

SUBMISSION

WATER TRIGGER LEGISLATION

It appears that Santos has somehow sidestepped this legislation and in so doing has proven its inadequacies. What is patently obvious is that the act must be revised in a way that addresses these failings. The points below are taken Verbatim from another submission, but I believe they should be repeated here in order to highlight their importance.

I agree whole heartedly with the issues raised below, and the recommendations that follow. Should legislation be allowed to stand that in effect is merely an empty token of actual protective measures?

In short, is the government serious about protecting our most precious resource, or is this legislation merely lip service and placation?

To reiterate the most salient recommendation in the below submission:

The IESC must be given more weight in its judgements and the Minister should be legally bound to the task of addressing any and all issues raised by their findings.

David Paull's submission follows, please consider it a part of this submission as well.

“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 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.” (Paull, 2016)