

Response ID ANON-XVYX-N2D1-M

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

Submitted on **2016-01-28 09:29:27**

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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:

Due to connectivity of underground water aquifers the impacts of pollution or disturbance can extend far beyond surface boundaries, and the scarce understanding of the interconnectivity between aquifers makes it impossible to state with accuracy what those impacts will be.

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

Uncertain

Please tell us why:

Water trigger needs to have wider application to all major developments with potential to pollute or damage water resources.

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

Yes

Please tell us why:

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.

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.

The water trigger should be applied to related water developments for coal mining and unconventional gas which are not currently 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.

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::

The way that the Shenhua project has by-passed the water trigger shows that the trigger needs strengthening.

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

File upload:

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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:

As above, Sydney's drinking water is at risk from long wall mining in the water catchment area and thus placing Australia's largest city at risk of water depletion.

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.

Uncertain

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?

Uncertain

Please tell us why:

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

Uncertain

Please tell us why:

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

File upload:

No file was uploaded

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:

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?

Yes

Please tell us why:

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

Uncertain

Tell us why:

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

No

Tell us why:

Upload file:

No file was uploaded

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?

Uncertain

Please tell us more:

Upload file:

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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:

[REDACTED]

Last name:

[REDACTED]

21 I wish to make this submission anonymously

Yes

22 Contact details

Email address:

[REDACTED]

Mailing address:

[REDACTED]

[REDACTED]

Postcode:

[REDACTED]

23 What is your organisation (if applicable)?

Organisation:

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?

Other (please describe)

If other, how?:

general media

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:

Not useful

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

Neutral

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