

Response ID ANON-XVYX-N2C9-U

Submitted to **Independent review of the 'water trigger' legislation**

Submitted on **2016-01-23 11:37:25**

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Not Answered

TOR 1: Examine the appropriateness of the regulation including whether it is necessary and well targeted

3 Is there a significant likelihood of a substantial negative environmental impact from coal seam gas and large coal mining development on water resources in the absence of the water trigger legislation?

Yes

Please tell us why:

Yes. The water trigger is needed to provide an essential, additional tier of strict scrutiny before all approvals.

4 Is the scope and focus of the legislation appropriate to the problem being addressed?

No

Please tell us why:

There needs to be a clearer recognition of how the Earth's natural systems work and a focus on the importance of preserving these systems.

For instance, unavoidably an open cut coal mine project excavating a large hole (in the case of the proposed Shenhua project in the Liverpool Plains 300m deep x 34square kms) interferes with water recharge process, cutting through natural underground water courses which flow through the ground providing water over a wide area to supply surrounding land, springs, rivers and dams. An excellent system that has taken millions of years to develop.

Similarly, CSG and other unconventional gas extraction techniques require hydraulic fracturing or fracking, drilling down through the layers, fracturing the rock and opening up new pathways, disturbing aquifers & underground water courses,

5 Are there significant gaps in the scope or intent of the legislation?

Yes

Please tell us why:

The legislation needs to focus on any 'possible risks' to water resources as a factor to be avoided, not a reason to look for ways to hopefully 'manage the risk'.

Our water resources are essential & need to be given 'top billing'.

The water trigger needs to be the most important factor.

The Minister must have the legal right to refuse approval of a project on the concern that there is a chance that it 'may' risk water resources.

Quite simply, our economy would collapse without reliable, uncontaminated water, as would our society and life as we know it.

6 Please upload additional information relating to TOR 1 if you wish

File upload:

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TOR 2: Effectiveness of the regulation in protecting water resources from the impacts of coal seam gas and large coal mining projects, including the role and scope of work given to the IESC

7 In your opinion has the water trigger legislation been effective in protecting water resources potentially and actually affected by relevant developments?

No

Please tell us why::

Apparently not. Our Environment Minister claims he doesn't have the power to refuse developments like Shenhua's Watermark & Adani's Carmichael, despite the threat to environment and water resources being apparent to anyone with even a modicum of knowledge or commonsense.

Insufficient understanding and appreciation of our groundwater systems and the importance of protecting them as a matter of priority and urgency.

Insufficient information made available to the IESC.

Studies & reports being compiled by the applicant.

8 Please upload additional information relating to TOR 2 if you wish

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TOR 3: Identify any opportunities to improve the effectiveness of the regulation

9 Are there gaps in the scope of the legislation that reduce its effectiveness in protecting water resource from relevant developments?

Yes

Please tell us why:

10 Are there opportunities to improve the clarity of the legislation? This could include responses concerning the definitions of actions which are covered by the legislation, and whether the approval conditions on those developments provide benefit in protecting water resources.

Yes

Please tell us what type/s of opportunities may improve the clarity of the legislation:

11 Are there improvements that could be made to the way in which advice is sought by the Australian Government from the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC) that could increase the efficiency of processes required as part of the water trigger?

Yes

Please tell us why:

Given the importance of our preserving water resources, the Government should not be depending on advice from the IESC on Coal Seam Gas and Large Coal Mining Development as part of the water trigger.

Advice sought by the Government on the Water Trigger should be more focused on protecting water resources, no compromise and therefore only consider advice from hydrologists, hydrogeologists and experts in that field. Not associated in any way to the coal & gas industry.

12 Were stakeholders appropriately involved in the implementation of the water trigger legislation?

No

Please tell us why:

Farmers, food producers and water authorities need to be the stakeholders considered, not the mining industry with their high water usage. The water trigger must be about protecting water resources as a priority & sustainable usage.

13 Please upload additional information relating to TOR 3 here if you wish

File upload:

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TOR 4: Examine the efficiency of the regulation in protecting water resources from the impacts of coal seam gas and large coal mining projects

14 Have there been additional administrative compliance and delay costs arising from the water trigger that have affected business, community organisations and individuals?

Uncertain

Please tell us why:

I believe some mining businesses may have been effected by delay and costs but this is necessary when inappropriate projects have been proposed.

15 Has the water trigger been beneficial in providing environmental outcomes, community confidence in the regulatory system of applying science to decision-making and management of environmental risk?

Uncertain

Please tell us why:

I believe it has been beneficial both in providing environmental outcomes and community confidence to a certain degree, but it doesn't convince discerning citizens when preposterous projects like Shenhua Watermark and Adani Carmichael are not stopped dead.

16 Has the water trigger delivered an overall benefit when regulatory costs are compared to the environmental and other benefits?

Yes

Tell us why:

Regulatory costs are a small price when we are talking about protection of water resources and the environment.

We take for granted being able to breathe unpolluted air, plentiful fresh uncontaminated water, and food: our ability to grow and buy healthy food in Australia. The economy and jobs are always the factors mentioned in favour of projects but we never hear about the economic costs of trying to live with or repair environmental damage .

17 Have there been additional administrative and other costs to governments arising from the implementation of the water trigger?

Uncertain

Tell us why:

Probably but this is the role of our governments. We expect them to look after the interests of Australians & Australia. Protect the people and our land and water from industries & developments which put at risk our way of life.

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TOR 5: Identify any opportunities to reduce or simplify the regulation whilst maintaining its effectiveness

18 Are there any opportunities to reduce or simplify the regulation whilst maintaining its effectiveness?

Yes

Please tell us more:

Simplify the regulation. Change legislation to enable the main focus to be on not allowing any possible risk to water resources,

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TOR 6: Identify any recommended appropriate future review points of the regulation

19 Are there particular points in time, outside the statutory schedule for the review of the EPBC Act (reviewed every 10 years from commencement) that should be considered as review points for the water trigger?

Uncertain

Please tell us why:

Personal information

20 What is your name?

First name:

Peter and Meg

Last name:

Nielsen

21 I wish to make this submission anonymously

Not Answered

22 Contact details

Email address:

[REDACTED]

Mailing address:

[REDACTED]

[REDACTED]

Postcode:

[REDACTED]

23 What is your organisation (if applicable)?

Organisation:

Primary Producer

24 What has been your involvement with the Water Trigger legislation?

I am a landowner not directly affected., I am a resident of a community not affected but I am interested in giving my views on the matter., I am interested because of my environmental concerns/I am responding on behalf of an environmental group.

Please describe:

25 How did you hear about the water trigger review?

Community organisation or peak body

If other, how?:

NSW Farmers

26 Rate the following sources of information regarding the water trigger review.

rank - Department of the Environment website:

Useful

rank - Issues Paper:

Useful

27 Which of the following sources of information do you find useful for information on coal seam gas and coal mining?

Rate sources of information - Media:

Useful

Rate sources of information - Government:

Useful

Rate sources of information - Scientific and research bodies such as CSIRO and universities:

Useful

Rate sources of information - Information from community groups and peak bodies (eg websites, newsletters):

Useful

Rate sources of information - Informal sources such as word of mouth:

Useful