

## THE LAW

## ENVIRONMENT

## Gas approvals depend on water

### Legal protections to meet community expectations.

Impacts on water resources will be included as part of the environmental approval process of coal seam gas projects and large scale coal mines under laws introduced into the House.

The Environment Protection and Biodiversity Conservation Amendment Bill 2013 will classify water resources as a matter of national environmental significance in the case of coal seam gas and large scale coal mines.

Environment Minister Tony Burke said that until now it has only been possible to consider the impact on water resources of mining projects if there was a related risk to an existing matter of national environmental significance, such as an endangered species or protected wetlands area.

Mr Burke said this failed to live up to reasonable community expectations that the government could act to protect water resources from contamination.

“They want to know that I am considering whether there is an irreversible depletion or contamination of our surface water and ground water resources,” Mr Burke said.

“But under our current national and environmental law, as environment minister I cannot take these concerns into consideration directly.”

Mr Burke said the amendments will provide a strong legal basis for the protection the community wants of its water resources.

“This amendment provides the appropriate gateway for federal approval,” Mr Burke said.

“It means that when an approval is given, or when a decision is made, the community expectation that I have taken into account the impacts on water resources will match up with the legal obligations of the environment minister.”

Shadow Environment Minister Greg Hunt offered qualified support for the amendments, saying coal seam gas should not compromise the security of water resources.

“Mining companies should not have free reign and should only operate where there is a community licence to do so,” Mr Hunt said.

But he said the best way to allow for the co-existence of mining, agriculture and communities is to work cooperatively with all stakeholders.

“Just as it did with the mining tax, the government has blindsided the energy and resources sector and imposed retrospective rules on the energy and resources sector which will have a direct impact on investments.” •



**WATER WATCH:** Coal seam gas projects face new requirements

## CUSTOMS

## Dumping on below cost imports

### New commission to monitor pricing.

A new Anti-Dumping Commission will take control of protecting Australian businesses from cut price imports under changes to anti-dumping legislation passed by the House of Representatives.

Dumping involves an overseas supplier selling a product at below cost price or below the price it is sold in the supplier's country. It is most commonly done to get rid of surplus stock or overproduction, but can be done in a predatory fashion to gain market power and drive local suppliers out of a market.

The Customs Amendment (Anti-Dumping Commission) Bill 2013 will establish the Anti-Dumping Commission to monitor pricing of imported goods, taking over the role from the International Trade Remedies section of Customs.

Home Affairs Minister Jason Clare said the establishment of the commission is the first step in a series of important reforms to strengthen Australia's anti-dumping provisions and protect local manufacturers. These include increasing the number of investigators working on anti-dumping cases, making the anti-dumping system more accessible for smaller businesses and toughening penalties against overseas producers who try to circumvent the system.

“The establishment of a well-resourced and effective anti-dumping commission is an important part of this reform program,” Mr Clare said.

“It will deliver stronger protection for Australian industry against unfair competition from overseas – and help protect Australian jobs put at risk by products being dumped into Australia.