


**From:**   
**To:** [Agriculture and Environment Committee](#)  
**Subject:** Submission to Committee on Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016  
**Date:** Friday, 7 October 2016 12:15:25 PM  
**Attachments:** [clip\\_image002\[2\].jpg](#)

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Dear Committee chair

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**). Please accept the attachment as a submission to the committee. For convenience I have also incorporated it into this email below my signature.

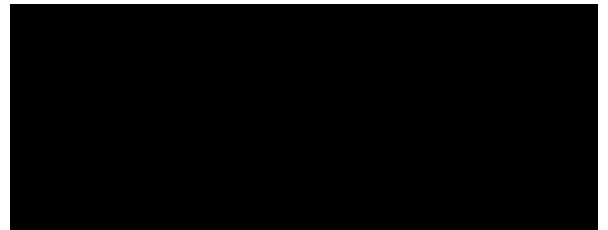
Yours sincerely

Franklin Bruinstroop



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SUBMISSION



7 October 2016

Research Director  
Agriculture and Environment Committee  
Parliament House  
Sent via email only: [aec@parliament.qld.gov.au](mailto: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**). Please accept this as a submission to the committee.

**Personal background**

I am writing as a concerned citizen and personal communications consultant, knowing that Underground water systems are part of bigger water systems, which are part of bigger

food systems, which are then part of bigger life systems.

As a concerned citizen, I want to be sure that the food and life systems in which I live provide for my needs, and for the needs of many future generations. As a communications consultant, I have seen and worked with the traumatic impacts on people's lives in agricultural communities when the quality of the air, earth and water cannot be guaranteed. **Water is crucial to Queensland, for food growing and to maintain healthy ecosystems.**

#### **My positions relative to the Bill**

- 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. If the legislation incorporated the additional suggestions below, I would support the passage of the EPOLA Bill (and the associated Water Legislation Amendment Bill 2015) because it will result in improved protections for groundwater resources, and thus for the whole of the ecology.
- 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, licensing ought to be required in relation to all mining and gas projects not just older proposals. Also, the licensing needs to be assessed against ESD principles.
- 4) **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, licensing ought to be required in relation to all mining and gas projects not just older proposals. Also, the licensing needs to be assessed against ESD principles.
- 5) **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

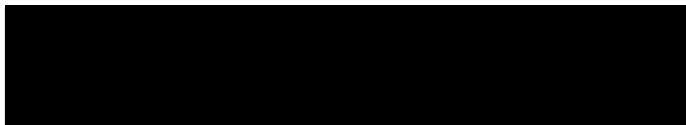
proposed impacts sufficiently, we should not allow the activity to be undertaken. Current legislation in force does require assessment against ESD principles as part of all water license assessment. The effects of impacts to our groundwater basins are often uncertain, and must be assessed against the ESD principles.

**6) Other amendments that should also be made include:**

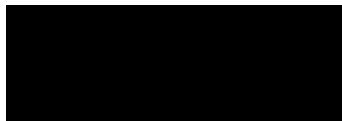
- Requiring that resource companies have to pay for all bore related expert assessments for make good agreements
- Requiring upfront consideration of the cumulative impacts of proposed mining developments
- Introducing an independent Make Good Commissioner to adjudicate disputes
- Setting minimum standards and applying a Code of Conduct for make good agreements

I would like the opportunity to appear before the Committee in their hearing into this inquiry.

Yours sincerely

A large black rectangular box redacting the signature of Franklin Bruinstroop.

**Franklin Bruinstroop**

A black rectangular box redacting contact information, likely a phone number or email address.