



Speech by

Mr DOUG SLACK

MEMBER FOR BURNETT

Hansard 6 September 2000

WATER BILL

Mr SLACK (Burnett—NPA) (3.45 p.m.): I do not wish to go over much of the ground that has been covered during the debate on this Bill, but I want to commend the Opposition spokesperson on his contribution in which he outlined the Opposition's position on the legislation. I believe it is important that the failings of this Bill are reiterated, because they are very significant. I acknowledge that it has been a challenge for the Minister and for his department to put legislation before the House in relation to the water issues facing this State. As we all know, water is one of the most important issues that we have to deal with. That is evidenced by the number of speakers listed to make a contribution to the debate. I would be surprised if this issue did not affect the electorates of all members. It is certainly an issue in my electorate, as it is in the electorates of most members who have spoken so far.

I want to make it quite clear that the farmers and the industries in all electorates recognise the need to have a sustainable supply of quality water. It is recognised that it is a finite resource, the provision of which has to be approached very carefully. Obviously, we must have regulation to ensure that it is provided to our society on an equitable basis. If we are to have employment and economic growth in the future, there is no doubt that the legislation has to be carefully tailored to ensure an ongoing, sustainable supply of quality water.

When farmers argue with the outcomes of WAMPs or other findings of scientists who examine what is occurring within our river systems, there is no doubt in my mind that they are objective about it. At the end of the day, they realise that their income, their future, depends on an ongoing, sustainable supply of quality water. It is not in their interests to be motivated by short-term gain in objecting to legislation or other Government proposals. However, the flaw in this Bill is that when it comes to land-holders' rights, the Beattie Labor Government is very keen to adopt the "trust us" approach, just as it did on the tree-clearing legislation. In essence, the Beattie Labor Government expects the coalition and the farmers to accept this legislation sight unseen. No-one knows how the provisions of this Bill will affect the individual land-holders until water resource plans have been developed in Queensland river catchments. It will not be until conversion of entitlements are determined that water users will know whether they have been adversely affected by this legislation. By then, it will be too late.

In its current form, the Government's Water Bill ensures that there is no right of recourse for these land-holders. Correct, Minister?

Mr Welford: Not correct.

Mr SLACK: I ask the Minister to explain that in his reply. There are three reasons why I make this statement: first, if a farmer's water entitlement is reduced by the development of a WAMP or a review of the WAMP, they have no right of appeal to the Land Court; secondly, this Government has made no provision to compensate farmers if an entitlement is taken away, and that point has been made many times in this House, and it is a very important one, because farmers are entitled to compensation; and, thirdly, this Government has made no budgetary commitment to assist water users to adjust to changes brought about by the new legislation. If farmers were not going to be affected adversely by the changes to the water entitlements, surely the Beattie Labor Government would have no objection to making some compensation provisions. It is a matter of logic.

Why should farmers be treated less well than fishermen who are compensated when the Government decides to buy back licences for environmental considerations? The community as a

whole, not just some unfortunate individuals, should be responsible for the implementation of the Government's environmental protection measures. Farmers would do well not to trust this Government's cavalier approach to land-holders' rights. I give an example that has occurred in my own region. Due to the decisions of this Minister and his department, land-holders' properties were inundated following the construction of the Walla Weir. If we look at what took place there, 12 months after the water had swallowed up their prime riverfront grazing land the Government still had not issued a notice of intention to resume. In some cases, the Government still did not know how much land these property owners had lost. No surveys had been done. These people were only the little guys. They could not afford to take their case to the Land Court. Yet, their viability was very adversely affected. This Government walked over those owners' rights until the issue started getting media attention. I believe that after I raised this issue publicly and in Parliament on two occasions the compensation issues were finally sorted out—and not before time.

People with knowledge of the land-holders' legal rights described the situation as appalling. Many solicitors who approached me on behalf of their clients said that to me and they outlined to me the situation that I have outlined to the House, where the individual rights of the farmers were overlooked—taken for granted—and a Big Brother approach was taken by the department, an approach which was to be condemned by this House.

At the end of the day this was how the Government treated land-holders who had genuine rights to compensation. So how can we trust this Government in relation to the Bill before the House? Members can see why I would be hesitant about voting for a Bill that has the potential to take people's water entitlements away, especially when there is not one skerrick of support for people whose viability is affected by it. That is the point that has been reiterated in this House time and again.

Water users groups believe compensation and transition incentives must be paid where legally defined entitlements to water are taken away as a result of the introduction of a review of water resource plans. What can be fairer than that? The coalition amendments foreshadowed by the Opposition spokesperson on Natural Resources aim to recognise existing water entitlements, release the revised draft for public consultation, establish a water resource tribunal to adjudicate appeals over water resource operation plans once they become law and provide for compensation should an entitlement holder be adversely affected. I cannot understand how any Labor member of Parliament with farmers or industry in his or her electorate could vote against these amendments, which provide natural justice to the rights of property owners. They would also provide some peace of mind to land-holders, particularly those hard hit by the onslaught of the Beattie policy approach to land rights on leasehold land, tree clearing legislation and now water allocation rights.

While the Government may have the best of intentions to protect the environment and to ensure that farmers and industry get quality water in a sustainable manner, it has to get the support of the farmers, the land-holders and industry to provide for economic development. To ensure that it all works, the Government has to be prepared to come up with the dollars to allocate the resources to make it work. We do not want to have a situation, as the member for Nicklin quite correctly pointed out, where land-holders and farmers, who are not doing well, have to bear the cost on behalf of the rest of the community. We do not know what the outcome of some of these WAMPs will be, but if we are going to take away the entitlement of a land-holder who has paid for that entitlement in some way or other—whether by the purchase of his property or the purchase of a water entitlement—at the end of the day he is being asked to bear an unfair cost of this legislation, and that is the major failing of this legislation. It is a failing that the Minister and the Government knows is there. They know it is there in the tree clearing laws. In the Minister's other portfolio, in which he espouses the high principles of protecting the environment, it is very evident that the resources have not been applied to match the Government's rhetoric that has been spoken in this Parliament and in the public arena.
