

Chapter 3

Discussion of key issues

3.1 The proposed establishment of an Independent Expert Scientific Committee (IESC) drew comment from environmental organisations, agricultural bodies, mining organisations, community action groups and government.¹

3.2 Environmental organisations, agricultural bodies and community groups were generally supportive of the establishment on the IESC.² The IESC was seen as a way of providing greater information about coal seam gas (CSG) mining and creating a more transparent and thorough approval process for CSG and large coal mining developments.

3.3 Mining companies and peak bodies were opposed to the establishment of the IESC because in their opinion, it would create additional regulatory burden in the environmental approval process and delay significant projects.³

3.4 A number of key issues were raised by submitters regarding the bill, including the definitions of key terms contained in the bill, the independence and expertise of the IESC's members, and the 'stop the clock' provisions.

Support for decision making to be based on evidence

3.5 There was broad support from submitters for environmental decision making in respect to CSG and large coal mining developments to be based on scientific evidence.⁴ It was argued that not enough is known about CSG mining and its potential impact on people, the environment and regional communities. According to the Friends of Felton:

1 For a list of individuals and organisations that made submissions see Appendix 1.

2 For example see: National Farmers' Federation (NFF), *Submission 3*; Caroon Coal Action Group, *Submission 5*; Australian Lot Feeders' Association, *Submission 7*; and Basin Sustainability Alliance, *Submission 18*.

3 For example see: Association of Mining and Exploration Companies (AMEC), *Submission 6*; AGL Energy, *Submission 13*; and Australian Petroleum Production and Exploration Association (APPEA), *Submission 28*.

4 For example see: Mr Jim Leggate, *Submission 1*, p. 1; National Environmental Law Association (NELA), *Submission 15*, p. 2; Basin Sustainability Alliance, *Submission 18*, p. 1; Australian Network of Environmental Defender's Offices (ANEDO), *Submission 24*, p. 1; and Cotton Australia, *Submission 27*, p. 3.

CSG is often touted as cleaner than coal and an ideal pathway for transitioning from coal to renewable; this is accepted as a "given" by virtually everyone. In truth we don't yet know enough about the life cycle of CSG to say anything definitive about its relative cleanliness.⁵

3.6 Australian Pork held similar concerns over the unknown impacts of CSG mining on agricultural and water resources, stating:

...the approach of State and Federal Governments to implement adaptive management regimes for CSG projects in the absence of sufficient science may have irreversible environmental, economic and social impacts on rural communities. It may be decades before the current and cumulative impacts of CSG activity on our water resources is fully understood. By this time it will be too late to reverse these impacts through 'make good' or other legislative provisions.⁶

3.7 In light of the lack of research and understanding of CSG mining, many submitters felt that the establishment of the IESC would help ensure future decision making is based on the best available scientific evidence.⁷ For example, the Basin Sustainability Association submitted that it:

...supports the principles behind the EPBC amendment because of the urgent need for independent scientific investigation into the numerous serious environmental concerns held by rural and regional communities about the long term cumulative impact of the massive scale of the CSG industry.⁸

3.8 Similarly the Australian Lot Feeders' Association stated that it:

...believes that the proposal for the Committee to be able to provide advice to the Minister about research priorities will improve scientific understanding of the impacts of coal seam gas and/or coal mining developments on water resources.⁹

5 Friends of Felton, *Submission 2*, p. 2.

6 Australian Pork, *Submission 4*, p. 2.

7 For example see: Friends of Felton, *Submission 2*, p. 2; Australian Pork, *Submission 4*, p. 1; Basin Sustainability Alliance, *Submission 18*, p. 1; and ANDEO, *Submission 24*, p. 1.

8 Basin Sustainability Alliance, *Submission 18*, p. 1.

9 Australian Lot Feeders' Association, *Submission 7*, p. 2.

Failure of the current regulatory approach

3.9 It was the opinion of community groups and environmental organisations that the current state regulation of CSG and large coal mining developments is not working.¹⁰ For example the Friends of the Earth informed the committee that:

We believe very strongly that the status quo, which is the state based approvals, is simply not working at present. In Victoria our government has a very cavalier and piecemeal approach to approvals. Industry complains around the so-called green tape and the need to consult with multiple departments, yet what we are finding is that it is a very piecemeal process which does not adequately assess in particular the impacts on food security, ground water, surface water and greenhouse gases.¹¹

3.10 The Wilderness Society and the Northern Inland Council for the Environment concurred:

...the development assessment process for mining in New South Wales can probably best be described as a juggernaut—it rolls across our communities and seems to quash our legitimate concerns with the power, money and influence of mining companies, the sheer volume of environmental assessment reports which they produce and an unbalanced planning system that is heavily weighted towards approval. In New South Wales, something like 99 per cent of proposed large mining developments are approved.¹²

3.11 These submitters felt that the establishment of the IESC by the Commonwealth government would give more transparency to the environmental approvals process. The greater involvement of the Commonwealth in the area of CSG mining and large coal mining was seen to be a positive step.¹³

Duplication of regulation

3.12 Concerns were raised by mining companies and peak bodies that the proposed legislation will duplicate regulation in the environmental approval process.¹⁴ For example the Association of Mining and Exploration Companies (AMEC) submitted

10 For example see: Caroon Coal Action Group, *Submission 5*, p. 5; The Wilderness Society and Northern Inland Council for the Environment, *Submission 30*, p. 1; and Mr Cam Walker, National Liaison Officer, Friends of the Earth Australia, *Proof Committee Hansard*, 13 June 2012, p. 3.

11 Mr Cam Walker, National Liaison Officer, Friends of the Earth Australia, *Proof Committee Hansard*, 7 June 2012, p. 3.

12 Ms Carmel Flint, Spokesperson, Northern Inland Council for the Environment, *Proof Committee Hansard*, 7 June 2012, p. 1.

13 Mr Timothy Duddy, Spokesman, Caroon Coal Action Group, *Proof Committee Hansard*, 7 June 2012, p. 13.

14 For example see: AMEC, *Submission 6*, p. 2; Minerals Council of Australia, *Submission 12*, p. 2; AGL Energy, *Submission 13*, p. 4; Santos, *Submission 25*, p. 2; and APPEA, *Submission 28*, p. 8.

that the bill '...effectively adds another regulatory layer to the environmental approvals and assessment [process]'.¹⁵

3.13 The industry submitted that the requirements placed on proponents to obtain environmental approvals for mining and CSG extraction in Australia is already extensive. According to mining company Santos, '...CSG would be one of the most highly regulated industries in Australia.'¹⁶

3.14 The Minerals Council of Australia similarly argued that there is a significant potential risk of duplication between Commonwealth and state or territory processes in the assessment of water impacts.¹⁷ For example, it was noted that a number of jurisdictions have developed, or are developing, new approaches to the assessment of water resource impacts (such as the New South Wales Draft Aquifer Inference Policy).¹⁸

3.15 The duplication between state or territory and Commonwealth assessment processes is an area of ongoing concern for the mining industry.¹⁹ The industry argued that the bill contradicts the commitment made by Australian governments through the Council of Australian Governments (COAG) Business Advisory Forum to address duplicative and cumbersome environment regulation and to streamline the process for approvals of major projects.²⁰

3.16 The Minerals Council of Australia informed the committee that:

...there is always an opportunity for continuous improvement in the way in which regulation is applied and that there are real opportunities to remove some of the duplication and inefficiency. If that were to occur, that would potentially free resources to be used to improve the scientific information base on which decisions are made.²¹

3.17 In response to the possible duplication of Commonwealth and state and territory approvals the Minerals Council of Australia did note that the Commonwealth

15 AMEC, *Submission 6*, p. 2.

16 Santos, *Submission 25*, p. 2.

17 Minerals Council of Australia, *Submission 12*, p. 2.

18 Minerals Council of Australia, *Submission 12*, p. 2.

19 Minerals Council of Australia, *Submission 12*, p. 2.

20 Council of Australian Governments (COAG), 'COAG Meeting, Canberra, 13 April 2012, Communiqué', p. 2, www.coag.gov.au/coag_meeting_outcomes/2012-04-13/index.cfm (accessed 13 June 2012).

21 Ms Melanie Stutsel, Director, Health, Safety, Environment and Community Policy, Minerals Council of Australia, *Proof Committee Hansard*, 7 June 2012, p. 30.

government '...should be the standard setter and the state governments should be responsible for the implementation of those standards.'²²

Committee comment

3.18 Mining and coal seam gas extraction is primarily licensed and regulated by the states and territories. The Commonwealth government is only involved where an action may have a significant impact on a matter of national environmental significance (MNES) under the EPBC Act.

3.19 The committee believes that the National Partnership Agreement signed by the Commonwealth government and the governments of New South Wales, Queensland, Victoria, South Australia and the Northern Territory recognises the mutual interest of all governments in the long term health, quality and viability of Australia's water resources and the sustainable development of CSG and coal mining industries.

3.20 The National Partnerships Agreement and the establishment of the IESC will go some way to ensuring that all governments signed up to the agreement will receive consistent independent and expert advice on CSG and large coal mining developments.

3.21 The National Partnerships Agreement and the IESC provide a solid framework for greater cooperation between the governments in the environmental approval of CSG and coal mining developments and the streamlining of regulation.

Definitions

3.22 There was some discussion by submitters concerning the definition of terms contained in the bill and how these would be applied.²³ In particular submitters called for clarity about the definition of the terms 'large coal mining' and 'significant impact' in relation to water resources.

Large coal mining

3.23 The National Environmental Law Association (NELA) opined that the definitions of 'coal seam gas development' and 'large coal mining development' '...are very broad and are capable of different interpretations resulting in potential uncertainty of application.'²⁴ According to the NELA, the use of the word 'large' in

22 Ms Melanie Stutsel, Director, Health, Safety, Environment and Community Policy, Minerals Council of Australia, *Proof Committee Hansard*, 7 June 2012, p. 37.

23 For example see: NSW Irrigators Council, *Submission 8*, p. 5; Minerals Council of Australia, *Submission 12*, p. 2; NELA, *Submission 15*, p. 2; and Government of Western Australia, *Submission 26*, p. 1.

24 NELA, *Submission 15*, p. 2.

relation to coal mines is '...misleading as the definition includes no qualifiers on the size of the proposed mine.'²⁵

3.24 The NSW Irrigators Council and the National Farmers' Federation (NFF) requested that the definitions of large coal mining development and coal seam gas development be supplemented to include all forms of mining or sub-surface activity that could impact on water.²⁶ The Irrigators Council strongly advocated for the protection of all water resources and '...hence proposes that the scope of responsibilities for the Committee is extended to include all Coal Seam Gas and Mining activities.'²⁷

3.25 The NFF shared this view:

...it should be noted that while the coal seam gas and coal mining industries are the targets, other energy and mining sectors might also have similar impacts. For example it is understood that geothermal energy production will use significantly more water than may be extracted by the coal seam gas industry.²⁸

Significant impact on water resources

3.26 The term 'significant impact' in relation to water resources drew comment from submitters over its definition and how it would be applied. The AMEC put to the committee that:

The term 'significant impact' relating to water resources is not defined. AMEC has long advocated for a clearer definition of significant impact in order to provide increased clarity and certainty to proponents on their environmental responsibilities.²⁹

3.27 The Australian Network of Environmental Defender's Offices (ANEDO) suggested that:

...further detail could be provided to clarify what constitutes a 'significant impact' on water resources. The current Significant Impact Guidelines apply to current listed matters of national environmental significance and not specifically water resources. We submit that a new Significant Impact Guideline be developed to clarify this. This could be a priority task for the new Committee.³⁰

25 NELA, *Submission 15*, p. 2.

26 NFF, *Submission 3*, p. 1; and NSW Irrigators Council, *Submission 8*, p. 5.

27 NSW Irrigators Council, *Submission 8*, p. 5.

28 NFF, *Submission 3*, p. 3.

29 AMEC, *Submission 6*, p. 4.u

30 ANEDO, *Submission 24*, p. 2.

3.28 Although the bill itself does not contain a definition of 'significant impact' in relation to water resources, the National Partnership Agreement (the framework between the Commonwealth government and the signatory state and territory governments allowing them to seek the advice of the IESC) does contain a lengthy definition.³¹ However The National Partnership Agreement does not have legal status.³²

3.29 According to the Department of Sustainability, Environment, Water, Population and Communities (the department) the definition of 'significant impact' as it relates to the bill is expected to be developed over time:

The definition of 'significant impact' in the EPBC Act probably has a long history in itself. When we went back and reviewed the EPBC Act and how it has evolved, there is actually no definition of significant impact for other issues in relation to the EPBC Act. Over time there has been experience built up in terms of the actual specific assessments about particular projects—for example, on threatened species, wetlands and World Heritage areas—that has enabled a body of work to be developed that can provide a really sound basis for coming up with a detailed definition of 'significant impact' for those specific things, and some significant impact guidelines have subsequently been released to help make better assessments about whether something is likely to be significant or not. I guess we are expecting that in this field the same thing will happen. At the moment there have been very few decisions and assessments taken that can help inform a very robust and defensible definition of 'significant impact' in every single circumstance, so the objective here is to try to use the national partnership agreement definition of 'significant impact' as the initial filter. Then, through the body of work that is built up as individual projects come through, as advice is provided and as we get some practical experience in the actual impact of coal seam gas and coalmining operations when they are in place, you can start to have a much more informed view about that and start to produce some public information that would help clarify that in much more detail. I do not think the science is there yet to be able to definitively say one way or another in every circumstance that something is going to be significant or not, so we are probably trying to take a bit more of a cautious, risk-averse approach at the moment.³³

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- 31 An explanation of the National Partnership Agreement is contained in Chapter 2. The National Partnership Agreement definition of 'significant impact on water resources' can be found in Council of Australian Governments (COAG), *National Partnership Agreement on Coal Seam Gas and Large Coal Mining Development*, p. 8, www.federalfinancialrelations.gov.au/content/national_partnership_agreements/environment/csg_and_lcnd/NP.pdf (accessed 13 June 2012).
- 32 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 45.
- 33 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 45.

Committee comment

3.30 The definition of significant impact in the EPBC Act has been established over time and in relation to specific assessments.

3.31 The committee recognises that the department intends to base the definition of significant impact on the definition agreed by the Commonwealth government and signatory governments in the National Partnership Agreement until such a time as a body of evidence is sufficiently established as to clarify the definition.

3.32 The committee notes that as research and the assessment of individual projects provides sufficient evidence on the impact of coal seam gas and coal mining operations, the department will produce public information clarifying the definition.

The independence and expertise of IESC members

3.33 There was discussion by submitters over the independence of members appointed to the IESC and their expertise. Some submitters were of the belief that scientists appointed to the IESC should in no way be affiliated with or receive funding from mining companies.³⁴ The Wilderness Society and Northern Inland Council for the Environment stated:

We believe it is absolutely crucial that the Committee members are fully independent from coal and gas companies. Such independence can only be guaranteed if the members and/or their organisations do NOT receive research funding or other funding from such companies and do not have representatives from such companies on the board.³⁵

3.34 The Northern Inland Council for the Environment informed the committee that community confidence in some academic research has been tarnished by the links between universities and mining companies. According to Ms Carmel Flint:

...community perception out in rural communities is that this is already another kind of stitch up, having seen that. There is already a lot of disappointment already. So I think the make-up of the final committee is going to be incredibly important in how the community views it and whether it has standing.³⁶

3.35 Other submitters argued that having previously worked for or received funding from mining companies does not mean that the experts lack independence. Mr Timothy Duddy from the Caroon Coal Action Group remarked:

34 For example see: Australian Pork, *Submission 4*, p. 2; Terry and Christine Stanton, *Submission 11*, p. 2; and The Wilderness Society and Northern Inland Council for the Environment, *Submission 30*, p. 1.

35 The Wilderness Society and Northern Inland Council for the Environment, *Submission 30*, p. 1.

36 Ms Carmel Flint, Spokesperson, Northern Inland Council for the Environment, *Proof Committee Hansard*, 7 June 2012, p 6.

...the fact that someone has done some work for the mining industry does not mean they are not independent...You want people who actually love science and who are genuinely interested in what is going on. The fact someone has worked for a particular employer that does not mean they are necessarily its greatest advocate; what you want is someone is very smart as to what they can do and how they can model things. You want the best people in their field. Who they have worked for is completely irrelevant.³⁷

3.36 The Minerals Council of Australia went further and suggested that members of the IESC should be required to have had experience working with the mining industry. The Minerals Council stated:

We think that is what makes someone an expert—having worked in the context in which they are seeking to provide their expert advice. There is a natural tension when some people perceive that having worked with the minerals industry somehow removes your independence. I think those professionals—and, similarly, organisations like the CSIRO that have historically partnered with the minerals industry on a number of research projects and that have produced a large body of research—have very strong methods of work and very strong scientific values that mean they are quite capable of doing research work and maintaining a very independent view.³⁸

3.37 In responding to the issue of independence and expertise of IESC members, the department advised that the method used in appointing members of the Interim IESC, and the way the appointment process is intended to work with the IESC, was done in two stages:

- firstly to find a group of individuals that had the scientific expertise in hydrology and geology and who also understood how mining interacts with those systems; and
- secondly to ensure that those people were able to provide independent advice by going through a process of due diligence and putting in place strict probity and conflict of interest arrangements prior to their appointment.³⁹

3.38 According to the department:

In that process, we found that it is hard in this field, particularly in the coal seam gas area, to find people who actually understand the science around the potential implications of how the coal seam gas operations work and their interactions with underground aquifers and water systems, unless you found people who had some interactions with industry. The view was that it

37 Mr Timothy Duddy, Spokesman, Caroon Coal Action Group, *Proof Committee Hansard*, 7 June 2012, p. 19.

38 Ms Melanie Stutsel, Director, Health, Safety, Environment and Community Policy, Minerals Council of Australia, *Proof Committee Hansard*, 7 June 2012, p. 33.

39 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 43.

is much better to have people who do have that—both the scientific understanding, credibility and expertise and the understanding of how the industry works—and manage any risks associated with that through proper conflict of interest and governance arrangements. We could not find anybody to be honest who had no linkages at all and had the right science. If you are trying to get an expert advisory committee, you want people who are experts not people who are learners in the whole area.⁴⁰

3.39 The department also informed the committee that IESC members must adhere to strict conflict of interest guidelines and probity protocols that have been approved by the Australian Government Solicitor.⁴¹ IESC members are also required to declare any conflict of interest arrangements against every agenda item for each IESC meeting. Details of these conflicts are recorded and made public in the meeting's minutes.⁴²

Committee comment

3.40 It is the opinion of the committee that members appointed to the IESC should be experts in the impacts of CSG extraction and coal mining on water resources. This may include scientists that have worked or received funding from mining organisations.

3.41 The committee is reassured by the department's comments regarding probity and conflict of interest guidelines to ensure the independence of the IESC. The approval of these by the Australian Government Solicitor reinforces the independence and transparency of the IESC.

Public notification

3.42 Numerous submitters raised the matter of publication of the IESC's assessments. Some submitters sought to ensure that these assessments are made public at the same time as the information is provided to the Commonwealth or state or territory minister.⁴³

40 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 43.

41 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, pp 43–44.

42 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 44.

43 For example see: Australian Pork, *Submission 4*, p. 1; Australian Lot Feeders' Association, *submission 7*, p. 2; and Queensland Murray-Darling Committee, *Submission 9*, p. 8.

3.43 The Northern Inland Council for the Environment raised concerns that '...as it stands now, there is nothing to suggest the community will see this information before decisions are made.'⁴⁴

3.44 The NSW Irrigators Council likewise stated:

I would struggle to see any circumstances where the suppression of the information would prove useful to anyone other than potentially the proponent. In particular, I would have thought it would be a protection on the minister to have that information publicised before a decision was made—and I suspect that there are possibly other legal frameworks that could be put in place to protect that information if it was vitally necessary for some other reason.⁴⁵

3.45 In responding to these concerns, the department stated that the current procedure for the Interim IESC, and other statutory committees operating under the EPBC Act, is that:

...it is appropriate to give the decision maker the opportunity to consider the advice from the committee before it is made publicly available. We have been publishing the advice from the committee pretty much at the same time as or just after the decision has been made, so there is not a long delay between when the minister makes the decision, or the decision makers make the decision, and when that advice becomes available.⁴⁶

Committee comment

3.46 The current practice of the interim IESC, and of other statutory committees established under the EPBC Act, has been to publish material at the same time, or just after, the minister has made a decision. This practice provides the minister, as the decision maker, adequate time to review and consider the advice given by the expert committee. The committee supports this practice.

3.47 The committee also welcomes statements in the minister's second reading speech on the bill that the IESC will to provide regular public updates of its work on a dedicated website.

'Stop the clock'

3.48 In situations where the Commonwealth minister has requested advice from the IESC, a 'stop the clock' provision would be applied to pause the prescribed time in

44 Ms Carmel Flint, Spokesperson, Northern Inland Council for the Environment, *Proof Committee Hansard*, 7 June 2012, p 6.

45 Mr Andrew Gregson, Chief Executive Officer, NSW Irrigators Council, *Proof Committee Hansard*, 7 June 2012, p. 40.

46 Ms Alexandria Rankin, First Assistant Secretary, Office of Water Sciences, Department of Sustainability, Environment, Water, Population and Communities, *Proof Committee Hansard*, 7 June 2012, p. 44.

which the minister is required to make a decision on approving a CSG or large coal mining development.⁴⁷ The aim of this provision is to ensure the IESC has adequate time to consider proposed actions and prepare relevant and useful advice.⁴⁸ In effect the 'stop the clock' provisions would pause the approval process by up to two months (the maximum amount of time the IESC is allowed to conduct an assessment).

3.49 Mining and petroleum peak bodies opposed this provision arguing that delays in development due to environmental regulation are already significant.⁴⁹ The Australian Petroleum Production and Exploration Association (APPEA) submitted that:

The result of this provision is to add up to two months onto the already lengthy approval processes for major CSG projects as a result of the Committee's deliberations. Should the Committee's advice lead to substantial revisions of pending approvals and/or project requirement there would be additional and considerable delays.

...

APPEA instead considers that the Committee should be brought in at an early stage of the approvals process to avoid the potential for Committee advice at a late stage of the process delaying approvals being issued.⁵⁰

3.50 The Minerals Council of Australia similarly agreed that the work of the IESC should continue concurrently with the normal assessment process and that '...the decisions to refer a development proposal to the Committee should be undertaken early in the assessment process...to allow for concurrent assessment activities to be undertaken.'⁵¹

3.51 Other submitters, particularly community groups and environmental organisations, believed that the two month 'stop the clock' provision did not allow enough time for the IESC to conduct thorough assessments.⁵² For example, The Wilderness Society informed the committee that:

The two-month time frame for decisions does not allow time for the committee to commission the independent baseline analysis necessary to inform their recommendations. While it is likely that they will be expected to assess a large number of projects concurrently, time pressures lead to rushed decisions and a failure to deliver on the robust scientific assessments

47 Item 1.

48 Explanatory Memorandum, p. 4.

49 AGL Energy, *Submission 13*.

50 APPEA, *Submission 28*, p. 9.

51 Minerals Council of Australia, *Submission 12*, p. 2.

52 For example see: Lock the Gate Alliance, *Submission 20*, p. 4; and The Wilderness Society and Northern Inland Council for the Environment, *Submission 30*, p. 2.

expected by government and community. We recommend an extension of this time frame from two months to up to six months.⁵³

3.52 There was concern that if the IESC is burdened with a significant number of assessments, particularly early on in the IESC's operation, a bottle-neck could emerge in providing advice to the minister. According to the NELA, this would impact on the minister's ability to grant approvals as the minister is prevented from making a decision without considering the advice of the IESC.⁵⁴

3.53 The ANEDO noted that whilst two months is a reasonable period '...in the event that the Committee is provided with insufficient information to advise upon (and where the proponent may need to gather more data), there may need to be a mechanism for time extensions.'⁵⁵

Committee comment

3.54 In order for the IESC to conduct a thorough examination of a proposed CSG or large coal mining development and prepare advice for the minister, an appropriate amount of time must be allowed. The committee believes that two months provides sufficient time for the IESC to conduct their work, whilst also avoiding undue delay in the environmental approvals process.

3.55 Development of CSG and large coal mining projects requires considerable research, investment and planning on behalf of the proponent and takes significant time to complete. In light of this, the committee does not believe that a two month pause to conduct an independent scientific assessment of a development's impact on water resources would cause undue delay.

3.56 The committee recommends that the bill, as amended in the House of Representatives, be passed.

53 Ms Naomi Hogan, Campaign Manager, The Wilderness Society, *Proof Committee Hansard*, 7 June 2012, p. 3.

54 NELA, *Submission 15*, p. 2.

55 ANEDO, *Submission 24*, p. 2.

Recommendation 1

3.57 The committee recommends that the bill, as amended in the House of Representatives, be passed.

Senator Doug Cameron

Chair