against the principles of ecologically sustainable development (ESD principles) as necessary for every other water licence assessment.** ESD principles include the precautionary principle –in effect that if we do not understand the likely results of the proposed impacts sufficiently, we should not allow the activity to be undertaken. Current legislation in force does require assessment against ESD principles as part of all water license assessment. The effects of impacts to our groundwater basins are often uncertain, and must be assessed against the ESD principles.

Yours sincerely

Joan Meecham