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26th February 2018

State Development, Natural Resources and Agricultural Industry Development Committee

Parliament House

George Street

Brisbane Qld 4000

Email: SDNRAIDC@parliament.qld.gov.au

Dear Sir or Madam

Re: Mineral, Water and Other Legislation Amendment Bill 2018

We thank the Committee for the opportunity to make a submission on the above Bill.

Gecko Environment Council (Gecko) is a not for profit environmental organisation founded in 1989, and is the peak regional body. Our mission statement is “To actively promote, conserve and restore the natural environment and improve the sustainability of the built environment of the Gold Coast region in partnership with our Member Groups and the wider community.”

We have read the Explanatory Notes and some relevant sections of the Bill and comment that we are supportive of the objectives of the Bill, that is, to:

- give effect to the Queensland Government’s response to four recommendations of the Independent Review of the Gasfields Commission Queensland and Associated Matters;
- remove the automatic referral of compensation matters to the Land Court of Queensland under the Mineral Resources Act 1989;
- ensure the consideration of the water-related effects of climate change on water resources is explicit in the water planning framework;
- provide for the inclusion of cultural outcomes in water plans to support the protection of the cultural values of water resources for Aboriginal peoples and Torres Strait Islanders;
- provide a mechanism to allow for temporary access to unallocated water held in strategic water infrastructure reserves; and
- establish new powers for dealing with urgent water quality issues.

Our particular interest relates to the latter 4 dot points and Gecko comments that implementation of these changes will provide a fairer and more equitable framework within which our precious water resources are utilised.

We congratulate the government for the inclusion of the explicit requirement for the Minister to consider the effects of climate change when preparing a water plan, a consideration which has previously been missing from decision making. We would like to suggest that this aspect of water planning is made more urgent by being included at a more prominent position in the amendment to The Water Act 2000 at Part 10 243 Amendment of s 45 (Making draft water plan)

Section 45(2)—insert—

- (g) the water-related effects of climate change on water availability;
- (h) the interests of any Aboriginal parties or Torres Strait Islander parties in relation to the water resources for the plan area.

We suggest this insertion is made **after** (2) (b) and **before** what is currently part (c).

While strategic use of our water resources undergoes a rigorous assessment process there are instances where priority is given to use by coal mining and other commercial interests over the needs of farming communities and individual landholders, as exemplified in the granting of water licences to the Adani Group on 29 March 2017 for the right to take or interfere with groundwater through dewatering the mining pit (with no volumetric cap; allowing essentially unlimited take of groundwater) as well as a 'surface water licence' which grants Adani a nominal entitlement to extract 12,500 ML per year from the Suttor River.

There are no community rights to appeal the merits of the decisions to grant the associated water licence for the Adani Carmichael project. We suggest that, given the renewed focus upon climate change impacts and strategies by this government that further work is undertaken to ensure such excessive access to Australia's water resources is more tightly restricted, controlled and reviewed.

We have seen from the current urgent situation in South Africa that sudden and long-lasting, possibly permanent changes to climate patterns can happen over a short period of time, rendering communities in dire need of more strategic allocation of water supplies.

We do have concerns that the use of ground water has not been considered in this Bill despite the extensive extraction of ground water by companies, such as Coca Cola, at Springbrook, Mt Tamborine and border areas of northern New South Wales, which then market the product as 'spring water' in plastic bottles. Few, if any, studies appear to have been done to determine if this extraction is sustainable at the present time. With the advent of more variable rainfall patterns due to climate change it is possible that current rates of extraction will not be sustainable in the medium

future. The sustainability of current extraction rates of ground water for bottled water and other domestic and commercial uses needs to be established to enable a comparison in the future with climatic changes and differing rainfall patterns.

In addition to the matter of sustainability of extraction is the issue of the impact of such extraction on groundwater dependent ecosystems and the flora and fauna living within these ecosystems. There appears to be very little research available in this area despite its importance to sustainability of biodiversity in World Heritage listed areas such as the Gondwana rainforests.

These matters relating to ground water extraction perhaps cannot be considered in relation to this Bill, but they must be considered as part of a holistic appreciation of the importance of water to human and species survival.

We thank the Committee for its consideration of our views.

Yours sincerely

A handwritten signature in black ink that reads "C. Adam". The signature is written in a cursive style with a period at the end.

Secretary