



**FRACK  
FREE  
TAS**

## **Submission regarding the Independent Review of the 'water trigger' legislation**

**January 2016**

[frackfreetas@gmail.com](mailto:frackfreetas@gmail.com)

Submitted to: Water Trigger Review  
GPO Box 787  
Canberra ACT 2601 Australia  
By email: [wtreview@environment.gov.au](mailto:wtreview@environment.gov.au)

### About

Frack Free Tas Inc. is a non-profit community organisation, formed in 2014 and incorporated in February 2015. We are a group of Tasmanian citizens concerned about the possibility of hydraulic fracturing occurring in our state. Frack Free Tas is also affiliated with anti-fracking groups on the mainland through the Lock the Gate Alliance. Currently, we have 197 members and supporters, and 980 followers on Facebook.

For further information, please contact [REDACTED]

## The Bill

Frack Free Tas welcomes the opportunity to comment on the Independent Review of the 'water trigger' legislation - (Issues Paper).

Frack Free Tas firmly supports the EPBC Amendment Bill (Water Trigger Bill) 2015. However, we believe that it should be broadened to apply to all large mines that excavate beneath the water table and to large unconventional gas projects. Having analysed the function of the 'water trigger' policy, we are proposing further amendments which would improve the trigger's capacity to protect water resources.

At present only coal and coal seam gas projects likely to have a significant impact on water quality are required to be referred to the Federal Environment Minister for approval under the Environment Protection and Biodiversity Conservation Act 1999. The Minister is then obligated to seek advice from the IESC. The current 'water trigger' has not kept pace with the unconventional gas industry and therefore does not apply to the extraction of shale gas, tight gas and geothermal energy. While this is outside the scope of the proposed Bill, Frack Free Tas recommends the water trigger be expanded to ensure any extraction project expected to impact significantly on water quality and quantity must be referred to the IESC. (1)

Furthermore, the definition of 'CSG development' and 'large coal mining development' is not broadened to include specifically the many associated activities separate to the 'extraction' process. Non-extractive actions including; associated infrastructure, transportation, pipelines and post-extraction water treatment or disposal is not listed in the act.

Several submissions into the 'DPIPWE review on fracking' (2) in Tasmania listed several concerns about the potential significant threats to water from fracking technologies and processes, some of which included;

- A huge appetite for surface water, which 'may have significant impacts for the agriculture sector'
- Risks to groundwater and surface water from surface spills and leaks; There is no way to treat flow back water produced, with the chemical characteristics unique to each well location
- Well integrity issues: : 'total elimination of environmental risk in this regard is not feasible, particularly as the long term performance of well decommissioning technologies is yet to be determined'
- 'Risks cannot be entirely eliminated due to the inherent uncertainty of human behaviour and the difficulty of fully defining the geological, hydrological and hydrogeological characteristics of a particular region.

## Conclusion

Frack Free Tas maintains that the only appropriate response to the review of the EPBC Amendment Bill (Water Trigger Bill) , when considered in conjunction with the evidence documented elsewhere, is to broaden the bill to include "unconventional mining", including Shale gas, Tight gas, Coal Seam Gas and Geothermal resources and to include non-extractive operations in the act.

(1) (2015) *Landholders' Right to Refuse (Gas and Coal) Bill 2015*, Submission 85, Frack Free Tas, [http://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Bills\\_Search\\_Results/Result?bld=s996](http://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=s996)

(2) *Submissions to the Review of Hydraulic Fracturing in Tasmania*, [http://dipwe.tas.gov.au/about-the-department/government-policy-on-hydraulic-fracturing-\(fracking\)-in-tasmania/submissions-to-the-review-of-hydraulic-fracturing-in-tasmania](http://dipwe.tas.gov.au/about-the-department/government-policy-on-hydraulic-fracturing-(fracking)-in-tasmania/submissions-to-the-review-of-hydraulic-fracturing-in-tasmania)

