

Labor Environment Action Network, Queensland

<http://www.lean.net.au>.

Infrastructure, Planning and Natural Resources Committee of the  
Qld Parliament

Via Email: [ipnrc@parliament.qld.gov.au](mailto:ipnrc@parliament.qld.gov.au)



## Submission - Qld Water Legislation Amendment Bill

Labor Environment Action Network Queensland (LEAN QLD) appreciates the opportunity to make a submission on the Qld Water Legislation Amendment Bill. LEAN QLD is a Labor Association formed by a grassroots network of ALP members and supporters who:

- Advocate and where necessary campaign on a wide range of important issues that impact the lives of all Queenslanders. We do this so that Queenslanders can enjoy a healthy, sustained, flourishing and productive environment, now and for generations to come.
- Believe government must demonstrate leadership in Queensland on environmental policy.
- Believe climate change and environmental degradation threatens our way of life and this demands fundamental change in how we manage our resources within our economy.

LEAN QLD acknowledges the positive achievements of the Palaszczuk Government while developing the proposed Water Legislation Amendment Bill 2015, particularly:

- the reintroduction of the principles of ESD
- the repeal of the power to deregulate water use
- the repeal of the provisions of Section 47D of the SD&PWO Act 1971 to allow third party objections to the granting of Environmental Authorities

As the WROLA Act 2014 has to be amended now, it is appropriate to make the legislation as efficient and fair as possible.

The government has openly supported the principals of open, fair and transparent decision making, and the amendments to the Water Act should reflect this.

LEAN Qld urges the government to make further changes in line with the following:

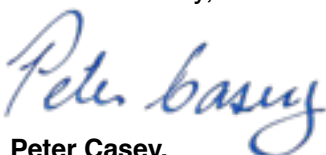
1. **Revocation of mines' statutory right to take water.** Providing a statutory right to associated water for mines will mean that the community will no longer have the right to have their concerns heard in Court with regard to water licence applications. All water taken must be accounted for, leaving no ambiguity about what must be recorded and quantified. The view that mines have always had a statutory right to take water, and that this should continue does not reflect our current understanding and testing of ground water and ecological sustainability, nor does it reflect the current size and potential damage large scale mining operations can have.
2. **A requirement for water licences.** The industry has the ability and moral obligation to account for all the water it uses and it is fair and reasonable for these obligations to be codified in law. Without knowing how much water is being used the fair, equitable and sustainable access to this resource cannot be managed.

3. **The independent authority of the Land Court.** Ecological sustainability will be embedded into this Bill and it must be determined in the Land Court. It should therefore retain the power to reject the granting of a water licences if the impacts on groundwater are unacceptable, and such a decision should be binding on the Queensland Government. The granting of a “statutory right to take underground water” removes this role of the Land Court, as an independent decision-maker, to protect vital water resources.
4. **Strengthened assessment and approval processes** relating to groundwater impacts from mining. The impacts of mine dewatering, including impacts on groundwater aquifers, landholder’s bores and groundwater dependent ecosystems should be addressed in a formal Environmental Management Plan (EMP).
5. **Declared Cumulative Management Areas** in relevant mining areas. Where there are two or more mineral development licences or mine leases in close proximity, the Queensland Government should declare a ‘Cumulative Management Area’ if there are significant groundwater resources that will be potentially impacted. Approval for a subsequent mine must include cumulative impacts.
6. **Independent predictive and conceptual hydrological modelling** for mining operations is required if single and cumulative impacts are to be reliably assessed. This should be done either by (preferably) a Queensland Government agency or outsourced to a totally independent and high integrity service provider. The project proponents should be required to meet the full cost of this work.  
The effectiveness of the provisions under Chapter 3 as applied to the petroleum and gas industries should be reviewed before mining operations are also covered.
7. **No net environmental loss.** Along with ensuring adequate ‘make good’ provisions for landholders, there should be no net environmental loss from mining impacts. Base line measurements are of particular importance if fair evaluations are to be made. There is still a bias towards the resource industry in spite of the industry’s superior capacity to mitigate damaging effects.

Mining companies who operate in a more open and transparent framework will have enhanced reputations and reduced operating risks. The changes (listed above) will assist mine operators as well as increase protection for underground water supplies lessening the impacts on the habits and communities that rely on them.

LEAN QLD also requests that the development of the Queensland Water Legislation Amendment Bill incorporates all the appropriate measures as outlined in Chapter 5 of the Queensland Labor Party 2015 Policy Platform.

Yours sincerely,



**Peter Casey,**  
**Secretary LEAN QLD**  
[Queens and LEAN](#)