




Speech By
Dale Last

MEMBER FOR BURDEKIN

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WATER LEGISLATION AMENDMENT BILL; ENVIRONMENTAL PROTECTION (UNDERGROUND WATER MANAGEMENT) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr LAST** (Burdekin—LNP) (9.02 pm): I rise to oppose the Water Legislation Amendment Bill 2015 and to support the proposed amendments to the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 as advised by the member for Hinchinbrook. In 2014, the LNP government reformed the Water Act to cut red tape and encourage economic development using water resources, particularly for regional Queensland. Key reforms included: the removal of ecologically sustainable development and the insertion of a broader purpose to the act to consider communities and economic outcomes, as well as the environment; the update of long and rigid water planning processes; the provision of consistency in how groundwater is managed across all resource industry sectors; and the creation of a pathway for the consideration of new large-scale water infrastructure projects known as the water development option. Those reforms were passed in 2014, but were not enacted before the election in early 2015, with the current Labor government issuing a proclamation postponing the commencement of a number of those water related reforms.

Labor's bill confirms the LNP's reforms to the Water Act that will make the water planning process more timely and efficient, and the reforms to make the management of groundwater consistent across all sectors of the resource industry. However, the bill also seeks to reinstate the restrictive ecologically sustainable development purpose and strike out the provision providing for new large-scale water infrastructure projects to be assessed and approved through the Water Act. There is no question that both actions have been pursued to satisfy the Greens. Tonight if this bill is passed, we will see a return of the notoriously restrictive ESD as the purpose of the act relates to industry, particularly sectors looking to secure additional water to support new projects.

The most serious loss for agriculture and regional Queensland is the exclusion of the water development option, which removes the pathway for the assessment and approval of a greenfield irrigated agriculture project within the Water Act. We do not need more obstacles to water infrastructure development. We need a genuine commitment and demonstrated capacity to deliver water projects in a timely manner. Reinstating the restrictive ecologically sustainable development purpose will simply bog down applications and see even more of those crucial projects tied up in the courts, to the detriment of Queenslanders.

I note with interest the comments from the Queensland Resources Council that there has not been sufficient consultation on the timing, application and transitional arrangements of the reforms. To say there is a lot at stake here would be an understatement. We are talking about mining projects with the potential to create thousands of jobs at a time when unemployment in rural and regional areas is at unprecedented levels. During the hearings, companies such as GVK Hancock expressed concern that the insertion of ESD in the Water Act may provide avenues and mechanisms for unmerited challenges to the granting of water licences for coalmines. What we are seeing now with Adani and the endless

court challenges confirms those fears. I also note that the Department of Natural Resources and Mines advised that the different chapters of the Water Act have clear and distinct functions and to apply the principles of ESD to all the chapters of the Water Act would be incongruous with the respective chapter purposes.

There is no question that certainty of access to available water is imperative for major water infrastructure projects. The issue, of course, is not to disadvantage existing water users or cause significant environmental impacts. In any development, there needs to be a degree of transparency and consultation with potentially affected water users so that their views are taken into account. If the project is approved, conditions may be attached to the Coordinator-General's approval, the mining lease and/or the environmental authority to limit the scale of the impacts to an acceptable level. The department further advised that the terms of reference for an EIS require the proponent of a mining project to assess and report on potential impacts on groundwater and to propose mitigation strategies for any identified impacts.

I now turn to the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill. I support the amendments proposed by the member for Hinchinbrook. We need to bring common sense to the discussion about managing Queensland's water resources. I note the three main areas of change proposed by the bill are amendments to the Environmental Protection Act, amendments to chapter 3 of the Water Act relating to the make-good framework, and transitional arrangements in the Mineral Resources Act and the Water Act to capture well-advanced resource projects in an associated water licence assessment process. Unlike those opposite, the LNP wants legislation that protects the rights of rural property owners and allows mines to operate in this state. If introduced, Labor's new underground water legislation would duplicate existing legislation, spark another round of lengthy and costly legal battles, risk thousands of existing jobs and halt the creation of new jobs.

If this bill if passed without amendment, it will require specific information to be included in certain site-specific environmental authority applications and amendment applications in relation to the environmental impacts of the exercise of underground water rights by resource projects. Furthermore, it will require underground water impact reports to include an assessment of the environmental impacts of the exercise of underground water rights and clarify that an EA may be amended in response to the content of an underground water impact report.

The New Hope Group's Acland mine expansion and Adani's Carmichael coal and rail project are advanced mining projects that have already passed rigorous environmental impact processes. They have gone through the environmental assessments and undertaken detailed studies into groundwater impacts. They have strict conditions on their approvals that relate to groundwater and they undertake regular monitoring and reporting on groundwater impacts. Those are two very important job creation projects for the state of Queensland. Without the amendments proposed by the member for Hinchinbrook, this legislation will further delay the start of the Carmichael coal and rail project or, worse, stop it from going ahead. That is despite Labor, only a month ago, invoking special powers to progress that project, declaring the combined mine, rail and associated water to be critical infrastructure and renewing the mine's special prescribed project status, expanding it to include its water infrastructure.

I have significant concerns about the impact this legislation will have on the Adani Carmichael mine and New Hope's Acland stage 3 project. If passed without amendment, this legislation will significantly disrupt mining production at New Acland, including a dramatic scaling back of the work with the associated loss of jobs. The bill also includes transitional arrangements in the Mineral Resources Act and the Water Act which will provide for a separate associated water licensing process for mining projects that are advanced in their environmental and mining tenure approvals.

Last week we saw hundreds of mine workers from Acland come to Parliament House to hear from the state government about why it was continuing to hold up the approval of the New Acland stage 3 mine expansion. Also alarmed by the legislation is the north's regional councils and business leaders. Some 16 prominent community and industry leaders took the unprecedented step of signing an opening letter calling on Labor not to delay the Carmichael mine.

This powerful allied group needs to be listened to. Their respective regions are crying out for economic stimulus in the form of investment in infrastructure and job-creating projects. All of these prominent people see this bill for what it is—'lawfare' against job-creating projects in Queensland. This bill will destroy jobs in Queensland because it launches another appeal avenue against advanced projects like the Carmichael project.

The LNP supports rural landholders. They are the backbone of this country. I have enormous respect for our farmers. My family background is in the sugar and cattle industries. Farmers are hardworking and have invested heavily in their assets, with most families on the land choosing to pass their property down to the next generation.

That is why the LNP understands why make-good arrangements are an important protection for landholders. If a resource project is proposed, the environmental impact assessment process determines whether or not there is likely to be an impact on the groundwater of an adjacent landowner who has a water bore in that area. The company is required to make a statutory make-good agreement with that landholder before any activity starts.

The LNP certainly urges those opposite to review the make-good arrangements like the LNP did with the land access arrangements in 2013 with our Land Access Implementation Committee. Legislation must be able to provide statutory certainty for landholders so that if their water bore is impacted by resource sector activity it will be made good.

At a time when regional Queenslanders need a government that creates jobs, this anti-investment Labor government has done nothing but create hurdles and roadblocks. This state desperately needs the Carmichael mine and Acland stage 3 projects. We have an opportunity tonight to ensure these vital projects can move forward, whilst at the same time delivering the certainty, through the make-good arrangements, that our landholders need regarding underground water.

I oppose the Water Legislation Amendment Bill and support the proposed amendments that will be put forward by the member for Hinchinbrook to the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill because these two bills have a huge impact not only on my electorate but also on my broader portfolio as the shadow minister for agriculture.