

Jacqueline Arnold
xxx
xxx 0870

13 February 2023
NT Environmental Protection Authority
Via email: eia.consult@nt.gov.au

Dear Members,

RE: Environmental impact statement – Singleton Station irrigation development

I believe this project is environmentally unacceptable. I request that it not be given approval. If it is not possible to reject the referral at this stage, then I respectfully request you ensure the most rigorous level of environmental impact assessment (Tier 3) is applied.

Reasons for my position

1. The public was not informed or adequately consulted during the ground water extraction licence decision or the subsequent review of this decision. The public's concerns were not properly considered.

I initiated the attached petition (Attachment 1). 23,355 people supported the petition, however the concerns raised in it were not considered by the Controller of Water Resources, nor by the Minister for Water Resources in conducting an 'S30' review of the original decision.

A Tier 3 assessment must provide the opportunity for the public to have its say, based on sufficient information. This reflects request 2 in the petition. The GWEL process should not be allowed to bypass the concerns raised by the petition.

2. The specific issues that were raised in the petition that were not considered in the GWEL need to be thoroughly addressed in a Tier 3 environmental impact assessment. These are
 - a. Ensure a comprehensive environmental impact assessment is completed and made available for public consultation prior to assessment of future groundwater extraction licence applications.
 - b. Dismiss the departmental guidance that 30% of groundwater dependent vegetation may be 'negatively impacted' by FAFM or any future groundwater extraction licensees.
 - c. Ensure the risks of salt pollution of the soil, the aquifer and any caves are considered.

Background to these reasons

1. *The public was not informed or adequately consulted during the ground water extraction licence decision or subsequent review and its concerns were not properly considered.*

I initiated the attached petition. 23,355 people signed the petition, however it was not considered by the Controller of Water Resources, nor by the Minister for Water Resources in conducting an 'S30' review of the original decision. A Tier 3 assessment is needed to provide the opportunity for the public to have its say, based on sufficient information. This reflects

request 2 in the petition. The GWEL process should not be allowed to bypass the concerns raised by the petition.

I started the petition in February 2021 when I became aware of the extent of risks associated with the proposal. I feel obliged to do everything I can to ensure the concerns of those who signed and their comments are considered.

23,355 people responded to the petition.

Signatures:

- 22 031 signatures
- 21 845 from Australians
- 480 from Territorians (the actual number may be higher as 810 Australian signatories (including myself) have no state/territory recorded)
- 167 Central Australians

Comments:

- 222 comments
- 214 from Australians
- 50 from Territorians

The signatures and comments were shared with the Controller of Water Resources who refused to consider them in making her decision.

After the decision had been made, the community was very upset, so we kept the petition open until our appeal was submitted so they could have an avenue for demonstrating their concern directly to you. A further 1 360 signatures were received including:

- 1115 Australians
- 49 Territorians
- 13 Central Australian

I then wrote to Minister Lawler seeking a S30 review (attached). However, the Minister on 26 July 2021 advised me that she did not consider me aggrieved. Minister Lawler made this decision but subsequently excluded herself from the S30 review.

I am aware there are common law precedents for people such as myself being considered aggrieved. I am therefore disappointed that the Minister did not take this opportunity to respond to public concern over this proposal.

I believe that the concerns raised in the petition need to be acknowledged and addressed now, especially as the Minister failed to do so.

I am concerned about the inefficiency and inaccessibility of the extraction licence decision process. The notice period is relatively short, being only 20 business days, and the notice is only required to be published in a local newspaper (not very accessible). The information available during the GWEL advertising was scant compared to this referral or a Tier 3 environmental impact assessment.

It is my view that for the largest ground water license in Australia further effort should have been made to advertise the project and the opportunity to make public comments. Were there any community meetings held? Although this is not required, there is also nothing preventing these actions under the Water Act 1992.

2. The issues that were raised by the public that were not properly addressed in the GWEL need to be included in this environmental impact assessment. These are

2a. All GDEs must be protected in line with the views expressed in the petition. This EIS must properly consider the acceptability of all risks to GDEs not just impacts in excess of those being permitted under the GDE guideline.

2b. The impacts on water quality caused by concentration of salts was not communicated during the GWEL process, however this posed a material risk to the variety of beneficial uses such as environment.

2 b. No information was provided on the risk of salt contamination during the GWEL process. This was material to consideration of acceptability of the proposal, given salt contamination threatens other beneficial uses of groundwater. By failing to provide adequate information, I believe there was not informed consent.

In drafting the petition I was required to research this impact as no information was available. This is simply unacceptable. I note the information provided in this EIS on salinity impacts is based on very thin desktop studies, which I believe are still inadequate.

Conclusion

The environmental risks I raise in the petition are severe, of regional significance and scale, and involve irreparable damage to the environment. They need to be resolved upfront, based upon proper field studies, not desktop reports. A thoroughgoing Tier 3 assessment is needed to allow this to happen.

Thank you for taking the time to consider this letter. I look forward to your response.

Sincerely,

Jacqueline Arnold

Copies to

1. Arid Lands Environment Centre
2. Environment Centre NT
3. Minister Plibersek

Attachments

1. Petition <https://www.change.org/p/nt-water-controller-refuse-the-current-40-billion-litre-year-fortune-agribusiness-ground-water-licence-application>
2. Letter to Minister
3. Response from the Minister for Water Resources
4. Second letter to Minister
5. Second response from Minister

Letters for the Environment Central Australia Petition opposing the FAFM ground water licence on Singleton Station

Link: <https://www.change.org/FAFMwaterlicenceFeb2020>

Title: 'Refuse the Current Fortune Agribusiness Ground Water Licence'

Target Recipient: Joanne Townsend, NT Controller of Water Resources

Preamble:

Sign this petition to respectfully request The NT Controller of Water Resources to:

1. Refuse the current Fortune Agribusiness Funds Management Pty Ltd (FAFM) ground water licence application.

2. Ensure a comprehensive environmental impact assessment is completed and made available for public consultation prior to assessment of future groundwater extraction licence applications.

3. Dismiss the departmental guidance that 30% of groundwater dependent vegetation may be 'negatively impacted' by FAFM or any future groundwater extraction licensees.

Please note - as of 08/04/2021 the following content has changed *The NT Controller of Water Resources is deciding on this application now. The public comment period has closed but it is not too late to influence her decision.* On 08/04/2021 The NT Controller of Water Resources granted this licence. **The licence is now entering an appeals period.** We will keep this petition open to demonstrate community opposition to this licence until the appeals period has closed.

BACKGROUND

FAFM plans to develop approximately 3,500 Ha of intensive irrigated horticulture on Singleton Station, a property located in the Western Davenport Region of the NT. To support this project they have applied for a groundwater extraction licence to **take and use 40 Billion Litres (40 GL) of groundwater water per year for 30 years.**

Taking 40 GL/year of water will **lower the water table** within the centre of the proposed farm by **40 to 50 metres** over the 30-year period. **Any vegetation or fauna that relies on shallow groundwater will die.**

As 40GL of irrigated water evaporates about 40 000 tonnes of salt will be left on or near the surface. This amounts to **1 200 000 tonnes of salt in 30 years.** This **salt will pollute the soil and may pollute the aquifer and any caves.**

The project will **damage and destroy groundwater dependant ecosystems (GDEs) for a projected 50km**. This area of impact will continue to expand, even after pumping ceases.

Loss of GDEs has irreparable consequences across the whole environment. **GDEs provide a last refuge in drought times and a buffer to climate change.**

The NT Controller of Water Resources is deciding on the application prior to the completion of an environmental impact assessment (EIA). **The EIA will be carried out by FAFM themselves after the licence is approved.**

The NT Department of Environment, Parks and Water Resources has allowed the project to 'negatively impact' 30% of GDEs in the area. This decision is not strongly supported by science or policy and was not communicated during the Western Davenport Water Allocation Plan public submission period.

For references and notes on salinity estimates please refer to our *Letters For the Environment Central Australia (LECA) Case Card #2 Fortune Agribusiness Groundwater Licence* found in the files tab at:

<https://www.facebook.com/groups/177541043620859/permalink/499545101420450/>

If you do not have access to facebook and would like a copy of the case card please email us at: leca.nt.au@gmail.com

We must continue put public pressure on decision-makers about this licence.

If you wish to take further action, please pick up the phone and make a quick call to the NT Environment Minister's office and the Water Controller's office to raise your concerns.

Environment Minister Eva Lawler
(08) 8936 5566
NT Water Controller's office
(08) 8999 4455

The NT's peak environmental organisations Arid Lands Environment Centre and Environment Centre NT are leading action against this licence. To find out more and get involved please contact these organisations:

Arid Lands Environment Centre
<https://www.alec.org.au/>
<https://www.facebook.com/aridlandsec>
Environment Centre NT
<https://www.ecnt.org.au/>
<https://www.facebook.com/EnvironmentCentreNT>

Grounds for Review

1) Introduction

I ask Hon. Eva Lawler, Minister for Renewables and Energy; Minister for Infrastructure, Planning and Logistics; Minister for Environment; Minister for Water Security; Minister for Climate Change; Minister for Essential Services under Part 3, Division 3, Section 30 of the Water Act 1992 to review the decision made by the Controller of Water Resources on 08/04/2021 to grant groundwater licence number WDPCC10000 for 40 000 ML/Y to Fortune Agribusiness Funds Management Pty Ltd.

2) Desired outcomes

I ask the Minister to substitute the decision of the NT Controller of Water Resources and remake the decision to:

Refuse the current licence, at least until:

- a) In respect to the Letters for the Environment Central Australia (LECA) petition “Refuse the Current Fortune Agribusiness Ground Water Licence Application”:
- The petition and the signatures and comments are considered.
 - The petition’s specific requests for the Controller of Water Resources to:
 - Refuse the current Fortune Agribusiness Funds Management Pty Ltd (FAFM) ground water licence application;
 - Dismiss the departmental guidance that 30% of groundwater dependent vegetation may be ‘negatively impacted’ by FAFM or any future groundwater extraction licensees;
 - Ensure a comprehensive environmental impact assessment is completed and made available for public consultation prior to assessment of future groundwater extraction licence applications; and
 - The additional commentary in the preamble concerning issues of concern notably:
 - Risk of salt being brought to the surface
 - Loss of refugia for species during times of drought and as a buffer to climate change

which are expanded upon in the following points b), c) and d) are all considered and are adequately dealt with.

- b) The application of the Guideline: Limits of acceptable change to groundwater dependant vegetation in the Western Davenport Water Control District is limited to the extent that it only uses new scientific information and does not introduce new arrangements that are inconsistent with the:
- Western Davenport Water Allocation Plan
 - Northern Territory Water Allocation Planning Framework
 - Environmental Protection Act 2019
 - All other relevant and available science

(In particular the Controller should not adopt the stipulation in section 4 (page 8) of the GDV guideline that 70% of the current extent of groundwater dependant

ecosystems (GDEs) in the Western Davenport Water Control District should be protected from negative impact. Instead the standard for GDE protection established in the WAP (p64) that “GDE condition and extent is maintained”. (It is acknowledged that “new science” could be relevant to the technical stipulations in part 4.1 of the same document.)

- c) A comprehensive environmental impact assessment is completed.
- d) The following concerns raised in the preamble of the petition are adequately dealt with:
 - The consideration of the salt pollution risk in the NOD is deficient and is neither:
 - proportionate to the risk
 - correct.
 - Climate change and the function of GDEs is recognised and considered in the decision.

3) Aggrieved person status

a) Background to special interest in licence

- i) I was born, raised, reside and own residential property in Central Australia. I live and work across groundwater dependant areas of Central Australia and the Barkly.
- ii) I believe the current licence will result in significant and irreversible harm to my environment.
- iii) I have taken significant action to influence this licencing decision since I became aware of the application:

(1) January 2020 – I founded *Letters for the Environment Central Australia (LECA)* – a community group whose goal is to monitor and improve environmental protection by writing letters directly to those in positions of power and influence. The group currently has 109 members. From January 2021 the group adopted a new model and began producing a monthly case card and sample letter which focus on various environmental decisions in the Northern Territory, including water licensing.

(2) January 2021 - I became aware of the Fortune Agribusiness Funds Management Pty Ltd ground water licence application through social media circulation of the ABC Rural article by Jack Price ‘*Fortune Agribusiness unveils \$150 million irrigation plans for Northern Territory Cattle Station*’ originally published on 14/09/2020.

(3) January 2021 – I produced the LECA a case card and sample letter ‘Fortune Agribusiness Water Groundwater Licence’ (Appendix A) and wrote to the Controller of Water Resource;

(4) January 2021 – I started the LECA petition ‘Refuse the Current Fortune Agribusiness Ground Water Licence Application’ (Appendix B).

- iv) Having started and promoted the LECA petition I feel obliged to do everything I can to ensure the concerns of those who signed and commented are considered.
- b) If I do not meet the aggrieved person test, I respectfully request an opportunity to appear before the licence review panel.
- c) Other
 - i) I wish to declare my relationship with my partner Adrian Tomlinson. Adrian is employed in the DEPWS as a Water Planner. Adrian was involved in preparing the *Western Davenport Water Allocation Plan*.
 - ii) Adrian has not provided me with advice or assistance in my work to oppose this licence.
 - iii) I have completed a Masters of Public Health and worked extensively in this field. My training and experience has equipped me with the skills to read, interpret and monitor the proper implementation of legislation and guidelines. Since becoming aware of this licence application I have dedicated a significant amount of time to investigating and judging the publicly available documents related to this licence application and decision. I have done so independently with occasional support and advice from the Arid Lands Environment Centre and the Environmental Defenders Office NT.

4) Key issues of concern (Please see Appendix C for further discussion on each issue. This information is also essential to the discussion of these issues but has been separated for clarity.)

- a) In respect to the Letters for the Environment Central Australia petition “Refuse the Current Fortune Agribusiness Ground Water Licence Application”:
 - i) the petition, signatures and comments should be considered in the NOD in a remade decision.
 - ii) the Minister should consider the petition, and the further signatures and comments received after the NOD in considering this review.
 - iii) the specific requests to the Controller of Water Resources made in the petition being to:
 - (1) refuse the current Fortune Agribusiness Funds Management Pty Ltd (FAFM) ground water licence application
 - (2) dismiss the departmental guidance that 30% of groundwater dependent vegetation may be ‘negatively impacted’ by FAFM or any future groundwater extraction licensees
 - (3) ensure a comprehensive environmental impact assessment is completed and made available for public consultation prior to assessment of future groundwater extraction licence applications

should be adequately addressed in the NOD in a remade decision.

iv) other concerns in the petition preamble which were also not adequately addressed in the NOD being:

(1) risk of salt being brought to the surface

(2) loss of refugia for species due to drought and climate change

should also be adequately addressed in the NOD in a remade decision.

(Points i), ii) and iii(1) are addressed in Appendix C in section a). The remaining points ie iii) (2), iii)(3), iv)(1) and iv)(2) are subsequently addressed in Appendix C in section b), c) and d).)

b) The *Guideline: Limits of acceptable change to groundwater dependant vegetation in the Western Davenport Water Control District* (GDV guideline) should not be used in the Notice of Decision as the basis for allowing impacts to GDEs as it:

i) permits a level of GDE loss that is not justified by new science which is the basis for its consideration in the NOD and instead is a new management strategy

ii) changes and contradicts the goal for GDE protection in:

(1) Western Davenport Water Allocation Plan (WAP)

(2) Northern Territory Water Allocation Planning Framework (see 2.2.2 Aquifers

(3) Environmental Protection Act 2019 (see Part 2 Division 1)

iii) was not subject to public review (unlike the WAP)

iv) is opposed by large sectors of the community as demonstrated by the LECA petition

v) is not compatible with GDE protection standards that apply elsewhere in the Central Australia.

vi) appears in conflict with the Environmental Protection Act 2019.

(In particular the Controller should not adopt the stipulation in section 4 (page 8) that 70% of the current extent of GDEs in the Western Davenport Water Control District should be protected from negative impact. Instead the standard for GDE protection established in the WAP of no net loss should be retained. (It is acknowledged that “new science” could be relevant to the technical stipulations in part 4.1 of the same document.)

c) A comprehensive environmental impact assessment should be completed before remaking the licence decision in order to:

i) holistically assess all impacts as is appropriate to the scale and complexity of the project

ii) give procedural fairness to stakeholders

iii) not compromise any subsequent EIA by:

(1) signalling the acceptability of water resources impacts based on a partial assessment of an incomplete set of water resources issues assessable under Water Action Section 90 considerations with much of the analysis deferred until during licence stages

(2) not be based on a document (GDV guideline) that appears to be in conflict with the foundational premises of the Environmental Protection Act 2019 and should have also been referred to the Environmental Protection Authority for consideration before it was applied.

(3) reflect the proper hierarchy of decision making as described in the EP Act.

- d) Address other concerns raised in the preamble to the petition which have not been adequately addressed in the NOD, notably:
 - i) The consideration of the salt pollution risk in the NOD is deficient and is not:
 - (1) proportionate to the risk; or
 - (2) correct.
 - ii) Climate change and the function of GDEs as refugia has not been adequately recognised or considered in the NOD.

5) **Appendices**

- A) LECA Case Card and Sample Letter
- B) LECA Petition
 - a. Appendix B1 Petition including preamble
 - b. Appendix B2 Signatures and comments
- C) Key Issues of Concern



MINISTER FOR ENVIRONMENT

Parliament House
State Square
Darwin NT 0800
minister.lawler@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5566
Facsimile: 08 8936 5576

Ms Jacqueline Arnold
PO Box X
XXX 0870

Via email: [XXXX](#)

Dear Ms *Jacqui* Arnold

I refer to your application made on 6 May 2021, for review of the Controller of Water Resources' (Controller) decision to grant water extraction licence WDPCC10000 for

Fortune Agribusiness Funds Management Pty Ltd to take 40,000 Mega litres per annum from the Central Plains groundwater management zone of the Western Davenport Water Control District. I wish to advise that I have considered your application for review and advise that I have determined that you are not a person aggrieved within the meaning of the *Water Act 1992*, on the basis that the material in your application does not demonstrate you are sufficiently specifically affected by the decisions made by the Controller and accordingly I have not progressed your request for review.

I can however advise that the decision remains subject to review by other applicants and I have referred this matter to the Water Resources Review Panel.

Should you have any further queries the contact officer in the Department of Environment, Parks and Water Security for this matter is Stephanie Jungfer, Executive Officer on 8999 4848 or email stephanie.jungfer@nt.gov.au.

Yours sincerely

Eva Lawler
EVA LAWLER

26 JUL 2021

Jacqueline Arnold
XXX
XXX
XX 0870
XXX

Hon Eva Lawler
The Minister for Renewables and Energy;
Minister for Infrastructure, Planning and Logistics;
Minister for Environment;
Minister for Climate Change;
Minister for Essential Services
PO Box 400
Palmerston NT 0830
minister.lawler@nt.gov.au

16 August, 2021

Dear Hon. Eva Lawler,

I am writing in response to your decision not to progress my request, made on 6 May 2021, for review of the Controller of Water Resources' decision to grant water extraction licence WDPCC10000 for Fortune Agribusiness Funds Management Pty Ltd (FAFM) to take 40, 000 mega litres per annum from the Central Plains groundwater management zone of the Western Davenport Water Control District.

I ask that you reconsider your determination of my aggrieved person status within the meaning of the *Water Act 1992* and progress my request to appear before the review panel.

I request this reconsideration based on common law interpretation of the Act and the following considerations relevant to the definition of an aggrieved person.

1. Section 30 of the [Water Act 1992 \(NT\)](#) provides that "*a person aggrieved by an action or decision under this Act (other than section 93(3)) of the Controller, or under section 5(6) of the Minister, may apply to the Minister to review the matter.*" The Water Act does not define "person aggrieved" and accordingly you may be guided by the Courts.
2. There are many cases regarding the interpretation of the term in relation to judicial review proceedings under various pieces of legislation. While section 30 of the Water Act does not relate specifically to judicial review, these cases would nevertheless be relevant to considering the question of whether I meet the "person aggrieved" threshold:
 - a. In 2014 the High Court ruled in [Argos Pty Ltd v Corbell, Minister for the Environment and Sustainable Development \[2014\] HCA 50](#) that the term is not a restrictive one [48] and that a person aggrieved "can show that the decision will have an effect on

his or her interests which is different from ("beyond") its effect on the public at large." [61].

- b. Citing *Australian Conservation Foundation v Commonwealth* (1980) 146 CLR 493, the NT EDO [Judicial Review Toolkit](#) (p. 5), states that the test for determining a "person aggrieved" requires considering:
 - i. Does the person have a special interest in the matter?
 - ii. Is that interest too distant? A mere intellectual or emotional concern about an issue will not be enough for a person or organisation to have standing.
3. Finally, I'm aware that the NT Environmental Defenders Office previously advised (and acted for in subsequent litigation) the Environment Centre NT in bringing a review under section 30 of the Water Act in respect of the granting of seven water extraction licences permitting extraction of groundwater from the Mataranka Tindall Limestone Aquifer in 2014. It does not appear that any standing issues prevented them from seeking the review under section 30 in that instance.

My standing as an aggrieved person

Public interest in environmental matters

I believe my special interest in this licence is one of public interest in environmental matters and is not merely intellectual or emotional. Please see the information below in support of this position.

1. As soon as I became aware of the public interest in the environmental matters directly related to the FAFM licence application I attempted to assist with communication of this to the Water Controller through the following measures:

(1) January 2021

Public interest (including my own) was raised through social and traditional media communications.

Letters for the Environment Central Australia (LECA), a community group that I administer, produced a case card and letter on the licence application and organised a community discussion and letter writing session.

(2) February 2021

Public interest was expressed through social media. A discussion thread on 'Protect NT' Facebook group page included calls for someone to start a petition as an avenue for the public to communicate their concerns regarding the FAFM licence (Please see attachment "FAFM petition request - facebook post").

In response I started the *LECA* petition 'Refuse the Current Fortune Agribusiness Ground Water Licence Application'.

(3) March 2021

I was contacted by *ABC Country Hour* journalist Hugo Rickard-Bell regarding the *LECA* petition (I am not sure if our interview was aired). This story seemed to be framed as one of public interest.

(4) January 2021 - Present

As administrator of *LECA* I have been extremely active on social media raising awareness and generating discussion regarding the licence application and decision. The petition was a focus for community members to voice their concerns about the proposal. It was circulated and promoted by both the ECNT and ALEC.

As a result of this community awareness campaign, the *LECA* petition was viewed 131 095 times, shared 2 445 times and signed by 23 391 people.

Prior to the Water Controller's decision this included:

Signatures:

- 22 031 signatures
- 21 845 from Australians
- 480 from Territorians (the actual number may be higher as 810 Australian signatories (including myself) have no state/territory recorded)
- 167 Central Australians

Comments:

- 222 comments
- 214 from Australians
- 50 from Territorians

After the decision had been made, the community was very upset, so we kept the petition open until our appeal was submitted so they could have an avenue for demonstrating their concern directly to you. A further 1 360 signature were received including:

- 1115 Australians
- 49 Territorians
- 13 Central Australian

Having started and promoted the petition I feel obliged to do everything I can to ensure the concerns of those who signed and commented are considered.

I would also note that the Department of Environment Parks and Water Security's (DEPWS) NOI advertisement elicited only six written responses. For whatever reason the DEPWS clearly failed to effectively engaged with the community in a way commensurate with the scale of the application which has regional implications in terms of its direct impact to water resources and precedent for applications to extract groundwater from shallow groundwater areas in the arid zone are considered. Thus I believe the public interest I represent and the feedback received via the petition is a vital and missing piece of information which must be considered in the review

Personal Special interest in the arid zone environment

I have a personal special interest in the arid zone environment (where this water licence is located).

- I was born and raised in this zone and completed both my primary and secondary education here.
- I have resided in this zone (living in both Central Australia and the Barkly) for almost 30 years. In the years when my main residence was elsewhere I maintained a continuous connection, visiting this zone regularly.
- I currently reside and own residential property in this zone.

The scale of this proposal's impact, which extends across more than 50 km of rare groundwater dependent ecosystems, and fundamentally decides who will have access to any divertible shallow groundwater in one of the major shallow groundwater resources, is relevant to everyone living in the arid zone.

The precedents set by this decision will be no doubt be applied to decisions across the arid zone both in the Barkly and Central Australia.

Thank you for taking the time to consider my request. I look forward to your response. If you do not agree with my interpretation of the *Water Act 1992* could you please provide support for your interpretation.

Regards,
Jacqueline Arnold



MINISTER FOR ENVIRONMENT

Parliament House
State Square
Darwin NT 0800
minister.lawler@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8936 5566
Facsimile: 08 8936 5576

Ms Jacqueline Arnold
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XXX 0870

Via email: [XXXX](#)

Dear Ms Arnold

I refer to your application made on 6 May 2021, for review of the Controller of Water Resources' (Controller) decision to grant water extraction licence WDPCC10000 for Fortune Agribusiness Funds Management Pty Ltd to take water from the Central Plains groundwater management zone of the Western Davenport Water Control District.

I have considered again your application for review and the material that you have advanced in support of it, principally in terms of organising a petition but also other communications and your residence in Central Australia.

I do not consider that you are a person aggrieved within the meaning of the *Water Act 1992*, on the basis that the material in your application, including that referred to above, does not demonstrate you are sufficiently affected by the decisions made by the Controller.

As a result, I have not progressed your request for review.

I advise that the decision remains subject to review by other applicants and I have referred those reviews to the Water Resources Review Panel.

Yours sincerely

EVA LAWLER

- 2 SEP 2021