

Submission: Review of the Water Trigger Legislation

Joan Vickers, [REDACTED] *26 Jan 2016*

Dear Department of the Environment, Australian Government,

Thank-you for the opportunity to make the following submission to the Review of the Water Trigger Legislation. The following points have been authored by Sharyn Munro, who has also made a submission. I am in total agreement with the points she makes below.

- It is well-established in Australia that water management is a matter of national concern, and that water resources like the Murray Darling Basin, the Lake Eyre Basin and the Great Artesian Basin are of fundamental importance to the continent, its people and natural landscapes.
- Water resources that are not of obvious continental scope are equally in need of Federal oversight, because they support communities and industries of national importance, such as Sydney's drinking water catchment, groundwater systems that support major food producing regions, or the Fitzroy River, which drains to the Great Barrier Reef.
- The water trigger is a crucial piece of legislation that fills gaps in State and Territory assessments and determination processes for coal mining and CSG.
- State Governments' assessment and approval regimes are not fit for the purpose of assessing the risks and damage to water resources posed by coal and unconventional gas mining.
- The States cannot assess, prevent and mitigate impacts that occur outside their jurisdiction, nor are their assessment processes consistent and comprehensive when it comes to water, for example in dealing with the social, cultural and economic uses of water.
- Most gravely, cumulative impacts are not addressed by most states' processes, and there are water assets like the GAB, Sydney's drinking water catchment and the Hunter River that are already experiencing or are at risk of cumulative impacts from CSG and coal.
- However, in many cases, the application of the water trigger has not resulted in adequate protection for water resources, and this is an important area for improvement. There should be clear boundaries and thresholds, such as exclusion zones for important water resources like the GAB and drinking water catchments, as well as mandatory standards for matters like set-backs, monitoring, water quality and access to cultural water.
- We recommend that the IESC be tasked with reviewing state and territory legislation and statutory arrangements for the management of water volumes and quality and assessment and prevention of mining impacts and whether those measures are fit for purpose.
- We recommend that all unconventional gas mining, shale and tight gas, as well as CSG, be covered by the water trigger, along with any other related fossil fuel developments, such as shale oil and underground coal gasification.
- We recommend that the water trigger be applied to related water developments for coal mining and unconventional gas that are not triggering the law. If a borefield, dam or water pipeline are proposed in order to feed a coal mine with water, or a water treatment facility proposed for a CSG operation, they are water resources impacts of those activities and it should be triggered.
- Unfortunately, in our experience IESC advice is often ignored. It should be given more weight and the IESC should have power to create binding guidelines, and require standards – such as enforcing ANZECC water quality guidelines for creek discharges.

Regards,

Joan Vickers [REDACTED]