

Response ID ANON-XVYX-N2FZ-Y

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

Submitted on **2016-01-29 22:41:55**

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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:

As an example a substantial indeed catastrophic impact from CSG mining could impact the integrity of the Great Artesian Basin from the mining activities in the Pilliga Scrub. There are risks to the water resource associated with drilling, bore failures, highly contaminated wastewater run off into local watercourses and a loss of pressure in the subsurface strata such that artesian water may become unavailable to farmers and graziers. With so many 'unknowns' in CSG mining it is critical that a water trigger is retained in the EPBC Act.

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

Uncertain

Please tell us why:

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

Uncertain

Please tell us why:

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::

If the water trigger was an effective mechanism to protect significant water resources then Santos would never have been given an approval to operate in the Pilliga.

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:

Clearly there are gaps in the legislation that have enabled Santos to proceed with construction of stage1 (850 wells) of a massive CSG gas field in northern NSW.

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:

There is an opportunity to phrase the legislation such that mining operators can and will be held financially accountable for all damage, remediation and replacement. The EPBC conditions on a mining licence should ensure that site operators and company directors can and will be penalised for all breeches. Penalties should be more financial, they should include imprisonment.

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?

No

Please tell us why:

I consider myself a stakeholder, I have a stakehold in the environment and the future of our water resources. I also consider myself to be reasonably aware of key issues likely to impact the environment. Sadly however I only learned of this review today and I therefore have had no time to read the detail. So I can only conclude that stakeholders have not been appropriately involved. I feel disenfranchised by this process which leads me to conclude that there has been a deliberate attempt to keep this review as quiet as possible.

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:

This TOR is clearly the escape clause for miners. I don't expect you are proposing to give any credence to the burden on the future of all Australians when the nonsense management plans are ignored by the very proponents whose financial burden you are willing to regard as an efficiency measure.

This is scandalous!

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:

I for one have no confidence in a system that allows Santos to operate what is essentially experimental mining over, through and under the Great Artesian Basin. Where are the guarantees in the water trigger that will ensure that there will never be a methane leak such as that which is happening in Porter Ranch California? An unmitigated disaster such as this Australia does not need.

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?

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?

Uncertain

Please tell us more:

I would question if it is effective. I daresay it's quite effective for mining operators given that enables miners to operate with little regard for water resources. Santos for example have large, plastic lined detention basins for contaminated wastewater from their operations in the Pilliga. These basins have overflow points with rock slopes to prevent soil scouring and erosion. They are DESIGNED to spill the contaminated water to the environment, to the forest floor, to the nearby surface water courses and ultimately to the Great Artesian Basin infiltration zones. So by all means keep it simple for the miners. They love what you are doing.

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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?

Not Answered

Please tell us why:

Review? How about start all over again with the protection of the environment as the first priority?

Personal information

20 What is your name?

First name:

Christine

Last name:

Degan

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:

N/A

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

I am a resident of a community not affected but I am interested in giving my views on the matter.

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:

Not useful

rank - Issues Paper:

Not 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:

Not 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