

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

6th October 2016.

Dear sir/madam,

I welcome the opportunity to make this submission on the inquiry into the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (**Bill**).

I write as someone vitally interested in the sustainable management of Australia's water resources. I have represented conservation sector interests on regional NRM boards, Ministerial Advisory Councils and water policy advisory committees for some 20 years.

I have been a member of the Great Artesian Basin Coordinating Committee for 10 years and consider myself well informed on the issue of sustainable groundwater management.

I am deeply concerned by the cavalier approach to managing Queensland's water resources by both the previous and current governments. While the worst excesses of the LNP Newman government have been reigned in, there remain important changes to be made and principles to be upheld if this State is to have a truly sustainable approach to water planning and management.

That said, the Bill will continue to allow a weak system to prevail that will provide new mine proposals a statutory right to take unlimited volumes of associated groundwater. This will impact negatively on other water users, agriculture and the environment, and will weaken the powers of the Land Court.

In the context of the Great Artesian Basin, if this Bill passes as is, it will utterly fail to protect the pressure resource, a remarkably undervalued attribute of this resource of national importance.

Given the extreme variability of our climate and the fact that there is no life without water, the principles of ESD MUST underpin all water legislation and there should be NO EXCEPTIONS to the obligation to ensure water access to and to water of good quality for future generations.

EQUITY is another important principle that should underpin the legal and regulatory frameworks. No resource company should get free, unlimited access to groundwater. It is risky to the environment and unfair to other water users. The proposal to create a 'statutory right to take groundwater' for mining companies is strongly opposed.

Similarly, a licence specifying volumes and access rights should always be required prior to water being taken or interfered with, with public submission and appeal rights to a Court with powers of final determination.

Metering and monitoring are also required to ensure compliance for it is impossible to sustainably manage anything that is not measured

The proposed groundwater impact assessments for projects at the environmental authority stage are

good and necessary improvements and are fully supported. Functional, clean groundwater resources are essential all ecosystems in Queensland as well as agricultural and other businesses.

The Bill does not require the 'associated water licence' to be assessed against principles of ecologically sustainable development (**ESD**), such as the precautionary principle. I understand that while our knowledge of groundwater resources has improved in recent years, there are still large gaps and uncertainties in our understanding. In my opinion, the uncertainty around how impacts affect our groundwater basins is far too great and too risky to not assess impacts posed against the principles of ESD.

I believe the Bill needs to be amended so that the 'associated water licence' is assessed against ESD principles.

I believe the Bill could be strengthened with further amendments including:

- a requirement that resource companies pay for all bore-related expert assessments for 'make good agreements'
- consideration of the cumulative impacts of proposed mining developments as a mandatory requirement
- the introduction of an independent Make Good Commissioner to adjudicate disputes; and
- the setting of minimum standards and the application of a Code of Conduct for 'make good agreements'.

Thank you for the opportunity to make this submission. I look forward to the results of this inquiry and hope for substantial improvements.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R. Lee', written over a horizontal line.