1. The Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill will amend the *Environmental Protection Act 1994* (EP Act) and the *Water Act 2000* to ensure that the environmental impacts of groundwater take are better managed and that deficiencies in the make good arrangements for groundwater take are addressed.
2. The Bill amends the environmental authority process under the EP Act to ensure that the environmental impacts of groundwater take by resource activities are scrutinised appropriately at the outset as part of the application for an environmental authority. During the operational phase, these impacts will be managed through amendments to the existing underground water impact report process contained in Chapter 3 of the *Water Act 2000*.
3. The Bill also amends Chapter 3 of the *Water Act 2000* to:
* require resource companies to pay the landholder’s reasonable costs in engaging a hydrogeologist for the purposes of negotiating a make good agreement
* require resource companies to bear the costs of any alternative dispute resolution process
* insert a cooling-off period for make good agreements
* expand compensable impacts to include the emerging issue of bores becoming impaired by free gas released during coal seam gas extraction
* address the issue of make good obligations in the event there is uncertainty in the cause of bore impairment.
1. The Bill also proposes transitional provisions to require advanced mining projects (projects that are significantly advanced in their environmental and mining tenure approvals) to secure an ‘associated water licence’ before extracting groundwater for dewatering within regulated areas. Decisions about such licences will be set in the context of ‘impact management’ and assessed against criteria including impacts on natural ecosystems, water entitlements and public submissions.
2. An unrelated amendment to the EP Act is included in the Bill to address an inconsistency in administrative processes.
3. Cabinet approved the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 be introduced into the Legislative Assembly.
4. *Attachments*
* [Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)