



Department of Resources

Email: ResourcesPolicy@resources.qld.gov.au

Date: 24th February 2023

Re: Submission to the review of coexistence principles and institutions

Dear Sir or Madam,

As Queensland's peak environmental non-government organisation, the Queensland Conservation Council (QCC) welcomes this opportunity to provide the following comments and recommendations to the review of the current coexistence principles and institutional arrangements.

1. Principles

1.1 Ecological Sustainable Development

To ensure that social, economic and environmental outcomes are fully considered and optimised, coexistence between primary production and resource development across Queensland should be underpinned by the principles of the Australian National Strategy for Ecologically Sustainable Development¹ (ESD), which all Australian jurisdictions committed to implement in 1992.

Under the national strategy, ESD is defined as *"development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends"*. Key principles of the national strategy include:

- sustainable use of natural and other resources,
- integration of economic and environmental considerations in decision-making processes,
- precautionary principle, which states that if there are threats of serious or irreversible environmental damage, the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation
- inter-generational and intra-generational equity,
- conservation of biological diversity and maintaining ecological integrity and,
- internalisation of environmental costs that are currently externalised

¹ <https://www.edo.org.au/wp-content/uploads/2022/02/220214-What-is-ESD.pdf>

Recommendation: Base the principles and institutional arrangements for coexistence between primary production and resource development on the Australian National Strategy for Ecological Sustainable Development.

2. Institutional arrangements

Proposed improvements to existing institutional arrangements to enhance coexistence between primary production, resource development and protecting ecological processes in accordance with the Australian National Strategy for Ecological Sustainable Development includes, but is not limited to:

2.1 Reviewing effectiveness of Chapter 3 of the *Water Act 2000*

Administered by the Department of Environment and Science, Chapter 3 of the *Water Act 2000* (the Act) was introduced to provide a consistent framework for managing adverse impacts that occur to groundwater from coal seam gas (CSG) development.

Since it was first introduced, the effectiveness of the provisions under Chapter 3 of the Act in managing adverse impacts to groundwater from CSG development has not been reviewed. As their effectiveness has never been reviewed, it is unknown whether the existing provisions under Chapter 3 of the Act are actually effective in managing adverse impacts that occur to groundwater from CSG development.

Following amendments made to the Water and other Acts in 2014, the management of adverse impacts to groundwater from coal mining was brought under Chapter 3 of the Water Act. As the impacts to groundwater from mining are vastly different to the impacts that occur from CSG development, there is a considerable risk that the existing provisions under Chapter 3 of the Act are not suitable for ensuring the impacts that occur to groundwater from mining are effectively managed.

As it's the primary legislative framework for managing impacts to groundwater from CSG and mining development, it is essential that the effectiveness of the existing provisions under Chapter 3 of the Act in managing adverse impacts to groundwater from CSG and mining development are comprehensively reviewed to build and maintain landholders and the public's trust that adverse impacts to groundwater from CSG and mining development are robustly managed.

Recommendation: Review the effectiveness of existing provisions under Chapter 3 of the *Water Act 2000* management of adverse impacts to groundwater from CSG and mining development.

2.2 Regional Planning Interests Act 2014

Under section 3 (c) (i), a key purpose of the *Regional Planning Interests Act 2014* (the RPI Act) is to manage the impact of resource activities and other regulated activities on areas of regional interest, which includes:

- priority agricultural areas,
- priority living areas,
- strategic cropping areas and,
- strategic environmental areas

Under s14 of the *Regional Planning Interests Regulation 2014*, a resource activity can occur in a Strategic Environmental Area subject to demonstration that the resource activity “will not result in a widespread or irreversible impacts to the environmental attributes of strategic environmental areas.”

As resource activities do cause both direct and indirect impacts to environmental values, its essential that the Regional Planning Interest Act and or Regulation is amended to prohibit resource activities in Strategic Environmental Area in order to provide certainty to resource project proponents about the areas of the state where they can undertake resource activities and to the public that the ecological processes on which life depends are sustained in accordance with the principles of the Australian National Strategy for Ecological Sustainable Development.

Recommendation: Amend the Regional Planning Interest Act 2014 and or Regulation to prohibit resource activities within Strategic Environmental Areas.

3. Conclusion

As they will greatly enhance coexistence between primary production, resource development and sustaining the ecological processes on which life depends, we strongly urge you to incorporate the above-mentioned recommendations into the revised principles and institutional arrangements for coexistence between primary production and resource development.

Please do not hesitate to contact me should you require any further information or clarification regarding the matters raised in this submission.

Yours sincerely,



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