

The Wilderness Society Newcastle
90 Hunter Street
Newcastle, NSW 2300

4th April 2013

Dear Sir/Madam,

Submissions to Senate Inquiry into the federal Government's Environment Protection and Biodiversity Conservation Amendment Bill 2013 [Provisions]

The Wilderness Society Newcastle welcomes the opportunity to comment on the proposed amendment to the *Environment Protection and Biodiversity Conservation Act 1999* to create a matter of national environmental significance for coal seam gas and large coal mining developments that are likely to have a significant impact on a water resource. We would like to congratulate the Federal Government for this inclusion as it has long been recognised as a clear omission from the EPBC Act.

The Wilderness Society Newcastle strongly supports this Bill and we would like to see it passed quickly through the Senate. This is a matter of urgency due to the unprecedented interest in coal and gas projects in NSW and QLD. We are also very pleased that the bilateral approval provisions of the EPBC Act cannot apply to coal and coal seam gas developments that impact on water resources.

Given that damage to groundwater is difficult to remediate and often irreversible we would like to ensure that the exemptions contained in the Bill are minimised, so that large projects such as the Arrow Coal Seam Gas project in Qld and Camden in Western Sydney, will be assessed to the highest possible standards. Therefore, we would like to agree with the recommendation made by the Lock the Gate coalition and see minor amendments to remove s22 2 b) and d) if possible.

The Wilderness Society Newcastle has concerns that the term 'significant impact' has not been defined and therefore projects that will negatively impact on groundwater supplies either in the quality of the water or the depletion of the source may be excluded from the Bill if there are differing opinions of this term.

We would like to ensure that the term is defined so that it encompasses all coal seam gas activities as it is known that even at the exploration stage there is potential for significant damage to aquifers and therefore they require further investigation.

This would also then ensure that the cumulative water quality and quantity impacts of multiple gas wells in an area under exploration or production can be measured and assessed for EPBC matters. For example, CSG exploration, pilot production and hydraulic fracturing has been occurring in the Pilliga Forest for ten years without any Federal assessment on the impacts to water, despite it being a known recharge area for the Great Artesian Basin and despite the fact surface water from the Pilliga runs to the Murray Darling Basin. We would like to see this rectified through the Water Trigger to ensure ongoing CSG activities in the Pilliga and other areas are assessed for water impacts.

For projects that trigger this act we would like to see baseline studies of all potential impacted aquifers and catchments, tested for both water quality and quantity are undertaken before unconventional gas drilling or coal mining takes place.

We would also like to see the Federal Government check off on completed water management, treatment and disposal plans, risk amelioration strategies and emergency spill/leak operation plans prior to work commencing or the creation of produced water.

Finally, we would also like to reiterate the Lock the Gate recommendations for amendments to substantially improve the Bill, these are:

- Including a requirement for bioregional assessments prior to approval
- Amending the Bill to cover all unconventional gas mining, including shale gas and tight gas, and unconventional coal mining
- Strengthening the role of the Independent Expert Scientific Committee
- Introducing a set of requirements for the Minister to consider when making decisions on water resource impacts

Yours sincerely,

Naomi Hogan
Campaign Manager
The Wilderness Society Newcastle