Speech by

Hon. V. LESTER

MEMBER FOR KEPPEL

Hansard 5 September 2000

WATER BILL

Hon. V. P. LESTER (Keppel—NPA) (2.55 p.m.): I have to say at the very outset that members of the Opposition are somewhat concerned and alarmed that we have been presented with some 63 pages of amendments. The Minister was kind enough to give these to me this morning and I thank him for that. However, trying to sort all of this out and trying to see whether or not there is some little hidden snag in there is quite a job. I have to wonder about the efficiency of the department when, at the very last moment, so many of these sorts of amendments are placed before us. A number of them are administrative, but quite a few have a bit of sting in the tail. So we shall comment later on that as we have more opportunity to have a look at the amendments.

This Bill is one of the most significant pieces of legislation this sitting of Parliament will debate. As the Minister pointed out in his second-reading speech, it is the first overhaul of Queensland's water laws for 90 years.

Australia is one of the driest continents in the world and indeed Queensland experiences perhaps the most variable climate in the country. So often our climate is dominated by extremes of drought or flooding rains. While our State is blessed with enormous mineral deposits, rich soils and wide expanses of forest, it is water that is without a doubt our most precious and most valuable resource. It is water that supports our cities and towns, our farms, our mines, our industries and the environment we live in. It is, therefore, essential that we have a system of managing that water which provides for the host of competing demands on what is, for all intents and purposes, a finite resource, a system that ensures the sustainable management of the environment, a system that supports our communities and industries and a system that will provide for the continued development of our State.

The Minister laboured the importance of sustainable water management in his second-reading speech and the fact that this Bill will, for the first time, enshrine a principle of sustainable water management in statute. That is a principle which the Queensland coalition wholeheartedly supports and one which I think every responsible Queenslander supports. We have all seen the experience of the southern States. We do not want to recreate the problems they have experienced of over-allocation, of salinity, of regular algal blooms and so on in Queensland. We have all seen the disputes that have developed in some areas over the allocation of water amongst the various users. We have heard the warning bells in our own State. No-one wants to go down that track. We need sustainable water management. We need sustainable water infrastructure development. We need a fair and transparent method of allocating water amongst the range of demands for it. We need a legislative framework that can deliver on those objectives. This Bill should have been it, but this Bill does not seem to be it.

We are well ahead of the southern States, and we have the opportunity to keep it that way and improve the management of our water resources and develop them further. Although in recent times Queensland has borne a lot of criticism for its record on water resources, it is fair to say that much of that criticism has focused on our involvement in the Murray-Darling Basin and the wish of the southern States that we restrict our development to somehow help compensate the dramatic overallocation of their own resources. That is not to say that we can continue development unabated. However, we should not have to forgo the benefits to this State simply to ease another State's failures to take its own corrective actions. It is their problem and they should try to fix it; it really was not our fault in the first place.

It is worth noting that, on the whole, our catchments are in far better shape than many of those in the southern States. It is also worth pointing out that there are still enormous opportunities for the development of water resources in this State—not only new water infrastructure but also schemes to use existing water supplies better, to recycle water and to use it more efficiently. The former coalition Government recognised the potential of our water resources and committed to one of the most exciting development programs in this country's history. The $1 billion Water Infrastructure Development Strategy provided a blueprint for Government to determine the priorities for water infrastructure development and then provide the platform to set about developing those projects. The Beattie Labor Government inherited that work. However, it did not value it and has done nothing with it. It was discarded in favour of endless review after endless review. In fact, since the election of the Beattie Government, not one new water infrastructure project has been initiated, planned or even contemplated. When it comes to water infrastructure, the Beattie Government is a can't do Government.

For reasons unknown to many, the self-proclaimed jobs, jobs, jobs Government refuses to commit to the enormous opportunities available to create jobs and facilitate regional development through developing water infrastructure. Projects that were being progressed under the former Borbidge Government have now been axed, delayed or reviewed. The St Helens Creek dam, the Nathan dam, the Finch Hatton Creek dam, the Flinders River dam, the St George off-stream storage and the raising of the Walla, Bucca and Jones Weirs on the Burnett River have all fallen victim to the Beattie Government.

Even the Premier's promise, made when he was in Opposition, to construct the Paradise dam in the Bundaberg region within five years has been broken, as the Minister for Natural Resources and the Minister for State Development have fumbled the ball. The member for Bundaberg knows all about that. Indeed, I am sure that she is not too happy with them. She will have to answer to her constituents as to why she has failed them by allowing the Beattie Government to break its promises, just as every other member of the Government—and particularly those who represent regional areas where water is desperately needed to establish new industries, to maintain existing industries and to create new jobs—will have to answer to the people of their electorates.

Under the Beattie Government, the development and improvement of our water resources has ground to a halt. As a result, the development of new industries and the creation of thousands of new jobs has been frozen. The Minister for Natural Resources has attempted to excuse his Government's inaction by citing the need for thorough environmental assessments and sound planning. No-one can reasonably argue that our water resources should not be managed sustainably. As I said earlier, that is a principle that the Queensland coalition is committed to. However, the coalition, rural industry and regional communities object when the Beattie Government tries to hide behind the environment or put up hurdles whenever the management of our water resources or water infrastructure is canvassed. All too often the current Minister does that, and again we see that borne out in this Bill.

The 1994 water reform policy agreed to by the Council of Australian Governments—or COAG—provided added impetus for the overhaul of Queensland's water laws. That agreement adopted a new framework to cover natural resource management, water pricing, the assessment of future investment in water infrastructure, trading in water entitlements, institutional reform and improved public consultation. Of course, the then Goss and Keating Labor Governments' zealous pursuit of National Competition Policy meant that the implementation of water industry reforms, according to that agreement, were tied to NCP payments. That meant that Queensland had to conform or it would potentially miss out on NCP payments worth millions of dollars. So in many ways, it is fitting that it is another Labor Government that is now presiding over the offspring of this NCP commitment.

Aside from the COAG agreement, there has been growing awareness of the need for an improved system of managing our water resources. As development has continued and the demand for water has increased, the shortcomings of the existing water laws that have served the State for 90 years have become increasingly apparent to both the Government and the community. As such, there have been calls from the farming sector, from the environmental sector and from the general community for a better method of allocating water to the community and the environment. Against that backdrop, the Beattie Government had a unique opportunity to undertake one of the most significant overhauls of water management in this State's history and to do it with the broad support of all stakeholders. Unfortunately, in large part this Bill represents a lost opportunity. Despite the broad acknowledgment by much of the community that the existing water laws were becoming inferior and the broad consensus for an overhaul of those water laws, somewhere along the way in the drafting of this Bill the Beattie Government has left much of the community behind to the point at which there is now strong opposition in many quarters to this Water Bill or to particular elements of it.

Some people in the Government's circle, including the Minister, have bragged that, through this Bill, Queensland has done in 18 months what it has taken up to five years to do in the other States of Australia. However, in rushing the development of this Bill, some very important issues have not been addressed fully, or even addressed at all. Some big short cuts have been taken, the results of which

are only really starting to bite the Government now. Some of those problems can be traced back to the haste and manner in which this Bill was developed.

It is a point of some notoriety that we now know that the Minister commissioned a former public servant, now practising as a consultant, to draft this Bill at a cost of $2.7m. We know that the contract involved performance bonuses for the completion of the Bill by certain deadlines. I think that is an outrageous precedent to be set for the development of any legislation, let alone for such wide-ranging and significant changes as are proposed in this Bill. In terms of all of these amendments, I have to ask why that occurred. That, together with the fact that the Minister authorised the expenditure of $2.7m of taxpayers' money on a job that his department should be more than well equipped to do, demonstrates an almost cavalier attitude to policy development which, to my knowledge, has not been matched by any Minister ever.

In fact, a lot of public servants around town must be thinking they are in the wrong game when there are consultancies as lucrative as this one being bandied about by the Beattie Government. And it is not as if either of the Minister's departments is flush with financial resources. I am sure that there are plenty of good causes around to which the Minister could have allocated that $2.7m. But with this sort of approach to legislative reform it is little wonder that some issues and the concerns of some people have apparently been glossed over. It is little wonder that the department has now been left to grapple with the implementation of a reform process which it had little input into developing.

The Opposition has consulted widely in developing its response to the Bill. We have talked to a large range of stakeholders, including those who have a direct involvement in the water industry as irrigators, to the people in the communities that depend on water for their living, and to those who may not have a direct stake as such but who want to ensure that our rivers and waterways are managed in the most environmentally sustainable way. After all this consultation and after studying the Bill and its background, one thing has become obvious. It seems that what the Bill has set out to achieve is the introduction almost overnight of the most all-encompassing reforms to the way our water is managed.

What we have before us is a bells and whistles piece of legislation which sets out to achieve COAG's objectives and the most sustainable method of managing our waterways. But in all its haste and with all of the deadlines in developing the Water Bill the Beattie Government has forgotten one very important ingredient—the people. There seems to be an expectation that with the passage of this Bill we can suddenly drop everything and run off with this bold new model for water management. But, unfortunately, we cannot. First and foremost we have to remember that a system of water management has been in existence in this State for the past century. We have to remember that the system was introduced and reinforced by successive Governments of all persuasions. We have to remember that there has been a set of rules under which both Government and the community have played the game. We have to remember that the stakes involved have been and remain very high. Water does not come cheap. While there has been a COAG inspired push towards what is now being called "full cost recovery", we cannot discount the fact that in many cases developing a water licence requires a heavy investment.

All over the State industries have grown around secure water supplies. Industries and communities have played their part in that development as well. Water is life and there are myriad examples across the State of where a reliable water supply has led to the growth of vibrant communities. That development has not just happened; it has come at a cost and it has depended on one thing—security.

I imagine it would be so much more simple if the Government could, with the benefit of hindsight and the benefit of the knowledge and the technology available today, simply start from scratch and draw up a new way firstly to establish how big the pie is and then how best to cut it up so as to cater for all of the competing demands for the resource. In many ways that seems to be the context under which this Bill has been developed. But whether the Minister or his Government like it or not, that is not the case and cannot be the case.

The biggest drawback with the Water Bill as it has been presented is that it lacks the one crucial element—security. This Bill wants simply to write off the system that has been operating for the past century. It seems to be trying to forget that the State of Queensland has issued water licences over many years and that many of those had a requirement imposed by Government that they be developed. It seems to try to discount the resultant investment that has been made on thousands of properties and communities all over the State.

This Bill seeks to introduce a radical new method of managing our water resources. It represents throwing out the old system and virtually starting again. It seeks to discard previously issued water licences and replace them with new water allocations, but with no guarantees that the new allocation will be the same as the previous licence. It seeks to do so without offering any form of assistance to those who will be most affected by the changes, without any recourse for those people in the event that the changes have an adverse effect on them and without any compensation if that adverse effect cannot be dealt with. In a nutshell, what this Bill does is deny people security.

While the Opposition, in common with most of the community, acknowledges the need for change, the need to improve the way we manage our water resources and the many provisions in this Bill, we do not accept that the Government can simply change the rules at half-time. As such, we cannot support the Bill in its current form and will be moving a series of key amendments that will address the lacking ingredient in the Bill and provide the necessary ongoing security to water users and the community.

According to the Explanatory Notes, the Bill has three broad objectives, namely, to establish, firstly, a sustainable management framework for the planning, allocation and use of water and other resources; secondly, a regulatory framework for service providers covering asset management, customer standards and dam safety; and, thirdly, a governance regime for the statutory authorities that provide water services.

These objectives are set out through Chapters 2, 3 and 4 in the Bill. The establishment of the regulatory framework for service providers and the governance regime for statutory water authorities are important issues, but it is the issues raised in Chapter 2 of the Bill that will arguably have the most impact on the lives of hardworking Queenslanders. Chapter 2 paves the way for the most significant reforms to the management of water in this State by establishing an entirely new management framework for the planning, allocation and use of water.

We can spend all day debating corporate governance and statutory authorities and the like, but at the end of the day the issue is the Bill's ability to provide a fair and sustainable system for allocating water to the community and the environment. That is really what this Bill is all about. It is Chapter 2 that presents the most pressing issues and the most concerns to water users and the community. Across industries, different regions of the State and catchments, there are widely divergent views on the use of water. For that reason it is always going to be difficult for any Government to develop a system that enjoys widespread support. But it is certainly not beyond the realms of possibility and it could have been achieved with this legislation, if only the Government had the will.

Chapter 2 should have been about balancing the needs of the environment and the needs of the community. It should have been about recognising existing water licences and providing a transition for those licences to the new system which will ensure continued water security and an appropriate adjustment period for assistance measures to iron out any inconsistencies. Chapter 2 provides the platform for the undertaking of water resource plans so that the community and the Government can better plan the development of each of Queensland's catchments to ensure that each of the competing demands for water are met and that the system is managed on a sustainable basis.

The water resource plans will be subordinate legislation and will be implemented through resource operations plans. Central to the planning process is the development of water allocation management plans, or WAMPs. In simple terms, that process is about working out how big the pie is and then how best to cut it up. The Opposition supports the development of water resource plans as an effective and sensible planning mechanism.

While we support the concept of water resource plans, I would emphasise that we do have a number of serious concerns with the manner in which this planning process will be applied. The Opposition is particularly concerned with the two-stage process for converting existing water licences to water allocations under this Bill which, as it stands, provides no certainty to water users, investors or the community. In the development of WAMPs, it is essential that the very best scientific information available be used. If the system is not based on the best data, it will not work and it will only cause widespread uncertainty.

Across Queensland the development of a number of WAMPs is already under way and we have already seen what can happen if the most rigorous system is not used. One has only to look at the Condamine/Balonne to see that, where investment is fast drying up as a result of the uncertainty caused by the release of the draft WAMP and its projections of cuts to individual water allocations of up to 70%. Widespread doubts have been cast about the data used, and local water users have now been forced to commission their own independent scientific assessment at great expense in the absence of any confidence in the DNR's document.

Alarmingly, that independent analysis of the technical reports, which supported the preparation of the Condamine/Balonne WAMP, has identified the possibility of a significant error in the hydrology studies undertaken by the Department of Natural Resources. The independent analysis seriously questions the methodology used to derive environmental flows and to assess economic and social impact. Already, Queensland Cotton and Namoi Cotton have been forced to shelve new multimillion-dollar cotton gin projects because of the massive uncertainty associated with that WAMP and this Bill's introduction.

Jobs are at risk and the community is in absolute turmoil. Even the Minister and his department appear to have acknowledged that there are inherent flaws in the draft WAMP and have now offered more time for "consultation". In fact, I read one newspaper report in which Chris Robson, DNR's general manager of water allocation and management, described the situation as "disturbing". While the

community has the ability to question such a WAMP, once this Bill has been passed the Condamine/Balonne community and dozens of others like them will have very little recourse to defend their water entitlements. They will have little recourse because the Bill denies them the right to appeal their allocation under a WAMP.

The Minister may well retort that there is an appeal provision in the Bill, but it is not a genuine appeal right, a fact confirmed by Mr Robson himself, who conceded that the final catchment plans will be unappealable when they become law. Previously under section 51 of the Water Resources Act 1989, licence holders were able to appeal a decision of the chief executive with respect to "an application for, renewal of or transfer of a licence; any amendment, variation, cancellation, revocation or suspension of a licence." However, under this Bill, water users will be granted a water allocation as opposed to a water licence and as a result have been denied the ability to appeal that allocation.

Implementation of an effective appeal process is made even more difficult because the water resource plans, or WAMPs, will become law before water users know what their entitlements are under these plans. The conversion of entitlements will only be determined when operational planning in their area is completed. So the first that a water user will know of their final allocation will be when approval is notified in the Gazette. That is too late for any water user who may be left with a significant reduction in their water allocation.

If the Condamine/Balonne experience is anything to go by, there could well be some whose farms are rendered non-viable. That is going to reduce not only the productivity of the farm but also the farm's value. That is a serious situation. Honourable members should imagine being on a farm and finding that that has happened to them. As if farmers have not got enough problems!

In fact, the Queensland Irrigators Council has drawn to our attention, as I know it has drawn to the Government's attention, by way of example the situation in the Fitzroy Basin where the WAMP has been completed and will have statutory effect once this Bill is enacted. It reported that irrigators in the Emerald area obtained independent assessments of the WAMP on two occasions in an attempt to determine the impact of the plan on their entitlements. Each assessment was inconclusive so they now have no option but to work through the operational planning process in their catchments.

They hope there will not be a significant reduction in their entitlements because they know that if this Bill is passed in its current form they can only appeal to the Land Court for adjustments to their converted entitlements within the constraints of the WAMP. Sure, they can make a submission to the referrals panel set up by the Minister, but the best that that could offer them is up to five years to adjust to the plan, which is not going to ward off the bank manager if the conditions of the WAMP slash the viability of their farm. I think that this is something that the Government does not really understand. People do not make any money or employ people if they are not viable.

I return to the Condamine/Balonne as another example. If in fact those independent assessments of the DNR's technical reports find errors after this Bill is passed, any water user who has been adversely impacted as a result of those errors can make only a submission to the Minister. There is no right of appeal. Sure, the Minister must address the report in finalising the plan, but the opportunity for water users to properly test the basis for decisions taken under the WAMP is denied. This Bill has generated this sort of massive uncertainty all over the State.

The Opposition is extremely concerned with the Beattie Government's failure to provide an effective appeals mechanism for water users whose new water allocation is varied from their previous water licence. Compounding this issue is the lack of any provision for compensation for any adverse impact in the transfer of existing water licences to the new water allocations under this Bill. I find that abhorrent. I cannot work out why we are not helping these people who, through no fault of their own, lose some entitlements. They are affected and we should be trying to help them. At present there is only very limited provision for compensation for any adverse alteration of a water allocation during the term of a WAMP. But there is no provision at the commencement of a WAMP or at its 10-year review, when it is far more likely that that assistance will be necessary.

The previous Water Resources Act actually required the holders of water licences to develop the irrigation works for which the licence has been issued. In most cases, that involves spending a lot of money. It is not unusual for some farmers to have borrowed and spent millions on associated earthworks and property development. Under this Bill, such a person could be issued with a reduced water allocation which reduces the amount of crop they can grow, reducing their income, potentially rendering their farm non-viable and reducing the value of their farm—all because they did as they were required under the State's previous water laws. That is changing the rules at half-time but with far more serious consequences. It is little wonder that communities such as those in the Condamine/Balonne, in the Fitzroy and so on are up in arms over this Government's handling of water reforms and this legislation.

It is these central issues which have been glossed over in the Government's haste to commission its million-dollar man to develop this Bill—deadlines rather than deliberation. The Opposition is firmly of the view that, if the Government has seen fit to change the rules to reduce an

existing water licence, there should be a full right of appeal provided. We do not accept the argument put forward in the Explanatory Notes that to allow such an appeal against the conversion would mean every user in the resource operations plan may be party to an appeal. That is not a legitimate excuse for denying people the right to justice.

The Minister stated in his second-reading speech that there is evidence that a number of river systems across the State have limited or no capacity to provide further allocations of water over and above the level of current use. He said that we had an opportunity to put Queensland and its primary industries on a sustainable footing and avoid the huge cost of repairing degraded rivers. He said that the Water Bill sought to establish a planning framework for making decisions about water allocation and use. The Minister cited the 1910 Bill, particularly the expert's report attached to that Bill, which concluded, and I think it is worth quoting again—

> "... nothing will contribute more to the industrial development of Queensland— or to social well-being of the people of the State— than a law which will establish effective public control over water, and provide for its orderly and just distribution."

The Minister must have known a thing or two. He said that those words rang true today and that an "orderly and just distribution" of water was a key concept in Chapter 2 of the Bill. However, it is on that basis that this Bill has failed water users and has failed the State. Whilst it could be argued that it provides for a system of orderly distribution, it certainly does not provide for the just distribution of water. It does not provide for the just distribution of water because it fails to recognise the existing water allocations that have been made by the State of Queensland to the people in the community. It does not protect the existing rights that have been issued by the State to water users.

The Minister stated that the challenge has been to develop a modern water law aimed at improving the security of supply for future users and ensuring that future water developments are sustainable whilst also protecting the health of our rivers and catchments. The security of the environment has been protected. I ask the Minister: what about the security of supply for existing water users? Why has that security been discounted in this Bill? Why are those existing water users now forced to use whatever means they can to protect their entitlements?

As I alluded to earlier, in large part this Bill has arisen from the 1994 water reform policy agreed to by the Council of Australian Governments. That agreement sought a number of key objectives, including achieving greater ecological sustainability and developing a more commercial approach to water pricing. However, the COAG agreement also provided for the States to recognise water property rights. As such, Queensland should be recognising water property rights with this Bill. At the very least there is a moral obligation to ensure that, where these rights are removed, compensation or adjustment assistance is provided. However, as this Bill has been presented, there is no such recognition of the existing water entitlements, the property rights attached to those or the right of water users who are denied some or all of their allocation to an appeals process or compensation if the decision is indeed upheld.

Recently, the Deputy Prime Minister lamented the abuse of the COAG agreement by certain States and called for an overhaul of the policy. That is a call that the Opposition strongly supports, because there is no more guilty party to that crime than Queensland's Beattie Labor Government. What we have seen in the Government's handling of water infrastructure issues is the systematic abuse of its National Competition Policy agreement to further the Government's own campaign of inactivity. There is no more striking example of this than the recent decision by the Beattie Government not to proceed with the construction of the second cell of the Beardmore Dam at St George. The theatrics did not fool the local irrigators, who took the time to meet with the NCC and discovered the truth—that it was the Beattie Government that did not want to build the dam and that NCP was the scapegoat for its decision.

What we are seeing in this Bill is the abuse of the COAG agreement so that the Beattie Government can force its reform agenda through without proffering any assistance to those who must adjust or without protecting the property rights which previously existed. Once again, the Beattie Government is demanding that one part of the community shoulder the cost of the State's environmental expectations, and of course there will be a cost. One of the biggest failings of this Bill is its failure to recognise the potentially significant adjustment costs for water users. The Minister himself has previously acknowledged that these impacts will not be insignificant and that water users were entitled to receive assistance and would in fact receive assistance from the Beattie Government.

At the Estimates committee hearings in 1999, I asked the Minister to outline his position on this issue. The Minister replied—

> "As I have done in my discussions with rural industry in relation to water resource issues and the outcome of the catchment planning and water allocation management planning process, we intend to put together a substantial industry package in consultation with industry to ensure that any adjustments under any changed guidelines that impact on the business viability

of rural primary producers will be addressed. We acknowledge that a decent incentives package is required and our State will play its part."

The Minister could not have said it much clearer than that. I ask the Minister: what happened to that commitment? Where is it? Did he change his mind, or was he again rolled in Cabinet? Either way, his promise to rural industry and that Estimates committee has been broken.

No allocation has been made or even foreshadowed in this year's State Budget. No reference has been made to the adjustment costs for water users in the Bill or the Explanatory Notes that accompany it. Those Explanatory Notes make reference to the setting aside of $2m for the implementation of the Bill, but the funding is to be used for the development of water resource plans, administrative costs and support for the Local Government Association of Queensland to assist local governments to comply with the requirements of the new Act. There is no acknowledgment of the need to support water users or the Minister's commitment to the Estimates committee. Where is the support for organisations which represent water users such as Agforce, the Queensland Irrigators Council or the Queensland Farmers Federation?

While the Explanatory Notes go on to say that a review of the financial implications of the Bill will take place within 12 months of commencement, I fear that will be too late for many water users who will be adversely affected by this legislation. On behalf of the Opposition and water users, I call on the Minister to honour his commitment and on the Beattie Government to recognise its responsibilities to the community.

There are a range of other issues I will briefly touch on which herald significant change for water users and the community. One of the most significant is that of the new head of power which vests control of overland flows in the State. There are widespread views on the management of overland flows and the measures proposed to control it. It is acknowledged that in some areas regulation is necessary to ensure the equitable distribution of overland flows and the maintenance of environmental flows.

The provisions proposed in this Bill favour a stepped approach which will allow the regulation of overland flows in those catchments where there is a high demand for water. However, some serious concerns were raised in very strong terms by the Scrutiny of Legislation Committee in its Alert Digest No. 10. The Opposition shares the committee's concerns and requests that the Minister address these. Until such time, we will reserve judgment on whether the provisions of the Act relating to the vesting of overland flows in the State are satisfactory.

The separation of water allocations from land title allows the open transfer of water allocations between water users and is a provision that the Opposition supports. With the necessary controls to ensure that trading cannot proceed to the detriment of particular schemes or the public interest, this provision will allow greater diversification opportunities and an efficient and fair system of transfer. These controls should hopefully allay fears in some areas that large corporations could buy up all the water in a scheme and hold other users to ransom or that too much water may be traded out of a particular scheme, threatening the viability of those who remain in the scheme. I urge the Minister to maintain a watching brief on this issue to ensure that the provision for water trading rules is effective and prevents these types of undesirable practices.

I also urge the Minister to maintain a watching brief over the administrative requirements imposed on water users through the requirement for land and water plans. While the intent of these plans may be sound, they must not become another burden on the efficient operation of primary producers.

In his second-reading speech, the Minister talked about the consultation process that was undertaken during the development of this Bill. He made the claim that this was "one of the most comprehensive consultation processes ever undertaken in Queensland to support the introduction of new legislation". While the consultation process was reportedly under way for 18 months and myriad draft papers and draft exposure Bills were issued, it seems that some of the most important messages failed to get through to the Beattie Government. All these messages revolve around the central issues I have outlined today: the need to recognise existing water entitlements in the transfer to the new system, the right of appeal for any water user whose new allocation varies from their current entitlement, the right to compensation for anyone whose viability or investment is adversely affected or threatened by the introduction of a water resource plan, and the need for adjustment assistance for those water users who will have to implement these reforms.

It is these failings that have led to the fact that rural industry does not support this legislation, contrary to the Minister's claims. By way of indication to those members who may not have been privy to much of the dealings on this Bill, I will quote a letter sent by the Queensland Irrigators Council to a number of Government Ministers. This letter succinctly outlines industry's position. The chairman, Mr Kropp, said in his letter dated 22 May—

"QIC has worked with the Government from the outset to prepare water legislation that addresses environmental and development needs in this State. We are very appreciative of the

level of consultation there has been in the development of the legislation. There are many key features of the Bill that we support, including the vesting of overland flow to provide a comprehensive planning framework for water allocation and management. However, we cannot support legislation that gives no effective protection to irrigators' existing water entitlements."

Mr Kropp goes on—

"We still believe that through a meaningful negotiation process our major concerns regarding effective appeal rights and adjustment arrangements can be addressed relatively easily by changes to the proposed legislation. We are prepared to support the legislation if this can be achieved."

Mr Kropp went on to highlight the undue haste with which this legislation has been developed, which has not allowed stakeholders to fully assess its complexities. In fact, the Queensland Farmers Federation drew the attention of the Minister to the need to provide adequate opportunities to consider such legislation in October last year. It is still waiting for a reply.

The Opposition checked this morning with the QFF, and I can report that the farming sector remains opposed to this Water Bill in its current form. The position outlined by Mr Kropp stands. The Opposition shares these concerns and, on that basis, will be moving a number of key amendments aimed at addressing these to the satisfaction of all stakeholders.

I urge the Minister to hear the message that the community keeps trying to get through to the Government and to accept our amendments. We believe these amendments are for the benefit of all people in our State of Queensland. They are very important amendments that will correct the deficiencies identified in this Bill and that will allow the Parliament to take the opportunity that was presented to introduce water reforms with the broad support of all stakeholders. Unless these amendments are accepted, the Opposition cannot accept what in its current form is an unfair and unjust Bill.