

Response ID ANON-XVYX-N2BA-2

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

Submitted on **2016-01-28 22:33:34**

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2 Would you like to submit your uploaded file now or continue to the questionnaire?

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:

Water management is a national issue and can not be left up to each state. Examples of cross-border water systems include the Murray-Darling Basin and the Great Artesian Basin. Other river basins and aquifer systems have national significance such as the Hunter River and Sydney Basin.

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

Yes

Please tell us why:

It captures cumulative impacts not dealt with by State laws.

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

Yes

Please tell us why:

Water resource impacts related to all types of fossil fuel operations should be included in the water trigger.

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 water trigger has failed to protect The Pilliga Forest and the Liverpool Plains, so needs strengthening.

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:

Needs to be extended to mining -related water impacts, not just direct impacts of mining.

Needs to examine potential cumulative impacts of fully developed fossil fuel proposals.

Needs to include reference to water impacts caused by further climate change that will be caused by the fossil fuel proposals.

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:

Clear thresholds; clear exclusion zones like water catchments and the Great Artesian Basin; clear set-backs, clear water quality standards.

Cultural and social water needs should be included.

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:

IESC review State and Territory legislation and regulatory arrangements.

IESC should be able to create binding guidelines and make binding rulings.

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:

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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?

No

Please tell us why:

Proper regulation is necessary and is part of removing 'externalities' where the real costs of development are ignored.

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:

Community has no confidence in State Governments captured by fossil fuel companies. The water trigger is essential to providing more confidence in safeguarding the environment.

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

Yes

Tell us why:

Good regulation is essential. Without it, the real costs (environmental, social, intergenerational and economic) of fossil fuel would be even greater than they already are.

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

No

Tell us why:

Good regulation saves money and saves our natural capital.

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?

No

Please tell us more:

This is not a complicated piece of regulation.

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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

Last name:

Thompson

21 I wish to make this submission anonymously

Not Answered

22 Contact details

Email address:

[REDACTED]

Mailing address:

[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 landowner potentially affected by coal seam gas/large coal exploration or extraction., I am a resident of a community where coal seam gas/large coal projects are imminent or current., 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?:

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:

Neutral

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:

Neutral