



**Submission**

15 September 2017

Committee Secretary  
Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
BRISBANE  
QLD 4000

Email: [ipnrc@parliament.qld.gov.au](mailto:ipnrc@parliament.qld.gov.au)

Dear Dr Dewar

**Re: Mineral, Water and Other Legislation Amendment Bill 2017**

The Queensland Farmers' Federation (QFF) is the united voice of intensive agriculture in Queensland. It is a federation that represents the interests of peak state and national agriculture industry organisations, which in turn collectively represent more than 13,000 primary producers across the state. QFF engages in a broad range of economic, social, environmental and regional issues of strategic importance to the productivity, sustainability and growth of the agricultural sector. QFF's mission is to secure a strong and sustainable future for Queensland primary producers by representing the common interests of our member organisations:

- CANEGROWERS
- Cotton Australia
- Growcom
- Nursery & Garden Industry Queensland (NGIQ)
- Queensland Chicken Growers Association (QCGA)
- Queensland Dairyfarmers' Organisation (QDO)
- Burdekin River Irrigation Area Irrigators Ltd (BRIA)
- Central Downs Irrigators Ltd (CDIL)
- Bundaberg Regional Irrigators Group (BRIG)
- Flower Association
- Pioneer Valley Water Cooperative Ltd (PV Water)
- Pork Queensland Inc.
- Queensland Chicken Meat Council (QCMC)
- Queensland United Egg Producers (QUEP).

QFF welcomes the opportunity to provide comment on the Mineral, Water and Other Legislation Amendment Bill 2017. QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers.

This submission addresses the policy objectives of the Bill.

*The united voice of intensive agriculture*



**1. Queensland Government's response to the recommendations of the Independent Review of the Gas Fields Commission Queensland and Associated Matters.**

QFF strongly supports the measures to ensure that resource companies are liable to pay landholders' essential costs incurred in preparing a Conduct and Compensation Agreement (CCA) or deferral agreement. However, it is noted that these recoverable costs do not include landowners time which is a significant omission.

QFF notes the submission made by AgForce. AgForce have extensively worked with landowners impacted by resource-sector activities to date and, as such, QFF endorses their submission with regards to the amendments pertaining to the GasFields Commission Review and the State Government's response. However, should there be any inconsistency between the views expressed in the AgForce submission and ours, the view of QFF is the one expressed for the purpose of this submission.

**2. Removal of automatic referral of unresolved compensation matters to the Land Court of Queensland under the Mineral Resources Act 1989.**

QFF supports the removal of the automatic referral of unresolved compensation matters to the Land Court as a mechanism to assist landholders and resource companies resolve disputes, while still allowing either party to apply to the Court to determine compensation. QFF is supportive of the intent of these measures - to encourage resource companies to reach compensation agreements with landholders prior to gaining tenure.

**3. Explicit requirement for Minister to consider water related effects of climate change on water availability in drafting a water plan and on water use practices and the risk to land and water arising from use of water on land in drafting a water use plan**

- a) The application of climate change forecasting for the assessment of environmental flow needs and water security needs for water plans and water use plans should be fully examined with stakeholders before any formal planning processes commence.
- b) Current plan reviews investigate and consult on updated hydrological data. It is understood that planners also examine the implications of climate change forecasting.
- c) QFF suggests that the impacts of any changes to water plans and water use plans as a result of climate change forecasting must be fully and transparently assessed. It would be expected that these changes would impact on water sharing rules and seasonal allocation rules under plans. There must be adequate provision in the plans for adjustment to significant impacts on reliability of water access including for example:
  - Revision of announced allocation procedures and improved information on water availability to allow farmers to plan into the future.
  - Adjustment to the allocation of costs between medium and high reliability customers in water supply schemes, noting that impacts on water reliability will also adversely affect the ability of farmers to manage unsustainable increases in the cost of energy.

**4. Specification of cultural outcomes distinct from social and environmental outcomes**

Progress has been made in the implementation of water planning to address the availability of water for the economic needs of Indigenous communities in some catchments. However, the implementation of these measures is not widely understood. It will be important that there is a state-wide process to outline how these reforms will be implemented in subsequent plan reviews. For example, local communities will need to understand how these reforms would be introduced through the reviews of water plans where cultural outcomes include ensuring that water is available for indigenous businesses that rely on taking water from a river or bore even though this statutory right is already in the Act. There will also be concerns how water for cultural needs will be provided, particularly in catchments/sub-catchments where water resources are fully committed for environmental and consumptive needs.

**5. *Temporary release of water from a strategic water reserve to provide opportunistic supplies while the reserve is unused***

This proposal is strongly supported. However, it is proposed that the Chief Executive can only make the water available under a water licence granted for a term of no more than three years and that the licence cannot be 'renewed, reinstated, relocated, amalgamated or subdivided'. The Chief Executive must also consider alternatives to the release from strategic reserves as well as objectives of water plans, water supply schemes, other water users and existing water markets.

Whilst QFF understands the intent of the three-year restriction to limit any reliance or investment pertaining to any release of temporary water, it does not create an environment in which farmers can effectively maximise yield and productivity. Therefore, QFF requests a minimum of a five-year period or alternatively the removal of the restrictions pertaining to licence renewal.

**6. *Power of the Minister and Chief Executive to direct urgent actions to prevent or resolve water quality incident even if it is inconsistent with water planning or operational rules***

This provision will apply to distribution operations licences, interim operations licences, resource operations licences, water management protocols and water plans. It is proposed that this power is necessary to take action inconsistent with water planning and operational rules to address urgent water quality management issues. QFF notes the example (Fitzroy Barrage after Cyclone Marcia) provided to the Water Engagement Forum where such a provision has previously been applied.

**7. *Inclusion of a condition in a resource operations licence about the holder collecting and publishing the sale price of each temporary trade.***

While QFF notes the usefulness of access to reporting on temporary trades within irrigation distribution schemes, it will be important for SunWater to examine cost effective ways of implementing this provision. It is also proposed that the resource operations licence must state environmental management rules. This is required to allow oversight of these rules which were discontinued as a result of the removal of the resource operations plans in previous amendments to the Act.

**8. *Allows minor repairs of sub-artesian bore casing no deeper than 1.2m to be carried out without a licenced driller***

It is understood that the definition of bores also include wells. The amendments apply to bore casings, liners or screens which are elements installed at the construction stage of the bore. QFF supports this amendment given the difficulties and costs associated with securing appropriately licenced services particularly for minor works.

**9. *The following amendments to improve water planning***

- a) Flow event transfer – this proposal will allow flow event temporary trades and changes to the definition of a seasonal water assignment will facilitate the development of the temporary trade market in unsupplemented water areas.
- b) Limiting take of contaminated agricultural run off – this provision allows for limitations to be placed on the take of contaminated agricultural run off to ensure that any run off remains a low risk to water resources and the availability of water to other water users. It is also made clear that the implementation of this provision would not prevent a person from complying with obligations under the Environmental Protections Act 1994.
- c) Declaration about water – this change is required where it is difficult to separate underground water from surface water collected from overland flow.
- d) Continuous protections for water allocation holders – this proposal is necessary as it clarifies that the payment of compensation for reduction in value of a water allocation during the term of a water plan also applies to plans which are extended beyond ten years.
- e) Landowner notification of a Water Entitlement Notice will ensure lessees of land are also informed about the proposed conversion of a water licence to a water allocation.

- f) Resource operating licence holders to have the right to have proposed amendments to environmental management rules in a resource operating licence considered by the Referral Panel – these changes are required to allow for adequate oversight of environmental management rules.

If you have any queries about this submission or any of the matters raised, please do not hesitate to contact me at [georgina@qff.org.au](mailto:georgina@qff.org.au)

Yours sincerely

*Georgina Davis*

Dr Georgina Davis  
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