



Speech by

Hon. S. ROBERTSON

MEMBER FOR STRETTON

Hansard 7 August 2001

NEW SOUTH WALES-QUEENSLAND BORDER RIVERS AMENDMENT BILL

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (5.12 p.m.), in reply: Firstly, I thank all members from both sides of the House who participated in the debate on the New South Wales-Queensland Border Rivers Amendment Bill. I thank the opposition for its support in relation to this bill. I have some prepared notes that I want to read into *Hansard* and then I will take the opportunity to comment on a number of the issues raised in particular by members opposite in their speeches.

As we begin the new millennium, one of the most crucial policy areas facing governments is planning for and allocation of our scarce water resources. After 100 years of development in Queensland, we now need to take stock of our water resources and ensure their sustainable management for future generations.

The past few years have been a landmark period for water reform in Queensland. Part of that reform process includes the New South Wales-Queensland Border Rivers Amendment Bill, which provides scope for each state to better manage and more effectively use its available water resources across water years.

The inaugural Borders Rivers Ministerial Forum will be held at Parliament House this Thursday. It will be attended by me, the Minister for Environment, Dean Wells, and our New South Wales counterparts, Environment Minister Bob Debus and Land and Water Conservation Minister Richard Amery.

This government's commitment to the effective and efficient management of the rivers and streams that make up the border rivers reflects a wider commitment to conserving and regulating our precious water resources. Other recent government initiatives include the introduction of the Water Act 2000, the most fundamental rewrite of water industry legislation since the early 1900s; the development of water resource plans for vital catchment areas across the state; and approval and commencement of five-year rural water price paths to enable most schemes to achieve lower bound cost recovery by the year 2004. We have seen the corporatisation of the state's rural water service provider and extensive public consultation in relation to the Water Act, institutional reform, water resource planning and rural water pricing initiatives.

The Queensland government's approach to the implementation of COAG water reform has its basis in the Water Act 2000. The legislation provides for both environmental sustainability and the needs of a wide range of water industry participants. The effective management of water resources in the Queensland Murray-Darling basin is a major focus of our water reform policy. Queensland is continuing to progress its commitment through the preparation of water resource plans in each of the Queensland Murray-Darling basin catchments. The Queensland cap will be determined after these plans are completed.

The Beattie government is committed to the proper preparation and finalisation of water resource plans in each of our Murray-Darling basin catchments to ensure our cap arrangements are finalised in accordance with the Murray-Darling Basin Agreement. Until then, the status quo in relation to the taking and interference of water is being maintained through moratoriums so that planning outcomes will not be prejudiced by ongoing development. We are committed to sound planning that

provides a balance between the ecological, social and economic values of these Queensland catchments.

Since the commencement of these planning processes, there has been extensive consultation with regard to water allocation and management issues in these catchments and, in the last year, in regard to draft plans released for public comment. Work is being consolidated to enable water resource plans for the Warrego-Paroo, Moonie and Condamine-Balonne basin to proceed towards finalisation and for a draft plan for a border rivers catchment prepared for public consultation, which I will return to when addressing the remarks by the member for Southern Downs in his speech.

Queensland believes that because it is developing its water resources at a much later stage in the game, our cap should be brought in at a level to reflect this later development whilst also recognising the need for healthy river ecosystems. Current water use in the Queensland section of the Murray-Darling basin represents less than five per cent of all water use in the basin. Queensland does not intend to pay for the overallocation mistakes of our southern neighbours by holding back from a reasonable sustainable level of water development in its catchment.

In regard to the recent water licence appeal in the Land Court, I would highlight that this case is another example of the difficulties of the old Water Resources Act in allowing incremental decisions on water diversion applications. It highlights the uncertainty that the old legislation created for water users and the environment and reinforces the benefits of the Beattie government's Water Act 2000. The act will give greater water entitlement certainty as sought by water users and needed for environmental outcomes.

It is fair to say that media commentary on the Land Court case has been selective and biased in its representation of the evidence and proceedings, some of which, of course, we have seen here during this debate and in earlier speeches in this House today. That probably leads me into commenting on the various speeches made by members opposite, starting with the member for Callide.

Of the many things the member said he quoted, to support his argument and those of certain interests around St George, the original comment made by then Primary Industries Minister Ed Casey in terms of the process that we are going down. I think it was stated that the original basis for Queensland's involvement in the cap process, as explained by the then Minister for Primary Industries, Ed Casey, was that the Queensland cap would involve no issue of any new entitlements but would allow for existing entitlements to be developed to their full potential. That is a quote that is used a lot around the place, so I have heard. But unfortunately it is not quite as it would appear, in terms of supporting the argument from the member opposite, because it represents only half the story.

The 1996 document *Towards the Cap* suggests that the full potential as referred to by the then minister, Ed Casey, was to be approximately 550 gigalitres drawn out of the river across the whole of the Queensland Murray-Darling basin. Unfortunately, we have gone far beyond that 550 gigalitres extracted out of those rivers. Current extraction levels are at 900 gigalitres.

Mr Seeney interjected.

Mr ROBERTSON: No. When Ed Casey made that comment back in 1995-96 extractions were at 550 gigalitres. Current extractions, ourselves included, are at 900 gigalitres. That is an increase of 60 per cent on top of what was then considered as full development.

Mr Seeney: 'Existing licences'—read the quote.

Mr ROBERTSON: No, full development of existing licences back then equalled 550 gigalitres. We are currently at 900 gigalitres extraction. That comment by Ed Casey is irrelevant.

Mr Seeney: Are you saying that no other licences have been issued? Have other licences been issued since then?

Mr ROBERTSON: No further licences have been issued since then.

Mr Seeney interjected.

Mr ROBERTSON: No.

Mr Welford interjected.

Mr ROBERTSON: That is right. There was a reinterpretation of what 'full development' meant. The increase of up to 900 gigalitres represents an increase of 60 per cent on top of what was then full development. What the irrigators want is even more—another 150 gigalitres on top of what they currently have or, if you like, a 100 per cent increase on top of what was identified as full potential in Queensland's cap in 1996. I do not think we need to hear again Ed Casey's comment being quoted, because it is clearly—

Mr Seeney interjected.

Mr ROBERTSON: Then the member opposite clearly has not listened to what Ed Casey actually said back then, what the extraction levels were back then, what extractions levels are now and what extraction levels could be in the future. If the member wants to ask any further questions at some stage in the future, that is fine.

The member talked about making decisions before socioeconomic impact assessments had been completed. There has been no decision. The process continues.

Mr Seeney interjected.

Mr ROBERTSON: I do not know who has been briefing the member for Callide. If it has been the people out in St George, then they know—because they have participated in the socioeconomic impact assessments—that those studies have gone on by the Department of State Development. Before cabinet would have considered any cap decision, that socioeconomic impact assessment done by the Department of State Development would have been fed into the process. So by the time cabinet meets to determine the cap, there will be the work done by my department, the Department of Natural Resources, and there will be the work done by the Department of State Development in terms of the socioeconomic impact assessment. That has always been the case. It will always be the case. These decisions are not made in isolation.

The member opposite has made much of the state government allegedly not being prepared to recognise property rights. Despite that, the state government—my department—has stood in the market out in St George and was prepared to buy back water for the last three years—\$6 million. We have been standing out in the marketplace prepared to buy back water. Not one offer was provided to us by anyone who was prepared to sell the government back water at what would be considered to be a realistic price. The prices that were being suggested through that process were outrageous, to say the least. It is not as if the department or the government has not been prepared to buy back water; we have been. We have been standing in the marketplace for the last few years.

Mr Seeney: Will you buy back the water over the cap?

Mr ROBERTSON: I have told the member what we have been doing. Any decisions about that in the future will be made by cabinet, not by my answering a question of the member.

I now turn to the comments made by the member for Warrego. One of the difficulties that the members for Callide and Warrego face in tearing down every bit of the science that has gone on in this process is that it actually does not reflect reality. They talk about selective quoting. I can say that what the member for Callide said in this parliament last week and in the debate today is selective quoting at its absolute worst. What he refused to recognise—and he keeps saying 'read the transcript of the case', and I have—is that the expert witnesses for the appellants made a number of important concessions. Does the member admit that? No, he remains silent.

Last week I provided examples of the expert witnesses for the appellant recognising on transcript that current extraction levels had resulted in a significant degradation in the health of the river system. I am prepared to quote at length from the transcript of the cross-examination of the expert witness—I think it was Dr Lee Benson—in which time after time after time, when questioned by the department's barrister, QC or whomever it was, he acknowledged that, in relation to the health of the river system, based on current levels of extraction, there is an issue that needs to be addressed with respect to the degradation that occurs in that particular river system. It is wrong and, I would suggest, irresponsible for the member for Callide or the member for Warrego to suggest that the whole process has collapsed as a result of evidence presented in this particular court case. If they continue to argue that, they are then arguing for a complete abandonment of the process.

Mr Seeney: No, no, no.

Mr ROBERTSON: That is what they are arguing. The member is taking this matter too seriously.

Mr SEENEY: I rise to a point of order. I find that assertion by the minister offensive. I have always maintained my support for the water reform process and I will continue to do so. I am advocating a creditable, scientifically based water reform process. I ask the minister to withdraw the statement.

Mr ROBERTSON: What I was suggesting to the member—

Mr SEENEY: I rise to a point of order. I found the minister's statement offensive and I have asked him to withdraw.

Mr ROBERTSON: I find it offensive that it is not true.

Mr SEENEY: Under the conventions of this House he is obligated to withdraw the statement.

Mr ROBERTSON: No, I am not.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! There is no point of order, but is the minister able to withdraw?

Mr ROBERTSON: There is no need for me to withdraw because there is no offence taken to the standing orders.

Mr SEENEY: I rise to a point of order. The minister is well aware of the conventions of this House. I find the minister's statement that I am tearing down the water reform process offensive and I ask that he withdraw it. Under the conventions of this House, which he knows very well and which he used very effectively in the two-minute speeches the other day against me, he is obligated to withdraw.

Madam DEPUTY SPEAKER: I ask the minister to withdraw the statement.

Mr ROBERTSON: In deference to you, Madam Deputy Speaker, of course I will. I note that the difference is that last week I took a point of order about a statement that was both untrue and offensive. I note that the member opposite only takes offence at what I said; there is nothing untrue about what I said. Nevertheless, I withdraw.

That is the problem. Members opposite are going out there, whipping up a frenzy and suggesting that the whole process has collapsed as a result of this court case, and that is not so. We are still committed to bringing down a cap and then moving to the next stage, which is the resource allocation process or the allocation of water as stage 2 of the process. As to the actual time frames, we have a bit of work to do to tidy up some of the issues that arose out of that court case. Nevertheless, the science behind our water resource planning process remains the best in the country.

Mr Seeney: Why didn't it stand up to scrutiny in the court? Explain that to us.

Mr ROBERTSON: If we are going to acknowledge that, we also need to acknowledge the evidence provided by the expert witness for the appellant, and that is what the member for Callide refused to do. He refused to acknowledge that in the transcript the expert witness for the appellant made significant concessions. I offer him these little morsels from the transcript. This is the witness Benson being questioned by our legal representative.

Mr Seeney: I have read it.

Mr ROBERTSON: Okay, then the member would recall that Mr Benson was asked—

You would agree with me, wouldn't you, that if the amount of water that's being taken out of a river system is in the order of 50 per cent of the mean annual flow, then you would certainly expect there to be an effect?—Yes.

On the environment?—Yes.

Downstream?—Yes.

Now you would certainly expect there to be a real connection between the reduction of flow and the reduction in the ecological condition?—At that level, yes.

And what we're talking about, with respect, in this case is how much worse the system might become ... with the lag effect on top?—Yes.

You would concede it as a professional engaged in the area that there is degradation in the system?—Yes.

That is the expert witness for the appellant in the court case. This is the evidence that the member opposite relies upon to suggest that the science is flawed. This is the expert for the appellant acknowledging that, as a professional engaged in the area, there is degradation in the system. He says, 'Yes.' What are you supposed to do? What you do not do is go out and start arguing for additional allocation of water out of the river system. If your own expert says there is degradation in the river system, you do not go out there and say, 'Let's take more water out,' because that is what the member for Callide has been doing. That is why his argument is so flawed. That is why the mischief he has been creating over the last three weeks is nothing short of irresponsible.

If the health of the river system is to be protected and if the economic viability of growers in the Lower Balonne is to be protected, the member for Callide should be backing off. He should be getting on board with us because we will address some of the minor issues that came out of this court case. At the end of the day, we will make a decision based on maintaining the health of the river system and maintaining the health of the economy in the Condamine-Balonne area. That is the process we will follow under the Border Rivers system, regardless of the amount of mischief-making and the amount of selective quoting by the member opposite, by others and by the member for Warrego, who, interestingly enough, has just reappeared on the scene. I remember going to St George for the first time to meet with irrigators. I said, 'What does Howard Hobbs think of all this?' They said, 'Who?' I said, 'Your local member.' They said, 'Oh, we don't worry about what he has to say.' They do not think too much of the honourable member for Warrego, I have to say. I think the member for Warrego should take a good look at what he is being used for at the present time.

Whilst this debate has principally been about the Border Rivers, it has provided an opportunity for a number of members to talk about other river systems—in this case, the Condamine-Balonne. I am more than happy to continue to talk about it because time and time again we will focus on the real issues. We will not get down and dirty with the politics. We are committed to making a proper decision in the Condamine-Balonne and a proper decision in the Border Rivers. That is why it is with pleasure that I address some of the comments made by the member for Southern Downs. A clear distinction can

be made with respect to the contributions by the members for Callide and Warrego as compared to the member for Southern Downs, because the member for Southern Downs is a former minister for natural resources and knows the issues involved. He does not get caught up in the politics. He is not interested in making mischief. He is committed to, as I wish the members for Warrego and Callide were, a decent outcome for the communities in the Border Rivers catchment.

I do need to correct him on one point, however. On a couple of occasions he mentioned the Land Court decision. There has been no decision by the Land Court. There has been no comment by a judge. It was a settlement that was reached in relation to this matter. But that is a minor point. I would rather deal with the substance of the comments made by the member for Southern Downs. With respect to when his community can expect to see the draft resource plan, I will be meeting with my department tomorrow to discuss this very issue. As I have indicated, there is a ministerial council on the Border Rivers scheduled for this Thursday in Brisbane, when I will also be discussing what we intend to do. Following those two meetings, I expect to be in a position to be able to outline the timetable for the release of the draft water resource plan for the Border Rivers.

I give the member for Southern Downs a commitment that I will do my utmost to keep him informed of the process as we go through it. We have of course already been engaging various community groups. I certainly endorse the comments he made with respect to the contributions by both the Food and Fibre Group and the Granite Belt irrigators. Yes, there have been some differences in views by those groups but, as I indicated, I do not think that has detracted from the quality of either of those group's arguments. In fact, this weekend I will be seeing Bruce McCollum again. I will be taking the opportunity to visit one of the cotton growers out there, as well as meeting with representatives of the Queensland Murray-Darling Consultative Committee at Goondiwindi.

Mr Springborg interjected.

Mr ROBERTSON: No, they are actually overseas. It will be some other cotton grower whose name I cannot remember at this stage, but it is not the Turners. That will provide me with another opportunity to meet with stakeholders in the general area to relay what we have been talking about this week in the Border Rivers ministerial council and, of course, to get feedback from them about things such as the impact of the court case. Despite some arguments that the member for Callide and I may have about such things, I do appreciate the support of members opposite for the passage of this bill.
