

Submission

25 May 2018

Murray-Darling Basin Royal Commission
GPO Box 1445
ADELAIDE SA 5001

Via email: mdbroyalcommission@mdbrc.sa.gov.au

Dear Commissioners

Re: Murray-Darling Basin Royal Commission Issues Paper No. 2

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 farmers 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)
- Australian Cane Farmers Association (ACFA)
- Flower Association
- Pork Queensland Inc.
- Queensland United Egg Producers (QUEP)
- Bundaberg Regional Irrigators Group (BRIG)
- Burdekin River Irrigation Area Irrigators Ltd (BRIA)
- Central Downs Irrigators Ltd (CDIL)
- Pioneer Valley Water Cooperative Ltd (PV Water)
- Queensland Chicken Meat Council (QCMC).

QFF welcomes the opportunity to provide a submission to the Murray-Darling Basin Royal Commission Issues Paper No. 2. QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers.

The Issues Paper asserts that the *Water Act 2007* (Cth) 'requires environmental considerations to be paramount, and that economic and social outcomes are irrelevant to the determination of an ESLT' (environmentally sustainable level of take), 'and hence to the setting of a Basin-wide SDL'. This is based on the following:

- '(a) the requirement in the Water Act that the long-term average sustainable diversion limit must reflect an environmentally sustainable level of take (s 23(1)), and the definition given to that term in s 4, which describe criteria that are exclusively environmental;
- (b) the objects and purposes of the Water Act, and the mandatory content of critical concepts, set out in ss 3, 20, 21, 22 and 23, and
- (c) the constitutional basis for enacting the Water Act – in particular, the implementation of various international agreements ratified by Australia concerning the restoration, maintenance and protection of the environment.'

QFF does not have the legal expertise to challenge these assertions and the legal argument put forward in the issues paper to support these conclusions.

However, it has been our understanding that the requirements of the Act are not limited to dealing only with environmental values but recognise also that human use of water in the Basin over the long term depends upon maintaining environmental values. Hence the definition of an environmentally sustainable level of take must consider not just key environmental outcomes but also the productive use of the water resource. It is a key purpose of the Act to have extraction of water returned to long term sustainable levels not just for ecosystems but also for the continued productive use of the Basin.

The approach taken by the Murray-Darling Basin Authority in the development of the Basin Plan from the outset has been to address a triple-bottom-line approach under the directions of the Act to optimise economic, social and environmental outcomes. This approach recognises the role of the Minister to fully consider the economic, social and environmental impacts and make a choice of the option which achieves an optimised outcome.

The Plan is much more comprehensive than just determining a limit on water use, and contains specific plans and frameworks to ensure:

- good quality water is delivered to people, businesses and the environment
- environmental water is used effectively
- state governments are committed to the Plan
- communities always have access to drinking water
- water trade is efficient and fair
- implementation of the Plan is monitored and evaluated.

The Basin Plan has enabled a coordinated approach to water management across the four Murray-Darling Basin states (South Australia, Victoria, New South Wales and Queensland) and the Australian Capital Territory. It has been a significant step in the ongoing process of managing water for the benefit of all users and the environment.

If you have any queries regarding this submission, please contact Ian Johnson at

Yours sincerely

Travis Tobin
Chief Executive Officer