



***Environment Protection (Underground Water Management) and Other Legislation
Amendment Bill 2016 (EPOLA).***

To the Agriculture and Environment Parliamentary Committee (aec@parliament.qld.gov.au)

Dear Members,

Wide Bay Burnett Environment Council is a regional not for profit NGO dealing with all environmental aspects of the Mary and Burnett catchments.

This submission provides comment on the proposed amendments from the perspective of a regional community group which is located within the Maryborough Basin geological formation known as the Tiaro and Burrum cretaceous coal measures.

Whilst the commercial viability of these coking coal depositions are not of the same order of magnitude of the Surat and Bowen basins, the Burrum and Tiaro Coal measures are subject to commercial interests;

- Tiaro coking coal measures (http://www.tiarocoal.com.au/site_folders/231/ASX%20Tiaro%20Coal%20buys%20out%20JV%20interest.pdf)
- Burrum coking coal measures (<http://www.newhopegroup.com.au/content/projects/development/colton>)

The Tiaro JV proposal is predicted to produce a pit with a final base depth of 175m within 4km of the Mary River and Munna Creek.

The New Hope Colton Coal Mine EMP indicates that the proposal will have a pit with a base line depth of 67m and a predicted groundwater dewatering draw down radius of 6km.

Based on the GW impact modelled for the Colton Coal mine proposal, it can be assumed that the 175m pit depth for the Tiaro Coal proposal, would see a dewatering zone of influence of ca 10km as a minimum.

The Colton Mine EMP indicates that Groundwater Dependent Ecosystems (GDE) will be impacted by the predicted draw down from dewatering and WBBEC has mapped 1600ha of GDE within the zone of influence.

These GDE are not protected as Matters of Local Environmental Significance (MLES) Matters of State Environmental Significance (MSES) or Matters of National Environmental Significance (MNES).

Any loss of these GDE would be attributable to a failure of the 'associated water licence' granted under the EPOLA bill having to take into account the principals of Ecologically Sustainable Development (ESD) including the precautionary principle.

The New Hope Colton proposal is the subject of the Mining Wardens court proceedings where potential WQ impacts to the Mary River from mine water (including GW) discharges, are being disputed.



WBBEC offers the following comments on what is required for the EPOLA Bill to ensure that all environmental values associated with groundwater likely to be impacted from any 'associated water licence', are identified and adequately protected.

- The granting of unlimited access to groundwater associated with mining proposals is fraught with risk to the environmental values associated with aquifers and other GW users. WBBEC therefore opposes the creation of a 'statutory right to take GW', for mining entities. A license should be mandatory prior to any GW being taken or interfered with accompanied by public submission rights and appeal rights to a court with powers of final determination.
- WBBEC supports the improvements proposed in the Bill and seeks to highlight that functional clean GW resources are essential for the environmental values associated with GW, the food producing sector and associated businesses of Queensland.
- WBBEC supports the proposal to require mining entities to obtain an 'associated GW licence' if they have not gone thru the improved GW impact assessment introduced by the Bill.
- WBBEC suggests that the Bill be amended to require an 'associated water licence' be assessed against the principles of **Ecologically Sustainable Development (ESD)**, including the Precautionary Principle. The unknowns and uncertainties surrounding impacts to groundwater basins requires that assessment against ESD principles be demonstrated.
- WBBEC recommends that the Bill be amended to ensure that resource companies are required to pay for all GW bore related expert assessments for make good provisions.
- WBBEC recommends that the Bill be amended to require upfront consideration of the cumulative impacts of proposed mining developments.
 - WBBEC recommends that the Bill be amended to introduce an independent Make Good Commissioner to adjudicate disputes.
 - WBBEC recommends that the Bill be amended to set minimum standards and apply a Code of Conduct for make good agreements.

06/10/2016

YOURS ENVIRONMENTALLY

ROGER M CURRIE

PRESIDENT