

The Environment Protection and Biodiversity Conservation Amendment (Mining, Petroleum and Water Resources) Bill 2011

Introduction

- 1.1 On 15 September 2011 the Selection Committee asked the Standing Committee on Agriculture, Resources, Fisheries and Forestry (the Committee) to inquire into and report on:
- the Environment Protection and Biodiversity Conservation Amendment (Mining, Petroleum and Water Resources) Bill 2011 (the Bill).
- 1.2 The Bill was introduced into the House of Representatives by Mr Tony Windsor MP on 12 September 2011. According to the accompanying Explanatory Memorandum, the purpose of the Bill is to:
- ...amend the Environment Protection and Biodiversity Conservation Act 1999 to empower the Commonwealth to be the consent authority for mining and extractive industry actions that have, or are likely to have, a significant impact on water resources.¹

1 Explanatory Memorandum, Environment Protection and Biodiversity Conservation Amendment (Mining, Petroleum and Water Resources) Bill 2011, p. 1.

The inquiry process

- 1.3 The Committee wrote to all Australian state and territory governments, as well as the Australian Government, seeking submissions to the inquiry. Six submissions were received; a list of submissions can be found in the Appendix.
- 1.4 During the course of the inquiry, significant policy developments occurred at both national and state level, including agreements to develop harmonised regulatory arrangements through the Standing Council on Energy and Resources (under COAG), which are detailed below. The context in which the Bill was drafted has changed, even though it will take time to see the extent to which these developments are fully agreed and implemented.
- 1.5 Consequently, undertaking a comprehensive inquiry into the Bill at the present time was considered unproductive. The Committee has therefore decided to report briefly on the basis of the Bill, the explanatory memorandum, government submissions to the inquiry, and other publicly available documents, without conducting public hearings or calling for public submissions.
- 1.6 Full details of the inquiry including the Bills and explanatory memoranda, the submission and the report can be found on the Committee's webpage.²
- 1.7 This report has three further chapters. Chapter 2 considers relevant policy history and developments. Chapter 3 deals with issues and concerns with the Bill. Chapter 4 provides the Committee's conclusions.

² <<http://www.aph.gov.au/house/committee/arff/water/index.htm>>