

Committee Secretary
Senate Standing Committee on Environment and Communications
PO Box 6100
Parliament House
Canberra, ACT 2600

30 April 2013

Dear Secretariat,

The Nature Conservation Council of NSW (NCC) is a non-profit, non-government organisation representing more than 100 community environment groups across NSW. We appreciate the opportunity to present at the Inquiry into the Environment Protection and Biodiversity Conservation Amendment Bill 2013 in Sydney on 17 April 2013.

To follow up our testimony, here is the response to an additional question on notice from Senator McKenzie.

Question on notice:

Do you see the water trigger applying to other industries such as agriculture?

Response:

The proposed amendments to the Environment Protection and Biodiversity Conservation Act by the Environment Protection and Biodiversity Conservation Amendment Bill 2013 stem from the recognition that coal mining and coal seam gas mining can have long lasting and significant impacts on water resources.

The impacts go beyond the extraction of water during the life of a project. Coal mining and coal seam gas activities can have significant and permanent physical impacts on water resources, for example by diverting streams, interfering with aquifers, changing landscapes and creating final voids that drain groundwater for up to 1,000 years. The impacts can have long reaching effects that continue well beyond the life of a mining project.

These impacts pose an unacceptable threat to our nation's water resource, and the communities, rural industries and ecosystems that depend on them. Federal assessment of water resource impacts from coal mining and coal seam gas projects is an important step towards increased safeguards for our critical water resources.

In order to provide a higher level of protection for our water resources, the trigger should not be limited to coal mining and coal seam gas mining only. There are other unconventional mining techniques, including shale gas and tight gas mining, and underground coal gasification, that pose

serious risks to water resources and communities. The Bill should be amended to ensure that all mining and gas extraction methods are covered.

Further, we also recognise that it is not just the mining industry that has the potential to impact on Australia's precious water resources. Other industries, such as agriculture, can also have significant impacts on water quality and quantity. There would therefore be merit in considering extending the water trigger to other industries and projects that would have a significant impact on water resources.

In eastern Australia, there has been significant work done to develop the Murray Darling Basin Plan, to address issues of over allocation of water resources, including within the agricultural industry. The Murray Darling example highlights the significant challenges in managing and protecting water resources, particularly across borders. While the Murray Darling Basin Plan responds to some of the challenges in eastern Australia, there is potential scope for having broader protection for impacts of water resources at the national level, including from the agricultural industry, under the Environment Protection and Biodiversity Conservation Act.

Please be in touch if you require any further information from the Nature Conservation Council of NSW on this matter.

Yours sincerely,

Cerin Loane