

Response ID ANON-XVYX-N2F2-Q

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

Submitted on **2016-01-29 22:56:04**

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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:

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.

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

No

Please tell us why:

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

Yes

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::

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:

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:

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:

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

Yes

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?

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?

No

Please tell us why:

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

No

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:

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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:

Personal information

20 What is your name?

First name:

JUNE

Last name:

COLAUDOLU

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:

none

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., I am interested because of my environmental concerns/I am responding on behalf of an environmental group., Other (please describe)

Please describe:

im a concerned parent with children and am worried for their future to obtain un contaminated water for future food crops

25 How did you hear about the water trigger review?

Other (please describe)

If other, how?:

internet

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:

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