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

Ref: 151218-PH-01

Submission No.62
11.1.12

18th December, 2015

Dear Sir/Madam,

RE: BFGV SUBMISSION TO THE WATER LEGISLATION AMENDMENT BILL 2015

I am writing on behalf of the Bundaberg Fruit and Vegetable Growers Cooperative Ltd (BFGV) in relation to the Water Legislation Amendment Bill 2015 (WLA) currently being examined by the Infrastructure, Planning and Natural Resources Committee. The purpose of this letter is to provide a submission to the Committee regarding the Water Legislation Amendment Bill 2015.

Established in 1948, BFGV is a not-for-profit membership based organisation representing and advocating for our members' interests at all levels of Industry and Government. BFGV has grown to become a central contact point for Horticulture in the Wide Bay Burnett region, and now strives to represent the whole supply chain for the Production Horticulture Industry of the region. The Wide Bay Burnett produces more than 30 different major horticultural commodities, several minor commodity lines and supports award-winning, innovative and progressive value-add businesses. The horticulture industry of the Bundaberg Region alone now has an estimated farm gate value in excess of \$500 million.

I note the changes the WLA makes to the Water Reform and Other Legislation Amendment Act (WROLA). I am particularly concerned an amendment that should be included is currently omitted from the WLA. I believe the WLA should include an additional section to revoke Part 4 of the WROLA, or at the very least provide amendments for greater surety to other water users that the issuing of a mineral development licence or mining lease will not have an impact to the detriment of the water resources in that area.

Part 4 currently allows the holder of a mineral development licence or mining lease to take or interfere with underground water in the area of the licence or lease during the course of carrying out of the authorised activity for the licence or lease. The holder of a mineral development licence or mining lease may use this precious resource for any purpose within or outside the area of the licence or lease.

This section of the WROLA effectively provides the Resources Industry with a statutory right (over and above other water users just as vital to the economy of the State) to take and interfere with water resource and removes the current requirements for them to obtain a water licence.

Part 4 of WROLA could well be to the detriment of agricultural water users and the environment, and is contrary to the principles of ecologically sustainable development, because it:

1. Removes the requirement for mineral development to obtain a water licence
2. Reduces the ability for the Government to act transparently in preventing unsustainable levels of water extraction
3. Removes the right for adjoining landholders, whose water resource may be impacted or lost due to mineral development operations in the area, to challenge the granting of a mineral development licence or lease
4. Removes the role of the Land Court as the final Independent Arbiter who can rule on appeals against water licences granted to mineral development operators.

Such a flaw to this Legislative Bill could well be to the detriment of Horticulture Production for the State of Queensland, one of the most significant Industry Sectors in Queensland, as many producers utilise underground water resources for food production. Yet many areas where groundwater is used for irrigation purposes, including within the Wide Bay Burnett Region, still

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are not protected by a fully implemented Water Resource Plan or Resource Operation Plan incorporating groundwater resource to regulate the take of water and the issuing of licences.

I therefore strongly encourage the Infrastructure, Planning and Natural Resources Committee to consider revoking Part 4 of the WROLA or that suitable amendments to Part 4 be implemented to prevent statutory water rights being granted to mineral developments without contest. I also believe suitable amendments be actioned by the Committee so the principles of Ecologically Sustainable Development fully extend to the Resource Industry through this Amendment Bill.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Peter Hockings', with a stylized flourish underneath.

Peter Hockings
Executive Officer