



Research Director  
Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
Brisbane Qld 4000

By email [ipnrc@parliament.qld.gov.au](mailto:ipnrc@parliament.qld.gov.au)

Dear Sir/Madam

**RE: Water Legislation Amendment Bill 2015**

I have been directed by the State Council of the Wildlife Preservation Society of Queensland (Wildlife Queensland) to write to the Infrastructure, Planning and Natural Resources Committee to offer comment for consideration on this proposed legislation.

Wildlife Queensland is one of the longest established and most respected wildlife-focused conservation groups in Queensland. With over 6500 supporters spread across branches throughout the State with supporters interstate and overseas, Wildlife Queensland is a strong voice for our wildlife and its habitat. Wildlife Queensland is apolitical. Our aims include preserving the flora and fauna of Australia by all lawful means, educating the community in an understanding of the principles of conservation and preservation of the natural environment and encouraging rational land use and proper land planning of existing and future development and the use of the natural environment and its management.

Our interest in this legislation is to ensure this vital resource is allocated appropriately and fairly for the broad range of legitimate uses including wildlife.

It is Wildlife Queensland's understanding that the Palaszczuk Government pre-election commitments were to prevent the commencement of the Newman Government's water laws that would have a detrimental effect on the Great Barrier Reef catchment systems and allow for over allocation of Queensland's precious water resources. In addition water development options were to be removed in their entirety and that ecologically sustainable development principles to be reintroduced.

While Queensland acknowledges that the Bill makes significant steps forward in satisfying the pre-election commitments, it is our view that the Bill has not gone far enough to fully satisfy that commitment.

There is a need to address the situation where Part 4 of the Water Reform and Other Legislation Amendment Act gives the mining industry a statutory right to take underground water and removes requirements for the need to obtain a water licence.

Unless that section is revoked potentially there is significant negative impacts on the flora and fauna including stygofauna as there is no requirement for miners to obtain a water licence for the vast volumes of water extracted during mining operations. The Government would be challenged to prevent overuse of water such a precious resource in this dry continent without a licence capping extraction. Undoubtedly cropping and pastoral enterprises may also be impacted in the immediate environs of the mining activity. Certainly the adjoining landholders should have the right to challenge the potential use of underground water by the mining industry so that the landholders operations are not put at risk. How can this be done if there is no licence. Furthermore it is our understanding that the Land Court will no lower be an independent umpire who can rule on appeals against licences being granted.

From our perspective unless the current Bill is amended and this issue addressed over allocation of water cannot be guaranteed and it is further suggested that community rights continue to be eroded not restored.

The attempt to return ecologically sustainable development principles to the Water Act is strongly endorsed by Wildlife Queensland. It appears that the application of such principles to Chapter 3 was a step to far for the Palaszczuk Government. It would be highly desirable if such principles could be applied to Chapter 3 the purpose of which is to monitor, assess and report the impact on groundwater extraction by the petroleum industry as well as manage the cumulative impacts. It also gives the chief executive and the office functions and powers for managing underground water.

In summary Wildlife Queensland support the other provisions of this Bill. Wildlife Queensland is of a view the Bill can be enhanced and strengthened by addressing the matters raised. Thank you for the opportunity to comment.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Des Boyland', followed by a large, stylized circular flourish.

Des Boyland, Policies and Campaigns Manager  
16<sup>th</sup> December 2015