



5 August 2011

The Chief Executive
Department of Environment and Resource Management
Attention: Mr Mark Pearson
Water Services (Baffle Creek Basin WRP)
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Dear Sir

Bundaberg Regional Irrigators Group Ltd (BRIG) has been established to represent irrigators in the Bundaberg district across a range of commodity groups including sugarcane, grain and horticulture. Our purpose is to ensure a fair and reasonable system exists for the charging of, use and access to water for irrigation purposes; to support and encourage self-management of the Bundaberg Irrigation scheme/s; and develop projects and policy to ensure the efficiency viability and sustainability of irrigators in the Bundaberg Region.

A number of BRIG members are irrigators in the Baffle Basin. The majority of these are located in the Littabella Creek sub catchment.

BRIG has the following comments:

Draft ROP

27 Process for releasing and granting unallocated water

(2) In releasing and granting unallocated water the chief executive must have regard to the matters listed in section 32(2) of the Water Resource (Baffle Creek Basin) Plan 2010.

WRP

32 Process for dealing with unallocated water

(2) In preparing and implementing the process the chief executive is to consider the following—

- (a) the purpose for which the water is required;*
- (b) the efficiency of existing and proposed water use practices;*
- (c) the extent to which water is being taken under existing authorisations in the plan area;*
- (d) the availability of an alternative water supply for the purpose for which the water is required;*
- (e) the impact the proposed taking of, or interfering with, the water may have on existing water users in the plan area;*
- (f) whether the proposed taking or interfering is likely to have a direct adverse effect on groundwater flows;*
- (g) the streamflows required to maintain the following—*

- (i) the longitudinal connectivity of low flow habitats throughout river systems in the plan area;*
- (ii) the wetted habitats at riffles and other stream bed features;*
- (iii) the natural seasonality of flows and zero flows;*
- (iv) the replenishment of refuge pools that enable movement of in-stream biota;*
- (v) the lateral connectivity between rivers in the plan area and their adjacent riverine environments including floodplains;*
- (h) the impact the taking of, or proposed taking of, water may have on the following—*
 - (i) water quality;*
 - (ii) the natural movement of sediment;*
 - (iii) the bed and banks of a watercourse or lake;*
 - (iv) riparian vegetation;*
 - (v) habitats for native plants and animals;*
 - (vi) the movement of fish and other aquatic species;*
 - (vii) the recreational and aesthetic values of the plan area;*
 - (viii) cultural values, including, for example, cultural values of the traditional owners of the plan area;*
 - (ix) the ecological values of watercourses, lakes or springs.*

Draft ROP

23 Land and water management plan

If the use of water granted in accordance with this chapter is for irrigation, a land and water management plan³ approved under section 77 of the Water Act 2000 will be required before the water can be used on the land.

It is stated in s23 of draft ROP a LWMP must be completed and approved prior to the use of the water. BRIG understands that a LWMP is completed after application for licence for unallocated water in the Baffle Creek Basin has been granted.

If this is the case how will the chief executive take in regard s27 of draft ROP, particularly s32.2(b) the efficiency of existing and proposed water use practices. This is contradictory and inconsistent as the licence is issued to the landholder and then a LWMP is completed so that the water from the licence can be used.

BRIG suggests the removal of s32.2(b) from consideration by the chief executive.

Draft ROP

31 Water licences for taking overland flow water

- (1) Water licences granted from the unallocated water reserves to take overland flow water must be granted in accordance with section 54 of the Water Resource (Baffle Creek Basin) Plan 2010.*
- (2) The nominal entitlement for a licence to take overland flow water by particular works must not be greater than the volume determined under section 32 of this plan.*

WRP

54 Water licences to take overland flow water

A water licence to take overland flow water is to state—

(a) 1 of the following purposes for which water may be taken under the licence—

- (i) rural;*
- (ii) any; and*

(b) at least 1 of the following—

- (i) the maximum rate at which water may be taken under the licence;*
- (ii) the daily volumetric limit for the licence;*
- (iii) the nominal entitlement for the licence;*
- (iv) the maximum volume of water that may be stored under the licence; and*

(c) the conditions, if any, for the licence.

That for taking overland flow the applicant may build a structure of the size stated in the application with a Nominal Entitlement as determined by s32 of Draft ROP.

BRIG recommends that mention be made that as there are no meters to be installed on overland flow structures that the applicants are able to make their own decisions about the use of the water captured by the structure. This may include using all water captured by the structure in any year to be used as per conditions (if any) of the LWMP approval.

Draft ROP

71 Water monitoring

(1) The chief executive must measure or collect and keep publicly available, records of—

- (a) water quantity;*
- (b) water taken; and*
- (c) construction of new bores.*

(2) The chief executive may use information collected to support water resource assessment and reporting.

BRIG recommends that monitoring of the Littabella catchment be conducted, especially quantity, so that an accurate assessment of the available water for agricultural development can be developed for the review of the WRP in 2020. This may lead to an increase in water available to landowners. As an ephemeral stream not connected to the Baffle Creek it is wrong to assume the flows that occur due to rain that pass the Baffle Creek monitoring station accurately represent Littabella Creek flows.

Attachment 3 Links between this plan and the Water Resource (Baffle Creek Basin) Plan 2010

General outcomes of the Water Resource (Baffle Creek Basin) Plan 2010 (section 11)

11(e) to support, as far as practicable, surface water and groundwater interactions

Resource operations plan rules

- *monitoring of groundwater developments*
- *dealing with unallocated water*

To provide DERM a greater and more accurate examination of the surface water/groundwater interactions, BRIG believes consideration should be given to a survey of landholders to ascertain the number, location, use and estimated volume (or pump size and hours used) of water taken from the bores. This will provide a data base to see if new developments may be increasing the take of water from particular groundwater aquifers.

Other suggestions

As the water licences are not able to be traded there is a need for owners of water licences to return either part or the whole licence to the system for others to buy if:

- a) For stream licences the infrastructure involved in pumping the water is permanently removed by the landholder and he submits that water is no longer required
- b) For overland flow
 - i) the structures are never constructed or
 - ii) a qualified person confirms the size is significantly less (10-20%) less than in the nominal entitlement in the original application.

And the landholder submits that the water is now longer required

Please call should you require further information or clarification.

Dale Holliss
Company Secretary