

Response ID ANON-XVYX-N2DD-7

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

Submitted on **2016-01-27 12:34:23**

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No, I would like to continue to complete the questionnaire

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:

Many negative impacts from permanent damage to surface and ground water zones through to the thirst nature of coal mines in areas where water resources can be very depleted. The application of the precautionary principle is critical in the consideration of development applications either new, extensions or amendments. Catchment can cross many administrative boundaries and this legislation needs to be considered at a national assessment level in the national interest.

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

No

Please tell us why:

There is a need to extend and tighten national legislation to better consider the protection of water for food production and the protection of productive soils.

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

Yes

Please tell us why:

As above. Need for clearer vision at national level to ensure lower level planning instruments properly support the national vision to protect water resources and keep catchments clean especially in the provision of drinking water supplies. Need for long term monitoring for existing approvals - need for realism regards just how many open cut coal mines have been able to meet their original approval conditions and ensure that any future approvals can actually meet the conditions at the end of the life of the mine. Heavy penalties needed or bonds as many companies just go bankrupt as in other industry sectors when they can't meet their legislative requirements. Coal seam gas can be insidious in terms of its impact over time and need to inform decision makers with "best" science which takes account of longer term impacts via improved rigorous monitoring.

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::

Inconsistency between planning instruments means weaker legislation creates political decision making rather than a full and proper consideration of all impacts on water catchments. "Rigorous" conditions are still to be tested whether they will actually be applied.

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:

There is a need for consistency with lower level possibly weaker legislation at state or regional level with improved higher standards at the national level. Otherwise the approval process can become very politicised.

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:

Better science should inform - need for independence. Need for better government resourcing of agencies that provide the science. Less ability of vested mining interests to affect the process.

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:

Less input for vested interested and need to recognise those that have a real interest in clean drinking water either for their existence or livelihood.

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

No

Please tell us why:

as above. Need for better recognition of the those directly affected by impact of mining and improved overall government support for renewable and cleaner energy production.

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:

Lack of clarity in national legislation and its objectives to protection water supplies and catchment or weaknesses arising from inconsistencies will affect all interests.

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?

No

Please tell us why:

Needs to be strengthened and improved transparency and informed by better independent science.

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

Uncertain

Tell us why:

What is the price on ensuring clean water for future generations?

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

Uncertain

Tell us why:

Upload file:

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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:

as mentioned above

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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?

Yes

Please tell us why:

where a development has failed despite stringent conditions

Personal information

20 What is your name?

First name:

Ryde Hunters Hill Flora and Fauna

Last name:

Preservation Society

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:

local conservation group

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

I am a resident of a community where coal seam gas/large coal projects are imminent or current.

Please describe:

25 How did you hear about the water trigger review?

Word of mouth

If other, how?:

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

rank - Department of the Environment website:

Neutral

rank - Issues Paper:

Neutral

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:

Not 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