THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (INDEPENDENT EXPERT SCIENTIFIC COMMITTEE ON COAL SEAM GAS AND LARGE COAL MINING DEVELOPMENT) BILL 2012

SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Sustainability, Environment, Water, Population and Communities, the Honourable Tony Burke, MP)
Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill 2012

OUTLINE
This Bill amends the *Environment Protection and Biodiversity Conservation Act 1999* (the *EPBC Act*) to establish an Independent Expert Scientific Committee (the *Committee*) on coal seam gas and large coal mining development.

There are 11 amendments which are required to clarify that, in determining whether a coal seam gas development or large coal mining development will have a significant impact on water resources, the Minister must consider impacts including, but not limited to, the impacts of associated salt production and/or salinity.

Salt production and consequential salinity impacts may arise from:
- co-produced water and consequential aquifer interaction during coal seam gas development; and
- groundwater and surface water diversions from large coal mining developments,

and are therefore relevant considerations in assessing whether these developments will have a significant impact on water resources, in deciding whether or not to approve a proposal for these developments, in establishing the functions of the Committee and in delineating the scope and content of bioregional assessments.

FINANCIAL IMPACT STATEMENT
This Bill will have no financial impact.

REGULATORY IMPACT STATEMENT
This Bill will have no regulatory impacts.
NOTES ON AMENDED CLAUSES

Schedule 1—Amendment of the Environment Protection and Biodiversity Conservation Act 1999

Item 2 After section 131AA

1. In Item 2, page 3 (line 29), after "water resources", insert ", including any impacts of associated salt production and/or salinity".

2. This amendment clarifies that in determining whether a coal seam gas development or large coal mining development will have a significant impact on water resources, the Environment Minister must consider impacts including, but not limited to, the impacts of associated salt production and/or salinity.

3. The advice of the Committee on these matters is then a factor to be taken into account by the Environment Minister for the purposes of section 136(2).

Item 4 After Division 2A of Part 19

4. In Item 4, page 5 (line 17), after "water resources", insert ", including any impacts of associated salt production and/or salinity" to reflect that in providing scientific advice to the Environment Minister in relation to the impacts of proposed coal seam gas developments or large coal mining developments on water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

5. In Item 4, page 5 (line 23), after "water resources", insert ", including any impacts of associated salt production and/or salinity" to reflect that in providing scientific advice to the relevant Minister of a declared State or Territory in relation to proposed coal seam gas developments or large coal mining developments on water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

6. In Item 4, page 6 (line 2), after "water resources", insert ", including any impacts of associated salt production and/or salinity" to reflect that in providing advice to the Environment Minister about priorities for research projects in relation to the impacts of coal seam gas developments and large coal mining developments on water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

7. In Item 4, page 6 (line 5), after "water resources", insert ", including any impacts of associated salt production and/or salinity" to reflect that in providing advice to the Environment Minister about research projects commissioned by the Environment Minister in relation to the impacts of coal seam gas developments and large coal mining developments on water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

8. In Item 4, page 6 (line 9), after "water resources", insert ", including any impacts of associated salt production and/or salinity" to reflect that in publishing information about improving the consistency and comparability of research in relation to the impacts of coal seam gas developments and large
coal mining developments on water resource, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

9. In Item 4, page 6 (line 13), after "development", insert "including any impacts of associated salt production and/or salinity" to reflect that in publishing information relating to the development of standards for protecting water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

10. In Item 4, page 6 (line 17), after "water resources", insert "including any impacts of associated salt production and/or salinity" to reflect that in collecting, analysing, interpreting and disseminating scientific information in relation to the impacts of coal seam gas developments and large coal mining developments on water resources, the Committee will consider the impacts of associated salt production and/or salinity on those water resources.

Item 6 Section 528

11. In Item 6, page 7 (line 15), after "area", insert "including any impacts of associated salt production and/or salinity" to reflect that bioregional assessments should analyse the potential direct and indirect impacts of coal seam gas developments or large coal mining developments on water resources in the area, including the impacts of associated salt production and/or salinity on those water resources.

Item 7 Section 528

12. In Item 7, page 7 (line 20), after "water resources", insert "(including any impacts of associated salt production and/or salinity)".

Item 10 Section 528

13. In Item 10, page 8 (line 8), after "resources", insert "(including any impacts of associated salt production and/or salinity)".

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