



**SUBMISSION TO INFRASTRUCTURE, PLANNING AND NATURAL  
RESOURCES COMMITTEE OF THE QUEENSLAND PARLIAMENT  
ON WATER LEGISLATION AMENDMENT BILL 2015**

**18<sup>TH</sup> DECEMBER 2015**

Queensland Farmers' Federation (QFF) is the peak body representing and uniting 15 of Queensland's rural industry organisations who work on behalf of primary producers across the state. QFF's mission is to secure a sustainable future for Queensland primary producers within a favourable social, economic and political environment by representing the common interests of its member organisations. QFF's core business centres on resource security; water resources; environment and natural resources; industry development; economics; quarantine and trade.

Our goal is to secure a sustainable and profitable future for our members, as a core growth sector of the economy. Our members include:

- CANEGROWERS,
- Cotton Australia,
- Growcom,
- Nursery and Garden Industry Queensland,
- Queensland Aquaculture Industries Federation,
- Queensland Chicken Growers Association,
- Queensland Dairyfarmers' Organisation,
- Queensland Chicken Meat Council,
- Queensland United Egg Producers,
- Flower Association of Queensland Inc.,
- Pork Queensland Inc.,
- Australian Organic
- Pioneer Valley Water Co-operative Limited,
- Central Downs Irrigators Limited, and
- Burdekin River Irrigators Area Committee
- Bundaberg Regional Irrigators Group

QFF supported changes made to the Water Act in 2014 and particularly those related to modernising the regulatory framework, streamlining information and communication and other business processes for the Department of Natural Resources and Mines. It was noted in our submissions that measures introduced to reduce regulatory burden did not reduce the transparency, certainty and accountability of the existing statutory framework in Act. The changes made to the Act retained the specification of the water planning and management framework which underpins water planning completed state wide and particularly provides for environmental flows and for security of water entitlements.

The Water Legislation Amendment Bill 2015 does not make changes to these important provisions of the Act. It is noted that the Bill if approved will ensure that these provisions can now be implemented.

QFF wishes to address the following aspects of the Bill:

1. Changes to the Purposes of the Act and their achievement
2. Removal of provisions in regard to Water Development Options
3. Removal of provisions in regard to designated water courses
4. Implementation of a consistent framework for underground water management for mineral and petroleum and gas development

## **Changes to the purposes of the Act**

QFF has always supported an approach to the implementation of water reforms that addresses a balance of economic, environmental and social outcomes. However, it is recognised that for some catchments it may be necessary for governments to decide upon planning actions to address significant environmental or other issues with regard to the level of take of water. The redefined purposes replaces definition of 'responsible and productive management' with a definition of 'sustainable management for the planning, allocation and use of water and the allocation of quarry material and riverine protection'. Sustainable management is defined to now incorporate the principles of ecologically sustainable development together with other amendments giving specification to sustaining the health of ecosystems, recognition of the interests of Aboriginal and Torres Strait Islander peoples and the provision of water resources and quarry material to support economic development. The definition also recognises the need to increase community understanding of the sustainable management of water.

Changes were made to the Act in 2014 to focus on promoting the efficient use of water (ie through markets, initial allocation of water or the regulation of water if there is a risk of land or water degradation). QFF supported these changes and the Bill now clarifies that the efficient use of water is only to be addressed through the water planning framework and the allocation of water.

QFF accepts all of these changes as continuing the focus on achieving a balanced approach through the implementation of the Act.

## **Omission of the Water Development Option**

The water development option introduced to the Act in 2014 involved the reservation of water for a major water development project. These provisions have been removed and no alternative proposals have been included in the Bill.

Major water infrastructure projects will require some certainty regarding availability of water before they commit to detailed development investigations. Consideration should be given to providing a revised water development option in the Bill. This option could be applied in catchments where water resource plans provide for strategic or other water reserves or where a review conducted of a water resource plan identifies additional unallocated water such as has occurred with the review of the Gulf Water Resource Plan for the Flinders and Gilbert catchments.

If a legislated option is not an option, consideration should be given to more planning assistance that the government could provide to facilitate larger scale developments. This may involve improved information regarding the availability or otherwise of unallocated water reserves within catchments and other options to source water via water trading.

QFF is of the view that the water planning process dealing with the identification of unallocated water in a catchment area and reserving that water for strategic or general use is

not well understood within industry and local councils. Some issues that need clarification include:

- Catchment and subcatchment areas (including groundwater areas) where there is some prospect or no prospect that further water reserves could be identified with more planning investigations.
- How strategic and general water reserves are defined and allocated to facilitate development.
- Impact that large scale water development could have on future access to water for smaller users.
- Opportunities and constraints to using water trading to secure water for development in catchment and subcatchment areas.
- Availability of water to 'replace' existing sources that may be impacted by CSG or other mining development.

### **Omission of provisions to declare a designated watercourse**

The inclusion of this provision in the 2014 amendment was to allow the Department to deregulate lengths of watercourses thereby removing the requirement for entitlements to take water. QFF was aware of irrigator concerns that this amendment could allow unregulated development in upstream catchments. The legislation still provides for the mapping of existing designated watercourses. Improved mapping is needed to clarify the extent of designated watercourses in some catchments.

### **Retention of the framework for underground water management for mineral and petroleum and gas development**

There is to be no significant changes to the framework in the Act introduced in 2014 for underground water management for mineral and petroleum development.

QFF supported the 2014 amendments which provide for:

- managing the take of 'associated water' under Chapter 3. Associated water is water that is unavoidably extracted in the process of extracting the resource ie water extracted to release coal seam gas
- managing the take of 'non-associated water' under the water planning process defined in Chapter 2. Non-associated water is water required for mineral or CSG production eg water for coal washing or for fracking

While it is recognised that it will take time to bring the management of non-associated water under the water planning framework, it is considered that this approach will provide for the implementation of a more consistent and effective management framework. It is noted however that the Department has significant issues to address in implementing the framework.