

From: [REDACTED]  
To: [Agriculture and Environment Committee](#)  
Subject: submission to the Environment Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (EPOLA).  
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To the Agriculture and Environment Parliamentary Committee

Please accept this as a submission to the *Environment Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (EPOLA)*.

**If the major amendment described below** is made, 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 over Newman era water laws.

In particular, the EPOLA Bill includes positive provisions that will:

- Require 'transitional' mines to obtain an 'associated water licence' (ie Acland and Carmichael coal mines)
- Strengthen the initial groundwater assessment for mines under the Environmental Protection Act 1994
- Allow better ongoing scrutiny of the impacts of mining on groundwater over time
- Improve the make good agreement framework slightly in favour of landholders

Good so far ...

However, despite the Bill's improvements on Newman-era laws, they still ultimately represent a **weak system** that will provide new mine proposals in the future with unlimited legal rights to access to associated groundwater. **This will impact negatively on other water users, agriculture and the environment**, and will weaken the powers of the Land Court. It is very disappointing that the Bills do not go further to protect groundwater.

**The main amendment that I believe is needed to EPOLA is to require any grant of an 'associated water licence' to be assessed against the principles of Ecologically Sustainable Development.**

**Without this amendment, the Bill will provide only a very weak water licensing process for mines like Acland and Carmichael.**

Other amendments that should also be made include:

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

I look forward to hearing your deliberations on this.  
Yours sincerely

Jenny Fitzgibbon

