

Water for Victoria submission

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Submission Template

Chapter 2: Climate change

Proposed objective: Victoria will continue to invest in climate science to understand the impacts of climate change now and into the future. The water sector will play an important role in both climate change mitigation and helping our communities to adapt to climate change. Our water sector will be prepared to minimise the disruption that extreme events like flood and bushfire may cause to the provision of this essential service.

2.1. The Discussion Paper proposes that:

'The government will continually build our understanding of the impacts of climate change by working with a range of partners such as communities, research organisations, businesses and industry. This will help ensure that the Victorian Water Sector is well prepared to plan for and adapt to future climate change'.

Do you agree with this idea? If so, who should the water sector be working with on the impacts of climate, and how?

Most farmers know the impacts and what that will mean for water security in the future. But who comes up with the hard questions and dares to challenge certain policy decisions from other departments that will lead to less available groundwater and more coastal impacts. Only then can DELWP ensure good governance and that better policy direction will be for the benefit of future generations.

How can mining be effectively removed from one part of the legislative framework of the Planning & Environment Act 1987 and be declared superior to all other industries.

As such, the State Minister for Water and Environment is subservient to the State Energy Minister who, in turn, acquiesces to the Mining Industry.

There is currently no strategic planning and cross-departmental discussion on water requirements from the different industry users and what that will mean in a drier climate.

Mining in Gippsland is my focus here in regards to Gippsland's existing groundwater level decline caused mostly by decades of coal mine dewatering in the Latrobe Valley and off-shore hydrocarbon production resulting in subsidence and significant impacts on groundwater.

The recent hydrology reports that DELWP co-authored with DEDJTR for the Victorian Gas Inquiry in 2015 clearly show problems, areas that need protection but also cherry picked information favouring why mining can occur. The range of documents is one of contradiction with the purpose to accommodate mining **at this point in time** rather than intergenerational equality with water security for the future. Mitigation cannot occur from one department alone.

Yet, management of our natural resources is not transparent and can never effectively achieve real outcomes whilst mining holds priority and planners and managers are beholding to government policy and act in isolation of each other rather than collectively on a shared vision to protect our water security.

Currently, we have the triple whammy that is **hypocritical to the Minister's goal to address climate change mitigation, that is-**

- fossil fuel production is increasing so greenhouse gas emissions rise

- uses more and more of our precious water resource depleting our aquifers and increasing subsidence and;
- dumping more and more waste waters discharges into our waterways turning them into sewerred aqueducts.

Subsidence of land sinking in the future is in addition to sea level rise presenting the Gippsland coast with the double whammy of economic, social, environmental and legal implications.

Furthermore, how is the change to a drier climate influencing the assessment value of mining as being more important to the economy than water?

All this planning means nothing if DEDJTR trumps other departments and all it takes for a mining company to get a foot in the door is left to an old farmer using mining money to sell us all out and DEDJTR facilities the further assault on water entitlements and land degradation.

To not protect our water resources from mining exploitation is to fail us all.

2.2. The Discussion Paper proposes that:

'The water sector, including water corporations and catchment management authorities, will maximise its contribution to climate change mitigation by achieving carbon neutrality. The government will work with the water sector to consider implications for the sector and determine an achievable time period for this to occur. In the interim, the water sector will:

- **Contribute to carbon reduction targets set by the government**
- **At least match the state's renewable energy target through the development of renewable energy sources or purchase of renewable energy generation certificates**
- **Exploit carbon sequestration opportunities identified catchment management authorities**
- **Maximise the energy efficiency of its operations and premises.'**

Are there any other opportunities or challenges that we should be aware of?

My interest is with carbon sequestration. Great that small carbon capture initiatives are being utilized with sewerage processing but the bigger picture is the Federal Government's policy of proposed options for Carbon Capture Storage (CCS).

This would mean a price would have to be put on carbon for industry to invest in capturing CO2. Can't be done any other way.

It would then destine Gippsland to many more decades of coal extraction meaning the open cuts get bigger, dewatering will be problematic and subsidence will be destructive.

Again, one department can't be effective if an increase in fossil fuel expansion with new coal technologies is the future and actively pursued by the CW government.

If the State truly do make the decisions for future state based project then CCS on the big scale should not occur.

For Gippsland, and to be viable, investment of pipeline and associated processes would mean a greatly extended life for coal production. The Minerals Council of Australia (MCA) equates storing 50 million tonnes of CO2 to 40 years of coal production. CCS is looking for storage in the range up to 125 million tonnes. Simply put, our environment could not cope.

Gippsland already has an environmental legacy of subsidence due to decades of offshore oil and gas extraction and dewatering of open cut mines in Latrobe Valley. There is 2.8 m land subsidence at the NE area of the Hazelwood mine in the Morwell township. Subsidence is currently impacting state

infrastructure with water, sewerage and gas pipelines dropping for both Latrobe City and Wellington Councils. You need to be aware that regional and local subsidence can change the tilt of the land and catchment area from rainfall runoff. The greater the groundwater extraction the greater the impact on the subsurface and the potential for further loss of hydraulic pressure in the depleted Latrobe Aquifer.

When you factor the private investment required to build a pipeline from industrial areas to the coast, a contract commitment of so many tonnes per annum with carbon pricing puts large scale carbon sequestration and the superior resource department as your enemy because the very goal you are trying to achieve in water security will have our water resources sucked up out of the ground and returned to surface stream as treated (which is questionable) industry wastewater causing many other problems in the process.

How will DELWP reconcile an increase in fossil fuels and the associated loss of water entitlements and environmental degradation.

2.3. The Discussion Paper proposes that:

'The government will track the impacts of climate change on our environment and communities by:

- **Developing a monitoring, evaluation and reporting framework for the water sector**
- **Collating information collected to guide ongoing action to address the impacts of climate change**
- **Using the framework to guide evidence-based decision making and adaptive management across the water, catchment and agriculture sectors.'**

How strongly would you support this direction? Do you have any further advice for the Department on this proposed direction?

Please explain your response:

Here we go again. More monitoring.

No authority/agency/board can strategically plan for the future if government policy to expand mining is one of the single most detrimental threats to our water security and access and their ability to manage, apply and implement master plans. Whilst mining remains exempt from planning provisions, all other management areas accord a lower priority of ranking so money and time invested will ultimately be for naught if this plan does not reflect a broader approach to strategic planning that takes into account the past environmental legacy of mining, the present and future predictions of its impacts.

Agencies have been monitoring subsidence for decades with the only outcome being the need for more advanced monitoring technology. Monitoring is not a protection for the environment only an indicator that the environment has already been impacted. To describe monitoring as an efficient and effective tool in protecting water resources is absurd when benchmarks are altered and mean what. Planning continues to be adhoc, lacks consistency and is not strategic. Planners and managers monitor more. You know the overall health is poor, subsidence is real, erosion is increasing and what do you do? Set another benchmark and monitor some more whilst mining with its high water use and need to discharge continues to degrade the environment and continues

As subsidence effects (mainly caused by industry) on private property are not covered by insurance, how will those people seek redress now and into the future for cracks in walls, broken windows and

land sinking?

Past documents addressing the risk of further subsidence noted the expected decline of oil, gas and coal as declining as early as the 2020's yet all we are hearing about is expansion of mining project.

If the climate will be drier, where will all the water needed to sustain the industry come from?

The Minister needs to ***assert the importance of our water resource*** and put a monetary value for full cost analysis in mining's economic modelling for ***development over time.***

Chapter 3: Waterway and catchment health

Proposed objective: To protect all waterways from the adverse impacts of human use and improve the condition of priority waterways to support environmental, social, cultural and economic needs and values of communities now and into the future.

3.1. The Discussion Paper proposes that:

'Through implementation of regional waterway strategies, which identify priority waterways in consultation with local communities, the government proposes to:

- **Improve the health of 36 priority waterways, by focusing investment on large-scale projects to achieve targeted outcomes over the next 30 years**
- **Continue investing in on-ground work and environmental water management of other local priority waterways identified in regional waterway strategies for community benefits**
- **Establish long term evaluation sites and ensure that waterway managers monitor and report back to communities on the progress of securing environmental outcomes.'**

How strongly would you support this direction?

For Gippsland you have included the Mitchell River which has a current mining licence application for minerals sands. If that is approved this section would be a joke. Similarly, the Gippsland Lakes and the tributaries that flow into it. Nearly all have existing mining with new mining activities proposed and the associated discharges of waste water into waterways. Again this will be your test to the cooperative partnership you have with DEDJTR and to the Ministers power to determine our water resources are more valuable to the economy over the long term than new mining activities.

3.2. The Discussion Paper proposes that:

'The government will continuously improve environmental water management practice by:

- **Continuing to work in close partnership with communities, its regional partners, the Commonwealth and other state governments to achieve environmental outcomes under the Basin Plan and other intergovernmental agreements**
- **Delivering on the existing commitment to provide an additional eight gigalitres of environmental water to the Thomson River**
- **Reconfirming Central Region Sustainable Water Strategy environmental water recovery targets and identifying options to meet existing shortfalls with local communities and stakeholders in the Moorabool, Barwon, Werribee and Maribyrnong Rivers**
- **Continuing to invest in environmental works and measures to make the most efficient use of the available environmental entitlements and maximise environmental outcomes**
- **Ensuring that the Victorian Environmental Water Holder, working with waterway managers, continues to identify and report on opportunities for shared benefits from environmental watering, which will support recreational benefits to local communities**

and benefits to Traditional Owners. This will occur where it is cost effective and aligns with environmental objectives

- **Ensuring environmental watering program partners monitor and report back to communities on their progress towards expected environmental outcomes.'**

How strongly would you support these steps? Have we missed anything?

How would you rate treated waste water and could it be classified as 'other waters' as noted in the Water Act and be counted towards environmental flows.

This would be problematic as treated waste water will always have a different chemistry to the usual ecosystem that these waters are discharge into and then it depends of a velocity of flow to dilute the concentrations to avoid significant biodiversity impacts.

Caps on extraction that may be imposed in water systems don't even have to be based on sustainability considerations (in most cases they will just reflect current levels of take, whether sustainable or not). The issue is, if a user can take from the system, have they a right to return treated waste water to the system

If the Minister monitors the water resource and finds under the **Sustainable Water Strategy** process there has been a long term decline in surface or groundwater, how will a review ensure it doesn't fall disproportionately on the environment over consumptive water. This is entirely relevant to ensure bioregions can or cannot sustain water intensive industries, like mining, where water volumes are not are not factored for their cumulative impacts in catchment areas.

3.3. The Discussion Paper proposes that:

'The government will protect all Victorian waterways from the adverse impacts of human use by:

- **Investigating opportunities to enhance waterway protection mechanisms through planning instruments. In the first instance, for the Yarra River, this will be explored through the work of the Yarra River Protection Ministerial Advisory Committee**
- **Improving understanding of how and where land use and management in Victoria has the greatest impact on waterway health**
- **Developing and implementing a new State Environment Protection Policy (Waters) to:**
 - **Confirm the beneficial uses of Victorian ground waters and surface waters**
 - **Confirm the water segments to which beneficial uses apply**
 - **Set water quality indicators and objectives to protect beneficial uses**
 - **Establish a contemporary risk-based framework for the management of unlicensed pollution sources – both point and diffuse sources in rural and urban areas**
 - **Provide for the development of plans to manage improved water quality outcomes**
 - **Enable water quality offsets to be used within catchments to maintain regulatory compliance within waterways, taking into account work previously conducted by the Victorian water industry.'**

What advice or feedback do you have for the government about this proposed direction?

How can you ensure this section can be achieved if mining trumps water even if companies have a discharge licence. How much can a river system bear when industry is concentrated in areas with Latrobe Valley as an example?

2.6 Hydrology -The Gippsland groundwater model, page 45

'The environmental condition of the Latrobe River varies from excellent in the headwaters to moderate and poor condition in the mid – lower reaches below the storages. Freshwater flows from the Latrobe Basin are critical for sustaining the health of the Ramsar-listed Gippsland Lakes, which underpin the region's tourism industry.

Onshore natural gas water science studies'

There is no monetary value put on impacts to water and the environment when comparing economic modelling of a mining project vs risk management.

Yet, in a market system water has enormous value and is priced accordingly.

Why is there such a disconnect that risks to water and environment is valued less for mining yet priceless for other industries.

This needs to be addressed promptly with clear delineation of water as a resource and its importance and the mining industry should stop getting a free ride by government.

If you do not fix this anomaly this plan is useless and mining expansions with its discretionary abuse of water will continue to undermine all that this plan is trying to achieve.

3.4. The Discussion Paper proposes that:

'The government will strengthen community engagement and participation in waterway and catchment health through:

- **Involving the community to a greater extent in planning, priority and outcome setting, on-ground work and monitoring**
- **Continued support of Landcare, Waterwatch, EstuaryWatch and other citizen science initiatives**
- **Building partnerships with recreational anglers to plan, deliver and monitor projects to improve fish habitat.'**

How strongly would you support this direction? Have we missed anything?

Again, the reliance here is on inter-departmental understanding of what impacts one policy direction can have of another area of responsibility first and foremost.

The community will always wear the economic, social and financial risk burden when catchments are impacted but when mismanagement is condoned through inappropriate take and use licences and the associated land degradation while local community knowledge is ignored, how do you reconcile the government's own lack of forethought being the cause in the first place.

The proposed mineral sands development at Glenaladale and Mossiface in East Gippsland is a classic example where major river systems, existing agricultural businesses, drinking water supplies and feeder waterways into the Gippsland Lakes is all at risk. A retention licence is pending and if it is granted now it would make a mockery of this plan because everyone else will pay for the damages into the future.

2.6 Hydrology -The Gippsland groundwater model, page 45

Mitchell River

The Mitchell River has been identified as a heritage river and as one of two iconic rivers in Victoria. This is largely because of its size, being the largest unregulated river in Victoria, and because it supports a wide range of environmental and social values. Land use in the upper catchment includes sections of the Alpine National Park and the Mitchell River National Park. The river system is highly valued by the community for urban and rural water supply, recreation and its contribution to the Gippsland Lakes. The Mitchell River provides about one third of the total flow to the Lakes system on average.

3.5. The Discussion Paper proposes that:

'The government will improve waterway health knowledge, monitoring and innovation by:

- **Establishing a waterway research hub to:**
 - **Review Victoria's waterway monitoring program design**
 - **Synthesise and share available knowledge and evidence**
 - **Coordinate research to test assumptions between outputs and outcomes**
 - **Investigate new technologies to assist large scale, long term information gathering and how to perform work activities more efficiently and effectively**
- **Developing and applying Environmental-Economic Accounting for waterway and catchment health to assist in decision making**
- **Investigating carbon accounting methods for waterways.**

The waterway research hub will be based at the Arthur Rylah Institute and will work collaboratively across government and research organisations.'

What do you think about this proposal? Are there other opportunities we should consider?

How does the Water Act accommodate '**deterioration of water health**' as a purpose for assessments requiring a review as to interventions?

This would be proactive to further prevent long term risk to reliability and quality of water and should be based on an independent health check, based on science, which does not involve political judgement or bias.

Local knowledge should always be a positive tool that should be taken into account via any public comment process.

Chapter 4: Water for agriculture

Proposed objective: To protect all waterways from the adverse impacts of human use and improve the condition of priority waterways to support environmental, social, cultural and economic needs and values of communities now and into the future.

4.1. The Discussion Paper proposes that:

'Victoria will support water users to adapt to reduced water availability by:

- **Supporting an open water market, with transparent market information, and free from artificial barriers to trade, to provide users with the greatest possible flexibility to respond to changes in external factors**
- **Monitoring, assessing and reporting on the capacity of the system to deliver water**
- **Ensuring tariffs and charges reflect the costs to deliver water.'**

How strongly would you support this direction, and why?

How would this plan protect the valuable agricultural industry whilst mining is exempt from P&E Act state planning provisions causing conflict with landuse and competing with water entitlements? It appears the Stakeholders with the greater finances would benefit here more so than a farmer of equal importance yet financially insecure. It almost plays one farmer or other stakeholders off against one another.

'The government will:

- **Continue to prioritise projects that will help it meet its 1,075 gigalitre obligation under the Basin Plan. It will maintain a focus on system efficiencies**
- **Seek to maximise the sustainable diversion limit offsets up to 650 gigalitres, with other Basin jurisdictions. Together these two directions will ensure no non-strategic water purchase is needed from the Commonwealth Government**
- **Undertake its own socio-economic impact analysis into the impact of water recovery, to ensure that any further recovery from Victoria is based on robust evidence that it can be done with neutral or better social and economic impacts. This work will inform Victoria's discussions with the Commonwealth.'**

What are your reflections on these proposed actions?

Water as a resource is undermined as a significance asset by some departments and does not get the deserving attention from the Commonwealth as it should through the water trigger. No mining project should be looked at in isolation rather the cumulative effect on a water resource should be all inclusive with economic modelling reflecting impacts over time not just one point in time. An aquifer transcends state borders as do Victoria's groundwater basins so it is imperative that the full implications of what one state's decision can effect another is transparent with a clear set of criteria/legal principles underpinning the decision making process.

4.2. The Discussion Paper proposes that:

‘Water corporations will provide water resource information for consideration in regional planning by local governments and agribusiness investment facilitation by the Department of Economic Development, Jobs, Transport and Resources. This will include information on both traditional and alternative fit-for-purpose water supplies.’

How strongly would you support this direction, and why?

Gippsland has many ‘sleeper’ wells that water authorities are keen to provide some added volume to the market.

However, any expansion in coal, mineral and onshore mining (via purchase of unused water rights) should be first assessed to ensure an overestimation of available water is not problematic to what is actually available.

This way, the department’s set obligations and sustainable targets can be assessed with more accuracy.

4.3. The Discussion Paper proposes that:

‘The government will investigate ways to increase the resilience of rural communities by:

- **Investing in rural water infrastructure that increases access to water for domestic and stock use, consistent with agreed principles**
- **Improving information on the constraints and availability of Emergency Water Supply Points. The government will clarify the roles and responsibilities of local government and water corporations in the management of Emergency Water Supply Points. The government will also clarify pricing policy for emergency water supplies.’**

Do you have any advice on these actions, or others the government might consider?

The current drought has highlighted how active investors have purchased water rights and hold them as an asset to use at times of emergency and at significant profit to them but to the detriment of the farmer.

This is a flawed system that has resulted in foreign countries owning our water assets and dictating the market price based on hardship by the farmers. This is not right and should be avoided at all costs.

This does, however, show the inconsistency of water costs where mining sits in a privileged position as water is often subsidised but guaranteed with profits benefitting shareholders yet farming, as an industry, is unfairly treated suffering a blowout in water costs at their most vulnerable time.

‘The water sector will work proactively with the Department of Economic Development, Jobs, Transport and Resources’ Invest Assist and agribusiness facilitation service, and with the Regional Partnerships to:

- **Clarify and communicate roles and accountabilities in facilitating agricultural development opportunities in new or existing areas**
- **Ensure water users and potential investors have access to the water-related information that they need to make timely and informed decisions about potential**

new environmentally sustainable agricultural developments.

The water sector will work proactively across the Department of Environment, Land, Water and Planning to streamline water-related regulation and approval processes while maintaining protections for third parties and the environment.'

What feedback or advice do you have on this proposed direction?

The issue of concern here is that projects under the umbrella of DEDJTR will often undermine existing allocation entitlements through inappropriate landuse which is in competition and conflict with farming.

This means that DELWP will have to be reactive to mining impacts as all mining projects will cause negative effects but legislation for compliance and enforcement cannot make good as self-regulation is unenforceable under current processes.

This is, again, problematic as there is a cross over in jurisdiction between both DEDJTR and DELWP with the resource department holding priority with Ministers Discretion.

How would this plan give scope to conflicting legislation and how would it be resolved to give the public confidence in the system for I see no change so water and the environment is still inferior to mining.

I have been invited to provide comment on numerous aspect of the DEDJTR resource sectors ongoing restructure due to my advocacy work for mining reform. The changes are superficial and with no legislative change. Therefore, the industry will still be self-reporting, water bodies will still need to accommodate exploration and extraction and mining will still have legislative authority over water and everyone else has to adapt to the impacts.

That makes no sense in moving forward for the increasing demand on our water resources and this department cannot do a damn thing to prevent it being wasted and used inappropriately.

'The water sector will support agricultural development by providing information and advice on long term water supply, availability and reliability.

Regional Partnerships provide a mechanism to consider if proposed land use zone changes are consistent with rural water infrastructure investment government's food and fibre objectives, where this is a regional issue.'

How strongly would you support these steps? Have we missed anything?

How many areas would you truly be able to provide information and advice on long term water supply, availability and reliability, particularly, where mining does exist where entitlements include both surface and groundwater?

Any overdraw on a fresh groundwater aquifer, particularly in drought times and in exposed areas near the coast is then vulnerable to salinisation by seawater intrusion due to over exploitation of the resource and climatic changes, which may respectively cause the lowering of the groundwater hydraulic head, and reduced recharge into the unconfined aquifer.

Long term water supply in areas where mining is present cannot be taken as reliable and this is the whole point of my rants.

'The government will provide ongoing support for Victoria's water quality and salinity management activities and monitoring to ensure ongoing compliance with its obligations under the State Environment Protection Policy (Waters), the Murray-Darling Basin Plan and the Basin Salinity Management Strategy 2030.'

How strongly would you support this direction, and why?

Management of nutrient loads will become a greater issue into the future with expansion of intensive animal husbandry with chicken farms at the forefront and what to do with the litter. Needs to have significant regulation to manage litter onsite but once it is removed there are no controls.

Currently, an 800,000 chicken broiler farm proposed for Toongabbie requested that raw litter not be allowed to be offloaded as an uncontrolled action to surrounding farms for fertilizer. The responsible authority, Wellington Council, said that they could not control that action so a farmer can access what they want.

Who then would control for the potential leaching of nitrogen and phosphorus in our numerous waterways in the area that is currently looking at 3 if not 4 broiler farms being approved. This is a grey area that needs legislative reform to ensure the health of the waterways is not impacted by misuse and mismanagement of an industry byproduct.

All chicken litter should be trucked to an accredited facility.

Any other comments about Chapter 4: Water for agriculture?

As to the status (noted by Government in March 2016) regarding reform of the Environmental Effects Statement process, it has still not proceeded even though an inquiry in 2011 had determined the current EES process was outdated and inadequate. Therefore, the community cannot be assured that environmental assessment for projects has effectively considered risks to the environmental resources and at the appropriate stage of assessment.

Chapter 7: Recognising recreational values

Proposed objective: Victoria will recognise the shared benefits enjoyed by recreational users on and around water storages and waterways, while maintaining the rights and obligations of entitlement holders. Recreational communities will be included in water planning and management decisions to improve their resilience to the impacts of drought and climate change.

7.1. The Discussion Paper proposes that:

'The government will enhance the water planning and management framework to ensure that water sector agencies:

- **Consider recreational benefits along with the multiple uses of water and waterways in annual and long term planning**
- **Undertake effective engagement to support consideration of community recreational objectives in planning and management decisions**
- **Establish collaborative approaches between the water sector, community members and other agencies to achieve recreational and regional outcomes.'**

What feedback or advice would you provide to the government on this proposed direction?

The valuable tourism industry is dependent on a healthy environment with the crucial Gippsland Lakes and feeder rivers the major contributor in East Gippsland to gross regional product. This water strategy will be useless while wastewater discharges to crucial waterways are expanding. The scope of planners and managers is extensive considering their individual and diverse policy direction from the numerous related ministerial portfolios but while planners and managers are beholden to government policy and act in isolation of each other rather than collectively on a shared vision, water entitlements and land degradation will continue threatening our water resources, not protecting them. The current status quo is not working so if DELWP continue with business as usual would be failing our communities and the minister

7.2. The Discussion Paper proposes that:

'The government will build capacity of recreational water users by:

- **Requiring water agencies to provide better, more recreational user-friendly information about their water and waterway management activities, and the resulting opportunities or limitations on recreational enjoyment of our waterways**
- **Requiring water agencies to be more transparent about water and waterway management decision making and outcomes**
- **Providing more coordinated avenues for accessing information about the water framework and statewide recreational values across multiple relevant information sources and agencies.'**

How strongly would you support this direction, and why?

All mining extraction creates a waste stream with fluid waste treated and discharged into our waterways. A change in Ph is problematic for biodiversity but it is aquifer depletion and the lowering of water levels in the bores causing higher mineralisation and saline levels leading to infrastructure corrosion and productivity issues that will cause problems for the environment and the dependent economy in the future.

Additionally, the leaching from tailings dams of toxic chemicals entering the drinking water system is real.

It is incumbent on DELWP to be transparent as to the causes of poor water quality and proactive as to protecting the resultant consequences through improved statutory oversight of mining processing and discharges.

In instances where there has been a long term decline in water availability, or quality, or river health impacting recreational values a permanent qualification to entitlements may be the only way to redress it for the benefit of the whole system.

7.3. The Discussion Paper proposes that:

'The government will ensure the transparent allocation of costs of providing recreational benefits by:

- **Building our understanding of the costs of providing improved recreational outcomes**
- **Where additional costs are incurred to provide increased recreational benefits, determining a transparent method of cost recovery on a beneficiary pays basis.'**

What comments do you have about this direction? Have we missed anything?

The substantial economic value of tourism to the economy of Victoria is significant with the Gippsland Lakes system being the key asset. New mining extraction proposed on the Mitchell and Tambo Rivers is a real threat to the Gippsland Lakes with enormous volumes of treated wastewater discharged into the waterways. Leaching from the Benambra tailings dam of toxic chemicals has already entered the waterways.

Additionally proposed mining of mineral sands on the Mitchell River and processing will impact water quality upstream of major vegie growers, the Gippsland Lakes and Bairnsdale drinking water.

Stream flows are essential for dilution of wastewater that will be discharged downstream of mine workings but upstream of Gippsland Lakes which is problematic in a changing climate environment.

DELWP need to establish a profile of communities, industries and infrastructure that would be further affected and considers how the government will provide a taxpayer funded payment methodology to compensate or remediate those areas most negatively impacted by inappropriate development.

Gippsland recreational values have been hugely impacted by mining that may be different to other areas of the state but should not be underestimated that it is only drought and climate change that is the only contributor to diminishing recreational assets.

Any other comments about Chapter 7: Recognising recreation values?

I suggest this DELWP planners revisit the Gippsland Coastal Board 2011 submission to the Inquiry into Greenfields Mineral Exploration and Project Development in Victoria under the section Costs, Benefits and Conflict Management.

'Development of the Gelliondale coalfield could potentially lead to further drawdowns of the Latrobe Aquifer as a result of mine dewatering, increasing the risk of coastal subsidence and damage to waterways and wetlands. In addition, as the coal in this area is higher in sulphur than current coalfields, there could be additional environmental hazards that need to be considered.

'Development of 'Port Anthony' could potentially have serious impacts on the environment and landscape of sensitive areas such as Wilsons Promontory National Park, Corner Inlet Marine National Park and Corner Inlet Marine and Coastal Park, as well as the nearby Nooramunga Marine and Coastal Park. Corner Inlet is a Ramsar wetland of international significance and has been identified as a 'coastal hot spot' by Commonwealth environmental funding programs. In addition, it has a major role in breeding and recruitment of fish species of importance to the commercial and recreational fishing industries. Regional natural resource management agencies have undertaken significant programs to reduce nutrient inflows to the Inlet and improve the health of its seagrass communities. Given its environmental significance, this Board believes that Corner Inlet is not an appropriate location for development of a major port facility.

Any development permits should require a comprehensive monitoring regime to measure land subsidence and effects on groundwater and ensure that any other adverse environmental impacts are identified and rectified at an early stage.

In addition, mineral exploration and project development in areas along the Gippsland coast must take into account the potential for coastal acid sulphate soils.

Coastal and marine environments could suffer significant impacts from exposure or mismanagement of these soils.'

In 2015 this Government granted a retention licence for further studies in a major groundwater depressed area.

So much for your 'positive' partnership with DEDJTR.

Chapter 8: Water entitlement and planning frameworks

Proposed objective: Victoria will have improved and responsive water entitlement and planning frameworks that enable us to better adapt to climate change.

8.2 The Discussion Paper proposes that:

'The government will enhance the existing water resource planning framework by:

- **Ensuring that Victoria's water security planning arrangements do not duplicate any requirements under Commonwealth legislation**
- **Ensuring that future planning considers Aboriginal values, recreational and liveability values for water**
- **Requiring the Department of Environment, Land, Water and Planning to annually review progress on the implementation of state planning commitments and compare observed water resource trends with the planning scenarios to inform resource management and grid investment decisions (Chapter 9)**
- **Requiring a mid-term review of sustainable water strategies every five years informed by more detailed monitoring and reporting of progress against strategy actions**
- **Requiring the department to annually provide simple and easily accessible information on the drought preparedness of Victoria's water sector to the community**
- **Ensuring that the community will be consulted as part of planning for urban water security**
- **Ensuring that the temporary or permanent qualification of rights would only occur as a last resort.'**

What feedback or advice would you provide to the Government on this proposed direction?

If the water legislation does not include sustainable water management at its core, how will mid-term reviews by the Minister and water authorities ensure water is actually managed sustainably for the environment and all water uses.

'The government will strengthen planning for environmental water through requiring sustainable water strategies to consider any new opportunities for environmental water recovery targets, taking into account the findings of Long-term Water Resource Assessments. Sustainable water strategies will rely on evidence based principles, priorities and community input.'

What comments do you have about this direction?

Decision makers have an opportunity here to ensure the environment is protected in licencing applications. There should be a set of guiding principles that underpins decision making rather than just 'consider' impacts on our water resources. There would be an expectation and obligation by decision makers to preserve environmental values or to prevent adverse effects on environmental waters. How will the Minister assess an application for a water licence if it is likely to have an adverse effect

on maintaining environmental waters?

Same for a bulk entitlement or licence.

What criteria will be use to ensure that environmental water be maintained to preserve the environmental values and health of water ecosystems.

Any other comments about Chapter 8: Water entitlement and planning frameworks?

I will challenge this plan's assertion that the role of government in water policy and governance, statutory water body's management responsibilities and independent regulatory responsibilities from co-regulatory agencies are separated and serving the community well. Rather they are managing in an adhoc system of legislative frameworks where the role of other agencies are undermined by mining's privilege position supported by the lessening of statutory obligations with government sanctioned weakening of regulatory protocols and objectives.

Chapter 9: Realising the potential of the grid and markets

Proposed objective: Victoria's water grid and markets will help Victoria realise the greatest benefit from our valuable water resources. Victoria's water grid and markets will enable water to be accessed from a wider range of sources. Through the water market, users will be able to move water to where it is most valued and delay or avoid costly water supply augmentations. This market-based approach enables sharing water security benefits in ways that are fair, responsive and transparent. Our communities will be more resilient to changes in supply and demand, such as climate change and population growth.

9.3The Discussion Paper proposes that:

'The government will establish a new centralised function based in the Department of Environment, Land, Water and Planning to provide oversight and a system-wide perspective of Victoria's water resources and inform strategic statewide investment decisions.'

How supportive of this direction are you, and why?

Given the existing issue of land subsidence in Gippsland from past mining and proposed sea level rises impacting coastal areas and to ensure the objectives of the plan to protect our water resources, planning for mining development should, critically, be based on the suitability of the geology rather than the extractive worth of the land. This would mean that mining should lose its exemption rights under the planning provisions of the Planning and Environment Act and water be given the status it rightly deserves.

The discussion paper constantly talks of robust local and regional planning to inform but the water resource is not on a level playing field compared to earth resources.

Planning underpins good governance but legislation sets how it will happen and there is nothing here to bring earth resources back into an equal footing to water.

Compromised geology and environmental degradation with a focus on long term cost analysis should now take precedent and be appropriately recognised using overlays and risk management tools. This, along with transparent and consistent strategic policy frameworks should inform clear public interaction of predicted environmental, social and economic risks along with conditions implemented to manage those risks. Only then can this plan and other management plans be genuinely proactive about addressing impacts to the environment and act accordingly to prevent further degradation rather than be reactive to.

Chapter 10: Jobs, economy and innovation

Proposed objective: Victoria's water sector will deliver efficient and innovative water services to support jobs, growth and economic development across Victoria. Through strong governance, efficient service delivery, secure funding and innovation the water sector will support productive industries and investment, public health and wellbeing, and improve community and environmental outcomes across Victoria.

10.1. The Discussion Paper proposes that:

'Government will improve the performance of water corporations by:

- **Setting clear and unified expectations of performance and reflecting them through appropriate instruments, such as corporate plan guidelines**
- **Working with water corporations and the Essential Services Commission to develop clear, fit-for-purpose indicators that measure performance in terms of service delivery and value for customers and the community**
- **Undertaking a benchmarking exercise for Victoria's water corporations to encourage performance improvement and innovation.'**

How supportive of this direction are you, and why?

Water corporations and Catchment Authorities are beholden to government policy meaning they are to contribute to the development and implementation of Government policy with regard to mineral exploration and extraction.

Then DELWP have to adapt and mitigate the impacts and be reactive to.

This is no way to protect our environment. These water agencies are rendered ineffectual through legislative overrule.

Please justify why to the community.

'Government will consider options to update and modernise the compliance and enforcement regime to ensure it remains effective and aligns with Victorian government policies.'

What feedback or advice would you provide to the Government on this proposed direction?

Compliance and enforcement can only be achieved if the respective authority sets the compliance pro forma so there is a clear pathway that stipulates what needs to be met and what enforcement actions will occur if those obligations are not met.

No government department can appropriately enforce statutory requirements of those industries which are self-regulating if they set their own compliance reports. This is the case with the mining industry.

Government must consider updating their regimes to ensure the mining industry can be more effectively managed in light of the significant environmental risks that are associated with mining extraction.

The implementation of any given legislative framework can degenerate from effective to ineffectual without enforcement if those responsible for monitoring compliance fail to carry out their tasks.

Also a perfect opportunity for mining to lose its exemption rights from the P&E Act.

'Government will improve legislative and regulatory frameworks by identifying opportunities to reduce unnecessary red tape and streamline processes, including contributing to delivery of the government's commitment to reduce the burden of regulation by 25 per cent.'

What feedback or advice would you provide to the Government on this proposed direction?

To further reduce regulatory burden is to put our water resources at risk for on-ground monitoring and auditing of self-regulating industries is essential and any shortcuts will produce a negative outcome.

The following comment from Earth Resource Regulation Action Plan 2015-16 is why **you cannot possibly protect our water security because it is the expansion in mining that is our biggest threat to water quality and quantity and all DELWP will do is accommodate the risks because this department have allowed surface and groundwater to be a valueless commodity to be abused by mining companies while the communities suffer the consequences of polluted waterways, depleted aquifers and subsidence.**

'DEDJTR and the Department of Environment, Land, Water and Planning (DELWP) have already developed a Partnership Agreement to establish collaborative arrangements, recognising the interdependencies in delivering responsibilities. ERR will review this Partnership Agreement and strengthen and implement memorandums of understanding (MOU) with all other regulators with the goal of more clearly articulating roles of each agency, as well as regulatory consistency and timeliness. These regulators include the Environment Protection Authority (EPA), Energy Safe Victoria and WorkSafe. ERR will give effect to these MOUs through proactive intelligence sharing, and by engaging with other regulators in carrying out its regulatory approval functions.'

You need to explain to our communities why this department is prepared to accommodate impacts from mining yet DELWP pretend to prepare us for a drier future and use the taxpayer purse to implement so-called improvements that mining causes in the first place.

How can you trust this department when they can't manage and regulate what they have allowing the industry to be self-regulating and rendering other co-regulatory agencies ineffectual.

Any other comments about Chapter 10: Realising the potential of the water grid?

You cannot deliver efficient water services if Ministers Discretion, without any legal set of principles, can out-decision all other interests.

It is all about legislation and there is no strong governance when the Water and Environment Minister is accorded a lower order of ranking to the Resource department who are so far in the bowels of the mining industry that industry are dictating policy.

Industry are self-regulating forming their own compliance reports, as such, are unenforceable. Comments made stating support for public health and wellbeing and improving community and environmental outcomes across Victoria need to be looked at in the context of siting of mining infrastructure near surface and groundwater resources and discharging of treated wastewaters into waterways and future potential of managed aquifer recharge.



How can a gas well be allowed to be sited so close to a waterway and upstream of a township drinking supply?

How was the siting of mining infrastructure ever approved in exploration stage and granted by DEDJTR without any consideration to the risks involved in hydraulic fracturing and storage of toxic waste water in holding ponds and potential for irreversible damage to the town's water supply?

Was the Catchment Authority and Gippsland Water (GW) consulted and why is drinking water put at risk?

Who is talking to who as there is more and more industrialising of rural land with the associated risk profiles that DELWP don't appear to have any power to stop it other than monitoring and monitoring more.

Thank you for taking the time to complete this template.