

16 JUL 2012

DATE RECEIVED

13th July 2012

Submission to Queensland Competition Authority.

RE: SEQ requesting that the land holders of 7000ML of Water pay \$56 per ML.

Dear Angus,

I have considered the material in support of charging irrigators, I have also considered the attached material prepared by the MBRI Committee. I have never had to pay for irrigation water in the past & I believe it would be unjust & unreasonable for a charge to now be imposed.

I am a land owner & licensed holder of a Water Licence issued under part 4 of the Repealed Act - Water Resources Act 1989, under which I understand SEQ Water must make available under their 345,000 ML allocation, free of charge.

I am responding as an individual to the question posed by SEQ as to why we should not pay \$56 per ML to them for our water.

After all this consideration to the proposal, I have come to the following conclusions. But firstly let me make my stance very clear, I do not intend nor ever will agree to paying anything for my water allocation I have held over numerous years. Plain & simple I pay for my water licence on an annual basis to the Department of Environment & Resource Management.

Conclusions

It is an indigenous right of the land owners & water licence holders to have usage of our water allocation with no charges. By indigenous I mean, the use of water for farming/irrigation purposes, are a natural & originating practice of this particular local area.

The farmers of this area existed before the construction of the Wivenhoe Dam & its Wall & we continue to do so today. The 7000 ML of water allocated to our for farmers was done so as an entitlement for our fore farmers to continue their farming rights as property owners on the Brisbane River. We are the true indigenous owners of this precious local area & its

water supply.

In addition to the above, Wivenhoe & Somerset Dam were never built for the purpose of irrigation, they were constructed for the purpose of providing domestic water supply & flood mitigation. We are not asking for use of this water supply nor have we interfered or affected any flood mitigation attempts. Hence, we do not see why we need to pay for water we have an indigenous bearing to. We should pay nothing.

SEQ are requesting we pay them a sum of \$56 per ML of our water under our previous allocation of the legalised 7000ML. We find this to be unjustifiable. There is no evidence that SEQ can show that this 7000ML allocation is an actual cost to them. They do not provide any funds for dedicated machinery, delivery or any infrastructure for water irrigation. Why should we have to pay for our right to use our water to farm our land.

In addition, SEQ have proportioned certain costs including Direct Operations, Repairs & maintenance, non-direct Opex (operations, non-infrastructure, insurance & working capital) & renewals annuity as being costs that they want the farmers of the 7000ML to share payment of. I strongly refute & deny any of these costs as being a cost I cause or ever caused (as an indigenous farmer/licence holder) based on the fact that the river system existed prior to the dam being built. We have lived and farmed off the natural environment of water flow from the river abutting our land, thereby providing fresh produce for our local region. I can't see how the above cost to pay for the repainting of the Dams' signage can be attributable to myself and fellow farmers.

For the consideration of the Qld Competition Authority, as a provider of fresh produce in this local area, I beg you to consider the following example. If I have a 100 ML allocation, I would be looking at an increased cost of \$5600 per yr plus the cpi indexing that is proposed. This area has been a wonderful supplier & producer of quality Australian fresh produce for longer than memory can recall. Coles & Woolworths promote & revere our quality produce are customers of this area. I no doubt need to explain to QCA how the nature of most farming contract work, I can simply state that there is little to no possibility of my being able to recuperate \$5600 worth of costs through sales of my goods. It could be the end of some of the producers in the area, thereby resulting in less primary producers, ultimately increasing the cost of our quality Australian produce. As an

authority on Competition, surely you can see how this obvious grab for cash from the indigenous farmers of this region will decrease our ability to compete with the ever threatening influx of inferior overseas produce. In addition to this, it is understood that in times of drought our allocation would be cut back like up until 2010, to 25% - but we would still be charged for our full allocation, being \$5600 for 100ml allocation. This would only prove to further decrease our ability to survive and therefore further decrease competition in various fresh produce areas. We will not survive if any cost for water is applied.

We have had a 7000ML allocation of water for over 30 years, it has never been increased to CPI cost index or even to AWOTE (Average Weekly Ordinary Time Earnings), yet we have been expected to pay additional taxes, additional costs with everything that goes with our right to farm. We have had to do this with the same water allocation, which whilst we have improved our farming practices & water usage facilities, it has still been a tough road to make a living out of farming. Please consider this as our plea.

I have made reference to our indigenous rights as farmers in this local area & our passion to be able to continue to use our allocated 7000ML at no cost. The primary reason for the building of the Dams was firstly for flood mitigation, followed closely by domestic water supply. It was never constructed for the purpose of providing irrigation supply. Meaning that the practice of irrigating for primary production was in a way "Grandfathered" for us to be able to continue indefinitely, so as we were never interfered with by the requirements for flood mitigation & domestic water supply.

It is apparent from the recent 2011 flood disaster that our lands, machinery, livelihood & worse still our lives were put at risk by the management of the released captured water that was meant for flood mitigation & domestic water supply. The original area, had the dams not been built, would not have suffered as extensively. We are trying to go about our livelihood as peacefully as possible & to work with the relevant authorities to do this. How is it plausible that SEQ want to now charge us for water that is being put aside for flood mitigation & domestic water supply, when thier water in January 2011 inundated the majority of the licensed water holders lands & destroyed our homes, our stock, our machinery, our crops, our land (through extensive erosion) and sadly even lives. It has cost us (farmers) in most cases extensively to recover from the disaster.

I await your response in due course,

Yours Sincerely,



~~Handwritten signature~~
J-H. DE LANDE