

Infrastructure, Planning and Natural Resources Committee

From: Ross Smith
Sent: Friday, 18 December 2015 1:12 PM
To: Infrastructure, Planning and Natural Resources Committee
Cc:
Subject: Submission to Qld Water Legislation Amendment Bill

The Infrastructure, Planning and Natural Resources Committee of the Qld Parliament

Please accept this as a submission to the Water Legislation Amendment Bill 2015 (WLA).

We note the changes that the WLA makes to the Water Reform and Other Legislation Amendment Act (WROLA). However, we are deeply concerned about one very important amendment to the WROLA Bill which is MISSING from the WLA.

The WLA should include an additional section which revokes Part 4 of WROLA. Part 4 of WROLA gives the mining industry a statutory right to take underground water and removes current requirements for them to get a water licence.

Part 4 of WROLA will harm agricultural water users and the environment because it will:

1. Remove the requirement for miners to obtain a water licence for the vast quantities of groundwater that they generally extract during mining operations
2. Reduce the ability of the Qld Government to act transparently to prevent unsustainable levels of water extraction by miners during operations
3. Remove the right for adjoining landholders whose water resources will be affected or lost due to the mining operations to challenge the grant of a licence
4. Remove the role of the Land Court as final independent arbiter who can rule on appeals against water licences granted to coal miners

Failure to revoke Part 4 of WROLA represents a very substantial breach of the promises which the Qld Government made in the lead up to the election, when it promised to '*repeal the Newman Government water laws which will....allow for over allocation of Queensland's precious water resources*'.

Failure to revoke Part 4 of WROLA also breaches promises that were made by the Qld ALP to restore community objection rights against mining, because it removes the right of adjoining landholders to object to the provision of water licences to miners.

For decades farmers have been subject to regulation of their water usage and have accepted that such regulation is necessary to maintain water reserves and protect the environment in general. We are sure the general community if it was aware of how this legislation gives open slather to mining operations to access water would be most disturbed.

Any assurances of "make good" if water supplies, including artesian water, are affected is laughable.

Recommendations

- 1. We request that the WLA is not passed unless it is suitably amended to revoke Part 4 of WROLA, and thus to prevent the granting of statutory water rights to the mining industry.**

2. **We generally support other provisions of the WLA, although we believe that the principles of Ecologically Sustainable Development should be extended to apply to the resources sector under Chapter 3 of the Water Act.**

Ross Smith