

POEO (HRSTS) Regulation Review
Reform and Compliance Branch
Environment Protection Authority

Reply to:
Steve Phillips
Lock The Gate Alliance – Hunter Region



19th February 2016

**Submission to *Draft Protection of the Environment
Operations (Hunter River Salinity Trading Scheme) Amendment Regulation 2016***

Please accept this submission on the proposed amendments to the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme)* regulation.

The Lock The Gate Alliance supports the move to maintain the definition of “high flow” events at their current levels, especially if the alternative option was to reduce the threshold to allow more opportunities for dumping polluted water. We also support of the plan to maintain the ban on dumping during low flows.

The HRSTS has undoubtedly helped to reduce and manage the impacts of mining on salinity levels in the Hunter River catchment. As we argued in our previous submission, we are concerned at indications that macroinvertebrate health along the most heavily mined areas of the Hunter River is still suffering, and that there is still much room for improvements to the HRSTS system.

With potential major expansions of coal mining in the near future, particularly in the Muswellbrook area, it is important to make the HRSTS work as well as it can.

We are disappointed to see the proposed retention of the exemption allowing open-slather discharges during flood events. This allows for unacceptable impacts on the Hunter River, not only from salinity but, potentially, from other pollutants including toxins and heavy metals that are included in discharge volumes. Earlier this year, 40km of the Hunter River suffered a blackwater fish kill event after heavy rains. This wasn't an isolated event, and although Lock The Gate is aware that such events happen in other waterways as well, we feel that at the very least more research is needed into the impacts of the flood exemption on the Hunter River. Clause 26 should be removed from the regulations, and all water polluters required to use credits under the scheme, for all discharges.

Additional proceeds from salinity credit auctions and sales should be available for funding necessary research and monitoring in the Hunter catchment. Clause 84 should be extended to allow broader use of auction and sales proceeds.

Thanks for the opportunity.